

Minutes of the meeting of the Board of Trustees of the Incorporated Village of Hewlett Neck held on Wednesday, July 30 2018 at 8:05 p.m. at Village Hall, 30 Piermont Avenue, Hewlett, New York.

1. Calling the meeting to order:

Mayor Epstein called the meeting to order at 8:05 p.m.

A. Mayor's Appointment to serve at the pleasure of the Mayor:

Deputy Mayor	Steve Hochberg	1 year
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Mayor Epstein appointed Steve Hochberg as Deputy Mayor

2. Roll call:

Present	Mayor	Ross Epstein-
	Deputy Mayor	Steve Hochberg
	Trustee	Michael Levine-
	Village Attorney	Brian Stolar, Esq.
	Village Clerk	Michelle Blandino
Absent	Trustee	Brett Cooper
	Trustee	Aron Schnell
	Treasurer	Peter Halperin-

3. Notice of Meeting–Nassau Herald:

Clerk Blandino reported that notice of this evening's public hearing and meeting was mailed to the Nassau Herald and was posted on the bulletin board outside Village Hall and in the lobby of Village Hall.

4. Minutes –April 10, 2018, 2018 meeting minutes

On motion by Mayor Epstein seconded by Deputy Mayor Hochberg, the Board voted unanimously to dispense with the reading of the minutes of the May 21, 2018 Board meeting as the Clerk has previously mailed such minutes to the Board and they are hereby approved.

5. Public Hearing Proposed Local Law HN-8-2018 to amend the Code of the Village of Hewlett Neck in relation to residency requirements for members of the Board of Appeals..

A. Open Hearing – The Mayor opened the public hearing:

B. Notice of hearing - Clerk Blandino reported that notice of this evening's public hearing appeared in the Nassau Herald and was posted on the bulletin board outside Village Hall and in the lobby of Village Hall

C. Affidavits – Clerk Blandino reported that notice of publication and posting was received.

D. Appearances: None

E. Close hearing – 8:10 pm

On motion by Mayor Epstein, seconded by Trustee Levine and unanimously approved, the Board voted to close the public hearing and adopt Proposed Local Law HN-8-2018 to amend the Code of the Village of Hewlett Neck in relation to residency requirements for members of the Board of Appeals.

6. Public Hearing Application of Crown Castle NG East LLC, 16-16 Whitestone Expressway, Whitestone, NY for a special use permit pursuant to Village Code Chapter 192, to install a telecommunication facility in the right-of-way on an existing utility pole on the east side of Woodmere Blvd South approximately 160 feet north of Hickory Road.

A. Open Hearing: The Mayor opened the public hearing at 8:10pm

B. Notice of Hearing: Clerk Blandino reported that notice of this evening's public hearing appeared in the Nassau Herald and was posted on the bulletin board outside Village Hall and in the lobby of Village Hall

C. Affidavits: Clerk Blandino reported that notice of publication and posting was received.

D. Appearances: Robert Gaudio Esq., from Law Firm, Snyder & Snyder, LLP And Hewlett Neck resident Michael Fineran

Mayor Epstein made a motion to continue the hearing to September 24, 2018, at 8:00 PM, which was seconded by Deputy Mayor Hochberg and unanimously approved. The Board discussed the environmental impact of the Crown Castle application. On motion duly made by the the Mayor, seconded by the Deputy Mayor, and adopted unanimously, the Board adopted the following resolution with respect to the environmental impact of the application:

RESOLVED, that the Board hereby finds and concludes that

(a) the application for a special use permit is an Unlisted action under the State Environmental Quality Review Act and its regulations;

(b) the Board is the lead agency with respect to environmental review of this proposed action;

(c) the Board has considered the following factors in respect to its review of the environmental impacts of the proposed action:

(i) whether the proposed action would result in any substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels, nor any substantial increase in solid waste production, nor create a substantial increase in the potential for erosion, flooding, leaching or drainage problems;

(ii) whether the proposed action would result in the removal or destruction of large quantities of vegetation or fauna, substantial interference with the movement of any resident or migratory fish or wildlife species, impacts on a significant habitat area, substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species, or other significant adverse impacts to natural resources;

(iii) whether the proposed action would impair the environmental characteristics of any Critical Environmental Area;

(iv) whether the proposed action would conflict with the community's current plans or goals as official approved or adopted;

(v) whether the proposed action would impair the character or quality of important historical, archeological, architectural or aesthetic resources or of existing community or neighborhood character;

(vi) whether the proposed action would result in a major change in the use of either the quantity or type of energy;

(vii) whether the proposed action would create a hazard to human health;

(viii) whether the proposed action would create a substantial change in the use, or intensity of use, of land, including agricultural, open space or recreational resources, or in its capacity to support existing uses;

(ix) whether the proposed action would encourage or attract large numbers of persons to any place for more than a few days, compared to the number who would come to such place without such action;

(x) whether the proposed action would create changes in two or more elements of the environment, no one of which would have a significant impact on the environment, but when taken considered together would result in a substantial adverse impact on the environment;

(xi) whether the proposed action would create substantial adverse impacts when considered cumulatively with any other actions, proposed or in process;

(xii) whether the proposed action would result in substantial adverse impact with respect to any relevant environmental consideration, including noise, aesthetics, traffic, air quality, water quality or adequacy of water supply, drainage, soil conditions, or quality of life in the community in general and the immediate neighborhood in particular;

(d) the proposed action, would not have a significant adverse environmental impact, as that impact is considered under SEQRA; and

(e) no further environmental review is required with respect to the proposed action.

7. Proposed Local Law HN 1809- A local law to amend the Code of the Village of Hewlett Neck in relation to delineating yards on a corner lot

Tabled

8. Correspondence:

A. Letter from Edward Vilinsky requesting a tax refund for 2018/19 tax year in the amount of \$ 102.28

Board discussed and declined to take action as requested by Mr. Edward Vilinsky

B. Letter received from James Breitman resigning from position as Alternate Member of Design Review Board.

The Board acknowledged James Breitman's resignation as Alternate Member of Design Review Board

- C. Letter received on 7/25/18 from Peter Halperin resigning from position of Treasurer

The Board acknowledged Peter Halperin's resignation as Village Treasurer

- D. Email Received From Sharona Weinberg who resides at 960 Browers Point Branch and Michal Weinstein who resides at 949 E Broadway requesting that the potholes on Browers Point Branch, E Broadway and Hewlett Neck Road be repaired and the 2nd installed telephone pole that is leaning on Browers Point Branch be removed

Board discussed.

- E. Letter received 7/16/18 via Email from Village of Freeport requesting support and authorization to join the action against the Town of Hempstead and Nassau County requesting fair and equitable distribution of Sales Tax

On motion by Mayor Epstein, seconded by Trustee Levine and unanimously carried, the Board voted to join the Village of Freeport's action against the Town of Hempstead and Nassau County requesting a fair and equitable distribution of Sales Tax, on the condition that there be no expense to the Village

- F. Email received 7/6/18 from Jennifer Gardyn requesting that a speed bump be placed at the corner of Hewlett Neck Road and Monroe and additional speed bumps throughout the Village

The Board discussed and will reach out to the 4th Precinct to request more patrol in the Village to issue tickets to those who are speeding through the Village.

- G. Memo received from Building Department with building permit project updates

The Mayor directed the Clerk to resend the report to the Board

9. Application from Edward & Michelle Schornstein of 140 Harold Road seeking lot line Modification and subdivision for the 31' by 72' of the rear of 119 Ocean Ave

On motion by Mayor Epstein, Seconded by Deputy Mayor Hochberg and unanimously carried, the Board granted the lot line modification and subdivision for the 31' by 72' of the rear of 119 Ocean avenue

Whereas, Edward and Michelle Schornstein, 140 Harold Road, Hewlett, New York (Section 41, Block 19, Lot 638 on the Nassau County Land and Tax Map) has applied pursuant to Real Property Law 334-a for waiver of subdivision requirements to permit a lot line modification and acquisition of a rear portion of property owned by Friedman Group, LLC, 119 Ocean Avenue, Hewlett, New York (Section 41, Block, 19, part of Lot 26), as depicted on a

Composite Survey of property located at Section 41, Block 19, Lots 26 & 638, prepared by Barry M. Fahrner, LLS, dated May 23, 2018, and

Whereas, the Board of Trustees, acting as the Planning Board for the Village, has subdivision jurisdiction with respect to the property pursuant to the Village Code, and

Whereas, the Board of Trustees declares itself to be lead agency with respect to the proposed subdivision, determines that the subdivision is an Unlisted Action pursuant to the State Environmental Quality Review Act, and that as provided herein, the proposed waiver is not likely to have a significant environmental impact, and

Whereas, the Board of Trustees has reviewed the proposed subdivision,

Now, therefore, be it

Resolved, that Board hereby finds and concludes that

- (a) the application for a waiver is an Unlisted action under the State Environmental Quality Review Act and its regulations;
- (b) the Board is the lead agency with respect to environmental review of this proposed action;
- (c) the Board has considered the following factors in respect to its review of the environmental impacts of the proposed action:
 - (i) whether the proposed action would result in any substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels, nor any substantial increase in solid waste production, nor create a substantial increase in the potential for erosion, flooding, leaching or drainage problems;
 - (ii) whether the proposed action would result in the removal or destruction of large quantities of vegetation or fauna, substantial interference with the movement of any resident or migratory fish or wildlife species, impacts on a significant habitat area, substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species, or other significant adverse impacts to natural resources;
 - (iii) whether the proposed action would impair the environmental characteristics of any Critical Environmental Area;
 - (iv) whether the proposed action would conflict with the community's current plans or goals as official approved or adopted;
 - (v) whether the proposed action would impair the character or quality of important historical, archeological, architectural or aesthetic resources or of existing community or neighborhood character;
 - (vi) whether the proposed action would result in a major change in the use of either the quantity or type of energy;
 - (vii) whether the proposed action would create a hazard to human health;
 - (viii) whether the proposed action would create a substantial change in the use, or intensity of use, of land, including agricultural, open space or recreational resources, or in its capacity to support existing uses;
 - (ix) whether the proposed action would encourage or attract large numbers of persons to any place for more than a few days, compared to the number who would come to such place without such action;
 - (x) whether the proposed action would create changes in two or more elements of the environment, no one of which would have a significant impact on the environment, but when taken considered together would result in a substantial adverse impact on the environment;

(xi) whether the proposed action would create substantial adverse impacts when considered cumulatively with any other actions, proposed or in process;

(xii) whether the proposed action would result in substantial adverse impact with respect to any relevant environmental consideration, including noise, aesthetics, traffic, air quality, water quality or adequacy of water supply, drainage, soil conditions, or quality of life in the community in general and the immediate neighborhood in particular;

(d) the proposed action, would not have a significant adverse environmental impact, as that impact is considered under SEQRA; and

(e) no further environmental review is required with respect to the proposed action.

(f) the Schornstein application for a waiver of subdivision filing requirements be, and hereby is, granted and the Building Department is directed to provide written notification to the applicant of the Board's determination.

10. Village Engineer Proposals:

West Side Engineering, PC
Nelson & Pope Engineers

Mayor Epstein appointed both West Side Engineering and Nelson & Pope Engineers as Village Engineers, to serve at the pleasure of the Mayor and to perform work as determined by the Mayor, at the rates provided in their written proposals.

On motion by Deputy Mayor Hochberg, seconded by Trustee Levine, the above appointments were unanimously approved.

11. Village Pothole improvement proposals:

Advanced Pavement Group Corp:	\$16,000.00
Pave Master	\$23,268.00

Mayor Epstein made a motion to (a) award the repair of the potholes listed in the RFP to Advanced Pavement Group Corp. at a price not to exceed \$16,000.00, subject to (i)Advanced Pavement shall execute an agreement with the Village to perform the work and to provide the Village with a performance bond, issued by a surety authorized to transact business in New York, in a penal sum of 100% of the proposed cost. And (ii) that Advanced Pavement Group provide a one year guarantee on work completed. The motion was seconded by Deputy Mayor Hochberg, and unanimously approved.

12. Town of Hempstead Water Quality Improvement Grant:

On motion by Mayor Epstein, seconded by Trustee Levine and unanimously carried, the Board voted to commit in writing to participate and perform actions required to obtain the Town of Hempstead Water Quality Improvement Grant and authorized the Mayor to execute a memorandum of understanding with the Town of Hempstead.

13. Pump to Storm Drain on Monroe Lane and Clogged Drywell ifo 123 Hewlett Neck Road:

Tabled

14. Appointments

Mayor Epstein made the following appointments, for the terms indicated:

Village Clerk	2 years	Michelle Blandino
Treasurer	2 years	Shlomo Cohen
Deputy Village Clerk	1 year	Karen Quintavalle
Deputy Village Treasurer	1 year	Dana Garraputa
Court Clerk	1 year	Karen Quintavalle
Deputy Court Clerk	1 year	Michelle Blandino
Clerk – Design Review Board	1 year	Dana Garraputa
Clerk- Board of Appeals	1 year	Dana Garraputa
Deputy Registrar	1 year	Karen Quintavalle
Chair – Board of Appeals	1 year	Allan Sexter
Member – Board of Appeals	5 years	Gregory Mariasch
Alternate Member – Board of Appeals	1 year	Peter Halperin
Alternate Member – Board of Appeals	1 year	Jack Hollander
Member Design Review Board/ Chair	3 Years	Ralph Betesh
Member Design Review Board	3 years	Ralph Betesh
Alt. Member – Design Review Board	1 year	Vacant
Alt. Member – Design Review Board	1 year	Meir Moshe
Alt. Member – Design Review Board	1 year	Lauren Hollander
Road Commissioner	1 year	Niev Ziarno

On motion by Mayor Epstein, seconded by Deputy Mayor Hochberg, the above appointments were unanimously approved.

B. Appointments to serve at the pleasure of the Mayor:

Prosecuting Attorney	Stanley Kopilow
Building Inspector	William Dougherty
Deputy Building Inspector	Steve Cherson
Plumbing Inspector	Joseph Montilli
Deputy Plumbing Inspector	William Dougherty
Village Engineers	West Side Engineering, PC Nelson & Pope Engineers
Historian	Bertram Kalisher
Electrical Inspectors	Alliance Electrical Inspections, Ltd Certified Electrical Inspections, Inc.

Electrical Inspection Service Inc.
 Electrical Inspectors Inc.
 NYS Electrical Inspections, Inc.
 Suffolk Bureau of Electrical Inspectors, Inc.

On motion by Mayor Epstein, seconded by Deputy Mayor Hochberg, the above appointments were unanimously approved.

15. Board appointment of Village Attorney and Special Counsel

Law firm of Meyer, Suozzi, English & Klein
 Village Attorney – Brian S Stolar

A. Mayor Epstein appointed Brian S. Stolar as Village Attorney

On motion by Trustee Levine and seconded by Deputy Mayor Hochberg, the following resolution was unanimously approved:

RESOLUTION RETAINING VILLAGE ATTORNEY
 AND SPECIAL COUNSEL

RESOLVED, that the Board of Trustees hereby approves the Mayor's appointment of BRIAN S. STOLAR as Village Attorney to serve at the pleasure of the Mayor, and it is further

RESOLVED, that the compensation for the services of the Village Attorney and other attorneys associated with his law firm designated by him as Deputy Village Attorneys, for retainer legal services (all legal services required by the Village other than legal services in connection with litigation matters, or Village acquisition or sale of real estate) to be performed by the Village Attorney or under his direction, shall be \$250 per hour, plus reimbursement of all reasonable and necessary disbursements incurred in connection with the performance of such retainer legal services, which sums will be billed to the Village monthly by the Village Attorney or any law firm with which he may be associated, and it is further

RESOLVED, that the Board of Trustees hereby retains MEYER, SUOZZI, ENGLISH & KLEIN, P.C. as special counsel to the Village for non-retainer legal services as may be required, the services of such special counsel to be compensated at the rate of \$250 per hour, plus reimbursement of all reasonable and necessary disbursements incurred in connection with the performance of such non-retainer legal services, which sums shall be billed to the Village monthly.

16. Designations:

A. Bank Depositories

On motion by Mayor Epstein, seconded by Deputy Mayor Hochberg, the Board unanimously approved the following resolution:

“BE IT HEREBY RESOLVED that the following banks be designated as depositories of Village funds, provided that such banks have provided the Village with an approved collateral agreement as required by law:”

Capital One Bank – Regular Account
 Capital One Bank – Payroll Account
 Capital One Bank – Money Market
 Capital One Bank – Trust Account
 HSBC – Village Justice
 HSBC – Bail Account

B. Signatures on Checks

On motion by Mayor Epstein and seconded by Deputy Mayor Hochberg, the Board unanimously approved the following resolution:

“That two (2) authorized signatures be required on all checks. The Treasurer and the Clerk shall be the two signatories and in the absence of either or both, the Mayor or any Trustee may sign in their absence”.

C. Official Newspaper: Nassau Herald

Mayor Epstein made a motion to designate the Nassau Herald the official newspaper of the Village. The motion was seconded by Trustee Levine and unanimously approved.

D. Village Auditor- Satty Levine, Ciacco, CPA

Mayor Epstein made a motion to designate the firm of Satty, Levine, Ciacco, CPA the official auditors of the Village. The motion was seconded by Trustee Levine and unanimously approved.

17. Annual Policies:

Each of the following policies was readopted, on motion by Mayor Epstein, seconded by Trustee Levine and adopted unanimously:

Renew Procurement Policy revised September 13, 2010
 Renew Violence in the Workplace Policy adopted October 28, 2013
 Renew Payment of Claims Policy
 Renew Investment Policy
 Renew Standard Workday Policy adopted October, 2014

18. Reports:

A. Public Safety – May, June 2018

1. Police Activity Report

May	Arrests	0
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	Crime Reports	0
June	Arrests	0
	Crime Reports	0

B. Treasurer's Report – May 2018

Clerk Blandino summarized the Treasurer's Report

Cash status	May , 2018	
Bank balances	Reg., Pay., M.M.	
As of 5/1/18		\$458,584.74

Plus Receipts

Non Property Taxes	1,998.94	
Departmental Income	-1,077.00	
Licenses and Permits	3,540.00	
Sale of Property/Other Comp	23.50	
		<u>4,485.44</u>
		\$463,070.18

Less Disbursements

General Government Support	12,341.27	
Public Safety	7,730.00	
Judicial	359.90	
Transportation	2,488.12	
Home and Community Services	1,465.93	
Employee Benefit	<u>2,115.05</u>	
		<u>26,500.27</u>
		436,569.91

Proof Bank Balances:

Capital One – Regular	4,996.70
Capital One – Payroll	6,686.17
Capital One – Money Market	<u>424,887.04</u>
	436,569.91

Cash status	June , 2018	
Bank balances	Reg., Pay., M.M.	
As of 6/1/18		\$436,569.91

Plus Receipts

Real property Tax Items	185,420.99	
Non Property Taxes	3,230.23	
Departmental Income	3,751.86	
Licenses and Permits	7,185.00	
State Aid	1,236.00	
		<u>200,824.08</u>
		\$637,393.99
<u>Less Disbursements</u>		
General Government Support	6,352.08	
Judicial	27.86	
Public Safety	3,240.00	
Transportation	781.14	
Reconciliation discrepancies	.30	
Home and Community Services	3,330.90	
Employee Benefits	<u>1,315.00</u>	<u>15,047.28</u>
		622,346.71
<u>Proof Bank Balances:</u>		
Capital One – Regular	11,191.58	
Capital One – Payroll	10,847.40	
Capital One – Money Market	<u>600307.73</u>	
	622,346.71	

1. Audit of Claims

On motion by Mayor Epstein, seconded by Trustee Levine and unanimously approved, the Village Clerk was directed to pay the general fund claims in the amount of \$80,607.04 as set forth in abstract #646.

H. Roads – Road Commissioner Ziarno– No report

19. New Business: None

20. Next Meeting: September 24, 2018 at 8:00pm

21. Adjournment:

As there was no further business the meeting was adjourned at 9:30 p.m.

MICHELLE BLANDINO
VILLAGE CLERK