

Minutes of the meeting of the Board of Trustees of the Incorporated Village of Hewlett Neck held on Monday, December 20, 2021 at 7:00p.m. via Zoom video conference.

The meeting was held by Zoom with all Board members being able to participate at the same time and hear all other Board members. The public was provided with an opportunity to view the meeting live. Notice of the Zoom meeting was provided to the official paper, posted on the front door of Village Hall and posted on the Village website.

The meeting was recorded and shall remain available for public viewing on the Village website.

The public had a right to speak at this meeting.

1. Calling the meeting to order:

Mayor Epstein called the meeting to order at 7:03 p.m.

2. Roll call:

Mayor
Deputy Mayor
Trustee
Trustee

Ross Epstein
Aron Schnell
Michael Levine-
Moshe Blinder

Village Clerk
Village Attorney

Michelle Blandino
Brian Stolar, Esq.

Excused Trustee

Kenneth Frenkel

3. Notice of Meeting–Nassau Herald:

Clerk Blandino reported that notice of this evening’s public hearing was sent to the Nassau Herald , posted on website, posted on the bulletin board outside Village Hall and sent out in email notification

4. Minutes –Special Meeting Minutes December 1, 2021

On motion by Mayor Epstein, seconded by Trustee Blinder and unanimously approved, the Board dispensed with the reading of the Special Meeting minutes of December 1, 2021 minutes as the Clerk had previously mailed such minutes and they are hereby approved.

5. Public Hearing on the application of Matthew Margulies, 849 Smith Lane, Hewlett Neck, for site plan approval pursuant to Village Code §195-57(B), to permit an increase in the topography of one (1) foot or more in the height or elevation of the land on the premises in connection with the construction of a swimming pool, fire pit, and associated hardscape and greenscape, which increase in height or elevation

constitutes a substantial change in topography. Premises also are known as Section 41, Block 57, Lot 12 on the Nassau County Land and Tax Map.

The hearing was stenographically transcribed, and the applicant and interested neighbors participated by Zoom. After hearing all testimony from the applicant's representatives and interested parties, the Board closed the public hearing.

The Mayor made a motion to adopt the following resolution , which was seconded by Trustee Levine and unanimously carried

RESOLVED, that the Board hereby finds and concludes that

- (a) the site plan application 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.

Trustee Schnell recused himself from participation in the vote on the application.

On Motion by Mayor Epstein, approved by Trustee Levine and Trustee Blinder, and adopted three votes in favor and Trustee Schnell abstaining, the Board approved the application of Matthew Margulies, 849 Smith Lane, Hewlett Neck, for site plan approval pursuant to Village Code §195-57(B), to permit an increase in the topography of one (1) foot or more in the height or elevation of the land on the premises in connection with the construction of a swimming pool, fire pit, and associated hardscape and greenscape, which increase in height or elevation constitutes a substantial change in topography, subject to the following conditions: (a) the approved work shall be in conformance with the amended plans submitted to the Board, which plans depict stormwater facilities designed to accommodate a 3 inch rainfall, (b) the applicant shall install plantings between the wall and any abutting private property and the public right-of-way, such that no portion of the wall that is visible from any neighboring property or the public right-of-way, (c) the stormwater/drainage facilities shall be subject to final review and approval by the Village Building Department, and (d) completion of the approved work shall be accomplished within the time period provided in the Village Code.

6. Public Hearing Bill HN 2102- A local law opting out of licensing and /or establishing retail cannabis dispensaries and/or on -site cannabis consumption establishments within the Village of Hewlett Neck

The Mayor opened the public hearing. The Village Attorney explained the proposed local law. After confirming that the hearing notice was published in the Nassau Herald and posted on the bulletin board outside of Village Hall and in the lobby of Village Hall, and the affidavits of posting and publication of the hearing notices are on file at the Village Clerk's office, and hearing no comments from the public,

On motion duly made by Mayor Epstein, seconded by Trustee Levine, and adopted unanimously, the Board closed the public hearing, : A local law opting out of licensing and/or establishing retail cannabis dispensaries and/or on-site cannabis consumption establishments within the Village of Hewlett Bay Park as Local Law No. 4, Year 2021, subject to permissive referendum as provided in Cannabis Law §131, Municipal Home Rule Law §24 and Village Law Article 9, and directed the Village Clerk to publish and post legal notice as required by law. 1

7. Public Hearing Proposed Bill- HN-2003A- A local law to amend Chapter 195 of the Code of the Village of Hewlett Neck, in relation to regulations and procedures to permit education and religious uses in the Village.

The Mayor opened the public hearing. The Village Attorney explained the proposed local law. After confirming that the hearing notice was published in the

Nassau Herald and posted on the bulletin board outside of Village Hall and in the lobby of Village Hall, and the affidavits of posting and publication of the hearing notices are on file at the Village Clerk's office, and hearing no comments from the public,

On motion duly made by Mayor Epstein, seconded by Trustee Levine, and adopted unanimously, the Board closed the public hearing, adopted proposed local law 2003A, copies of which are annexed to the minutes, as Local Law No. 5, of 2021, and directed the Village Clerk to file, post and publish the law as required by law.

8. Building Inspector Update on 201 Ocean Avenue

The Building Inspector updated the Board.

9. Cleaning of Storm Drains-

On motion by Mayor Epstein , seconded by Trustee Levine and unanimously carried, the Board voted to approve Storm Drain cleaning and authorized Dejana Industries LLC to perform the cleaning at a rate of \$1400.00 per day and \$65 per Cubic Yard of debris removal, in accordance with the proposal submitted by Dejana Industries LLC.

10. Reports:

A. Public Safety –November 2021

1. Police Activity Report

November	Arrests	1
	Crime Reports	2

B. Treasurer's Report – November 2021

Cash status November 2021

Bank balances Reg., Pay., M.M.

As of 11/1/2021 \$906,653.24

Plus Receipts

Non Property Tax Items	2913.00
Departmental Income	200.00
Use of Money & Property	86.12
Licenses and Permits	3,110.13
Sale of property/other Comp	300.00
State Aid	2,931.00

9,540.25

\$916,193.49

Less Disbursements

General Government Support	13,784.06
Judicial	600.00
Public Safety	8,280.00
Transportation	2,115.85

Home and Community	150.00	
Employee Benefit	<u>15,601.01</u>	<u>40,530.92</u>
		875,662.57
(Trust Fund Return Road Deposits		<u>-22,500.00</u>
		853,162.57

Proof Bank Balances:

Capital One – Regular	593.73
Signature Regular	6,141.86
Signature Money Market	710,491.47
Signature Payroll	3,435.51
Signature- Trust Account	<u>132,500.00</u>
	853,162.57

1. Audit of Claims

The Board discussed the claims. Village Treasurer confirmed that the items in such abstract represented the purchase of goods and services actually received and/or performed and that each item contained in the abstract was for a proper Village purpose, on motion duly made by Mayor Epstein, seconded by Deputy Mayor Schnell, and adopted unanimously, the Board authorized and directed the Village Clerk to pay the general fund claims in the total sum of \$30,409.66 set forth in abstract #676 (copy of the abstract is on file in the Village office).

11. New Business: None
12. Next Meeting: January 31, 2022 at 7PM
13. Adjournment:

As there was no further business the meeting was adjourned 7:59 P.M.

Village Clerk
Michelle Blandino