

Minutes of the meeting of the Board of Trustees of the Incorporated Village of Hewlett Neck held on Monday, December 17, 2018 at 8:00 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 8:00 p.m.

2. Roll call:

Present	Mayor	Ross Epstein-
	Deputy Mayor	Steve Hochberg
	Trustee	Trustee Aron Schnell
	Trustee	Brett Cooper
	Trustee	Michael Levine- 8:03pm
	Village Attorney	Brian Stolar, Esq.
	Village Clerk	Michelle Blandino
Excused		
	Treasurer	Schlomo Cohen

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 –November 7, 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 November 7, 2018 Board as the Clerk has previously mailed such minutes to the Board and they are hereby approved.

5. A. Continuation of 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 proximate to the southeast corner of Smith Lane and Hewlett Neck Road, at 153 Hewlett Neck Road, or in the alternative, (a) in the right-of-way on the west side of Browsers Point Branch, in front of 985 Browsers Point Branch and proximate to the northwest intersection of Browsers Point Branch and Woodmere Boulevard South, on a new pole, or (b) in the right-of-way in front of 134 Hewlett Neck Road.

The minutes of the hearing were transcribed stenographically. Trustee Cooper recused himself from participation in this application. On motion by Mayor Epstein

seconded by Deputy Mayor Hochberg, the Board voted unanimously to continue the hearing until January 28, 2019 at 7 PM.

B. The Board discussed a November 27, 2108 written request from Crown Castle, to amend the approval for the facility at 193 Woodmere Boulevard, which facility was approved by the Board previously. As indicated in the amendment request, PSEG now requires the installation of a meter pan as part of any telecommunications facility constructed by Crown Castle. The proposed modification is depicted on plans submitted with the amendment request. On motion duly made by Deputy Mayor Hochberg, seconded by Trustee Schnell, and adopted unanimously, the Board approved the amendment.

6. 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

On motion by Mayor Epstein, seconded by Trustee Schnell and unanimously approved, the Board voted to schedule a Public Hearing on January 28, 2019 at 7:00 pm,

7. Public Hearing for Proposed Local Law 1810- A local law to amend the Code of the Village of Hewlett Neck, to regulate outdoor lighting on private property in the Village of Hewlett Neck

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 –On motion by Mayor Epstein, seconded by Deputy Mayor Hochberg and unanimously approved, the Board voted to close the public hearing, determine that it is the lead agency, that the proposed local law is an Unlisted Action under SEQRA and adopt the following resolution:

RESOLVED, that the Board hereby finds and concludes that \

(a) Proposed Local Law 1810 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, and it is further

RESOLVED, that the Board adopts Proposed Local Law 1810, as Local Law __ of 2018 and directs the Village Clerk to file Local Law __ of 2018 with the New York Secretary of State and take all actions required by law.

8. Public Hearing for Proposed Local Law 1811- A local law to amend the Code of the Village of Hewlett Neck , in relation to powers delegated to the Tree Commissioner in the Village of Hewlett Neck

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
- F. Close hearing –On motion by Mayor Epstein, seconded by Deputy Mayor Hochberg and unanimously approved, the Board voted to close the public hearing,, determine that it is the lead agency, that the proposed local law is an Unlisted Action under SEQRA and adopt the following resolution:

RESOLVED, that the Board hereby finds and concludes that

- (a) Proposed Local Law 1811 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, and it is further

RESOLVED, that the Board adopts Proposed Local Law 1811, as Local Law __ of 2018 and directs the Village Clerk to file Local Law __ of 2018 with the New York Secretary of State and take all actions required by law.

E.

9. Proposed Local Law HN 1812- A local law to amend the Code of the Village of Hewlett Neck by repealing area regulations relating to deck, structures and accessory uses that extend less than three feet above grade

On motion by Mayor Epstein, seconded by Trustee Schnell and unanimously approved, the Board voted to schedule a Public Hearing on January 28, 2019 at 7:00 pm,

10. Correspondence:

- A. Email received on 8/20/18 from Tamara Edelstein who resides at 104 Harold Road, requesting to leave her car in street and to be exempt from receiving summonses due to medical conditions

Tabled pending further review by the Board.

11. Renewal of Building Inspector Agreement:

Tabled

12. Village Storm Drains:

- A. Cleaning of 3 Drains in the Village with Vacuum Truck:

Dejana Industries LLC: \$1385 per day Disposal \$63. Per cubic yard
Citiwide Sewer & Drain Corp \$1395 first drywell \$1095 each additional

On motion by Mayor Epstein, seconded by Trustee Cooper and unanimously approved, the Board voted to accept proposal from Dejana Industries, LLC for the cleaning out of

3 drains and the removal of debris at a price of \$1385 per day and \$63 per cubic yard for debris removal

B. Cleaning of 33 Village Storm Drains: John Devito Contracting \$500 per Drain

On motion by Mayor Epstein, seconded by Trustee Cooper and unanimously approved, the Board voted to accept proposal from John Devito Contracting for the cleaning of 33 storm drains at a price not to exceed \$16,500.00

C. Repair on two catch basins located at Smith Lane and Hewlett Neck Road front walls are deteriorated John Devito Contracting \$3,000

On motion by Mayor Epstein, seconded by Trustee Cooper and unanimously approved, the Board voted to accept proposal from John Devito Contracting for the repair of two storm drains located at the corner of Smith Lane and Hewlett Neck Road for a price not to exceed \$3000.00

13. Reports:

A. Public Safety – November 2018

1. Police Activity Report

November	Arrests	0
	Crime Reports	0

B. Treasurer's Report – November

Clerk Blandino summarized the Treasurer's Report

Cash status	November, 2018	
Bank balances	Reg., Pay., M.M.	
As of 11/1/18		\$593,743.65

Plus Receipts

Non Property Taxes	3,639.23
Departmental Income	3,150.00
Licenses and Permits	2,575.00
Sale of Property/ Other Comp	100.00

9,464.23
\$603,207.88

Less Disbursements

General Government Support	9,470.14	
Judicial	610.00	
Public Safety	8,330.00	
Transportation	1,414.95	
Home and Community Services	1,123.00	
Employee Benefit	<u>14,642.26</u>	<u>35,590.35</u>

Proof Bank Balances:

Capital One – Regular	-10,808.99
Capital One – Payroll	7006.28
Capital One – Money Market	<u>571,420.24</u>
	567,617.53

1. Audit of Claims

On motion by Mayor Epstein, seconded by Trustee Schnell and unanimously approved, the Village Clerk was directed to pay the general fund claims in the amount of \$40,052.43 as set forth in abstract #649.

A. Roads – Road Commissioner Ziarno– No report

14. New Business:

A. The Board discussed utilizing a consultant to review the pending application of Crown Castle. On motion duly made by Deputy Mayor Steve Hochberg, seconded by Trustee Schnell, and adopted four votes in favor and Mr. Cooper recused, the Board voted to authorize the Deputy Mayor to negotiate a consulting agreement with prospective consultants to review the pending applications, for a fee not to exceed the sums currently on deposit with the Village on account of this application.

B. Marcia Troyetsky mailed in her letter of resignation as member of Design Review Board effective 11/27/18

15. Next Meeting: January 28, 2019 at 7:00pm

16. Adjournment:

As there was no further business the meeting was adjourned at 9:55 p.m.

Village Clerk
Michelle Blandino