

Minutes of the meeting of the Board of Trustees of the Incorporated Village of Hewlett Bay Park held on Monday, July 15, 2024, at 5:30 PM at Village Hall, 30 Piermont Avenue, Hewlett New York 11557. Members of the public were also permitted to observe and participate.

1. Calling the Meeting to Order:

Mayor Oliviero called the meeting to order at 5:30 PM

A. Mayor Oliviero appointed Renee Zylberberg as Deputy Mayor

2. Roll Call:

Present- -	
Mayor	Antonio Oliviero
Deputy Mayor	Renee Zylberberg
Trustee	Michael Davidov
Trustee	Sarah Joseph
Trustee	Josh Blisko

Village Attorney	Brian Stolar
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Excused	
Village Clerk	Michelle Blandino

3. Notice of Meeting – Nassau Herald:

The Village Attorney reported that notice of the public meeting was emailed to the Nassau Herald, posted on the bulletin board outside of Village Hall and in the lobby of Village Hall and posted on the Village website.

4. Minutes- Minutes of the Meeting on June 17, 2024

On motion by Mayor Oliviero, seconded by Trustee Joseph, and approved unanimously the Board dispensed with the reading of the Jul 17, 2024, minutes as the Clerk had previously mailed such minutes and they are hereby approved.

5. Public Hearing Proposed Bill HBP 2404B- A local law to amend Chapter 53 (Building Code Administration) of the Code of the Village of Hewlett Bay Park and adopt a new Chapter to be designated as chapter 132, entitled Subsurface Investigation, to address construction impacts in relation to the groundwater table.

The Mayor opened the public hearing. The Village Attorney explained the proposed local law. The Board confirmed 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 Village Website. 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 the Mayor Oliviero, seconded by Deputy Mayor Zylberberg, the Board closed the public hearing and adopted the following resolution:

RESOLVED, that the Board hereby finds and concludes that

- (a) Proposed Law HBP-2404B 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

RESOLVED, that the Board adopts Proposed Bill HBP-2404B as Local Law HBP-3 of 2024, and directs the Village Clerk to file Local Law HBP-3 of 2024 with the New York Secretary of State and take all actions required by law.

6. Public Hearing Proposed Bill 2405A- A local law to amend Chapter 53 of the Village Code of the Village of Hewlett Bay Park, to provide that the removal stop work orders is a violation of Village Code

The Mayor opened the public hearing. The Village Attorney explained the proposed local law. The Board confirmed 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 Village Website. 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 the Mayor Oliviero, seconded by Deputy Mayor Zylberberg and all in favor, with Trustee Joseph abstaining, the Board closed the public hearing and adopted the following resolution:

RESOLVED, that the Board hereby finds and concludes that

(a) Proposed Law HBP-2405A 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

RESOLVED, that the Board adopts Proposed Bill HBP-2405A as Local Law HBP-4 of 2024, and directs the Village Clerk to file Local Law HBP-4 of 2024 with the New York Secretary of State and take all actions required by law.

7. Mayor's Appointments for terms indicated subject to Board approval.
The Mayor made the following appointments.

Clerk/Treasurer	Michelle Blandino	2 years
Deputy Village Clerk	Karen Quintavalle	1 year
Deputy Village Treasurer	Dana Garraputa	1 year
Court Clerk	Karen Quintavalle	1 year
Deputy Court Clerk	Dana Garraputa	1 year
Deputy Registrar	Karen Quintavalle	1 year
Clerk – Board of Appeals	Dana Garraputa	1 year
Clerk Design Review Board	Dana Garraputa	1 year
Chair - Board of Appeals	Leonard Schiffman	1 year
Member – Board of Appeals	Michael Schamroth	5 years
Member- Board of Appeals	Davil Pilchick	Finish Blisko Term
Alt Member – Board of Appeals	Elizabeth Birnbaum	1 year
Alt Member – Board of Appeals	Meredith King	1 year
Chair- Design Review Board	Mary Lee Morris	1 year
Vice Chair- Design Review Board	Karen Katz	1 year
Member – Design Review Board	Michelle Zelcer	3 years
Member – Design Review Board	Barbara Godt	3 years

On motion by Deputy Mayor Zylberberg seconded by Trustee Blisko, the above appointments were unanimously approved.

A. Appointments to serve at the Pleasure of the Mayor

The Mayor made the following appointments:

Budget Officer	Antonio Oliviero
Building Inspector/Code Enforcement Officer	Dennis Fromigia
Plumbing Inspector	Dennis Fromigia
Police Commissioner	Leonard Schiffman.
Police Commissioner	Antonio Oliviero
Public Wors Commissioner	Craig Steinberg
Willow Pond Liaison	Maria Oliviero
Associate Village Justice	Kristen Clodfelter
Village Prosecutor	Michael Beer, Esq
Deputy Village Prosecutor	Richard S. Prisco
Village Engineer	West Side Engineers, P.C. Nelson & Pope Engineers
Members Security Committee	Leonard Schiffman Richard Grobman Craig Steinberg Karen Katz Stuart Braunstein David Pilchick Martin Berman
Electrical Inspectors	Electrical Inspectors Inc. Certified Electrical Inspections, Inc. Electrical Inspection Service, Inc. Alliance Electrical Inspections, Ltd Suffolk Bureau of Electrical Inspectors NYS Electrical Inspectors, Inc.

On motion by Deputy Mayor Zylberberg seconded by Trustee Blisko the above appointments were unanimously approved.

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

The Mayor made the following appointment:

Law firm: Harris Beach PLLC
Brian S. Stolar as Village Attorneys

Brian S. Stolar as Village Attorney

On motion by Trustee Davidov and seconded by Deputy Mayor Zylberberg, the Board approved the Mayor's appointment and 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 their law firm designated by either Village Attorney 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 \$295 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 Beach Harris PLLC. 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 \$300 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, and it is further

RESOLVED, that the Mayor is authorized to execute the retainer agreement providing for such services

9.

Designations:

A. Bank Depositories

On motion by Trustee Davidov, seconded by Deputy Mayor Zylberberg, 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:"

Flag Star Bank- Regular Account
Flag Star Bank- Payroll Account
Flag Star - Money Market
Flag Star Trust Account
Flag Star - Village Justice
Flag Star Bank – Acting Village Justice
Flag Star Bank- Bail Account

B. Signatures on Checks

Payment of Claims Policy

On motion by Deputy Mayor Zylberberg and seconded by Mayor Oliviero and unanimously carried the Board passed the following resolution

Whereas, pursuant to Village Law §5-524 and subject to certain exceptions as authorized by that statute, the Board of Trustees is required to audit all claims against the Village prior to payment; and

Whereas, the Board of Trustees wishes to establish in documented form the policy of the Village with respect to payment of claims,

Now, therefore, be it

RESOLVED, that except as otherwise provided in this resolution, no claim against the Village shall be paid and no instrument of payment of a claim shall be issued by the Village unless and until the claim is (a) in writing, (b) certified or verified under oath of the claimant or the claimant's duly authorized agent, (c) itemized to the satisfaction of the Board of Trustees, (d) approved by the officer or employee whose action gave rise or origin to the claim, and (d) audited and approved by the Board of Trustees, and it is further

RESOLVED, that notwithstanding the foregoing, and pursuant to Village Law §5-524(5), the following claims may be paid without prior audit and approval by the Board of Trustees:

(a) fixed salaries;

(b) debt service;

a amounts becoming due upon lawful contracts for periods exceeding one year;

(c) compensation for services of employees or officers regularly engaged by the Village at agreed wages by the hour, day, week, month or year;

provided, however, that with respect to items (a) and (d) in this paragraph, no such payment shall be made unless the payroll or other claim for compensation for personal services rendered to the Village by any person other than an elective Village officer shall be certified by the Village officer or employee having direct supervision of the claimant to the effect that such services were actually performed by the person or persons mentioned therein; and it is further

RESOLVED, that notwithstanding the foregoing and pursuant to Village Law §5-524(6), the following claims may be paid in advance of audit and approval of the Board of Trustees, provided such claims are presented for audit and approval at the next regular meeting of the Board of Trustees:

(a) public utility services;

(b) postage

(c) freight and express charges;

(d) charges for expenses incurred with the approval of the Board of Trustees where there is a discount for timely payment and audit of such claims is not feasible prior to the date for such discounted payment; and it is further

RESOLVED, that two (2) signatures shall be required on all checks. The Mayor, or in the Mayor's absence the Deputy Mayor, and the Treasurer, or in the Treasurer's absence the Deputy Treasurer, shall be the two (2) signatories, and be it further

RESOLVED, that the policy established by this resolution shall be reviewed at each ensuing organizational meeting of the Board of Trustees, and shall remain in effect until amended by resolution of the Board of Trustees at any duly convened meeting of the Board of Trustees.

C. Official Newspaper – Nassau Herald

Mayor Oliviero made a motion to designate the Nassau Herald the official newspaper of the Village. The motion was seconded by Deputy Mayor Zylberberg and unanimously approved.

D. Village Auditor- Satty, Levine, Ciacco, CPA

Mayor Oliviero made a motion to designate the firm of Satty, Levine, Ciacco, CPA the official auditors of the Village, and to retain Satty, Levine in accordance with the terms of their written proposal dated May 1, 2024. The motion was seconded by Deputy Mayor Zylberberg and unanimously approved.

E. Annual Policies:

Payment of Claims Policy Adopted 5/16/11
Procurement Policy Revised 1/26/2021
Violence in the Workplace Policy Adopted 10/21/13
Investment Policy
Sexual Harassment Policy Adopted 10/10/18
Disaster Recovery Plan – Adopted 7/26/2021
Fund Balance Policy- Adopted 6/20/2022

Each of the aforesaid policies was readopted, on motion by Mayor Oliviero, seconded by Deputy Mayor Zylberberg and adopted unanimously:

10. Request from Michael Joseph of congregation Sephardic Congregation of Hewlett requesting permission to have a Torah walk through the village on Sunday July 21, 2024- the march is starting from East Broadway and Meadowview Ave to Meadowview Ave and East Rockaway Road. Approximate time of walk 12-12:30 PM

On motion by Mayor Oliviero, seconded by Deputy Mayor Zylberberg and unanimously carried, the Board granted Michael Joseph of Sephardic Congregation of Hewlett permission to have a Torah walk through the Village on Sunday July 21, 2024, and directed the Clerk to obtain the necessary insurance certificates.

11. Memo received from Building Department regarding request from 185 Meadowview for waiver of renewal fees

On motion by Mayor Oliviero, seconded by Deputy Mayor Zylberberg, and unanimously approved, the Board granted the request to waive the renewal fee in the amount of \$ 4,125.00

12. Verizon Franchise Renewal requesting commencement of Formal Renewal Proceedings under Section 626 of the Communications Act

The Board discussed.

13. Replace speed hump on Cedar Avenue that is damaged to asphalt

On motion by Mayor Oliviero, seconded by Deputy Mayor Zylberberg and unanimously approved, the Board approved the rubber speed bump on Cedar Avenue to be replaced with a Asphalt hump.

14. Discussion of Gardening on Saturday as per Village Code

The Board discussed providing additional notice to homeowners and landscapers.

15. Reports:

A .Public Safety

1. Police Report –June 2024

April	Arrests:	0
	Movers:	6
	Parkers	1
	Crime	0

B Treasurer's Report –June 2024

Cash Status – June 2024

Bank Balances - Reg., Pay. M.M.,
as of 06/01/2024

571,712.53

Plus – Receipts:

Real Property Tax Items	3,921.00
Departmental Income	4,275.00
Use of Money and Property	2,186.03
Licenses and Permits	3,018.25
Fines and Forfeitures	682.00
Sale of Property/other comp	300.00
State Aide	4,732.75

19,115.03
590,827.56

Less - Disbursements:

General Gov't Support	55,792.60
Public Safety	7,593.21
Transportation	8,582.55
Home and Community	3,559.97
Employee Benefits	11,505.78

-87,034.11
503,793.45

Proof – Bank Balances:

Flag Star Bank – Reg	19,467.41
Flag Star Bank – Pay	987.49
Flag Star Bank – M.M.	408,338.55
Flag Star Bank Trust	<u>75,000.00</u>
	503,793.45

1. Audit of Claims

The Board discussed the claims. Upon confirmation from the Board 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 Deputy Mayor Zylberberg, seconded by Trustee Joseph, and adopted unanimously, the Board authorized and directed the Village Treasurer pay the general fund claims in the total sum of \$76,266.91 set forth in abstract #741 (copy of the abstract is on file in the Village office).

12. Building Department

A. Permits Issued: May 15, 2024- June 17, 2024

a. HBP-2024008	134 Cedar Ave	Generator
b. HBP-2024009	134 Cedar Ave	Gas
c. HBP-2024010	1260 Veeder Drive	Bathroom renovation
d. HBP-2024011	291 Meadowview Ave	Install Belgian Block Curb
e. HBP-2024012	291 Meadowview Ave	Install Fencing

B. Permits Completed:

a. HBP-2024006	201 Cedar Ave	Shed
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C. Stop Work Order Issued:

a. HBP-2023009-	125 Piermont Avenue
(Approvals required from BZA & BOT for non-permitted work)	
(Waiting for BZA & BOT Applications for non-permitted work)	

13. PUBLIC COMMENT- None

14. Next Meeting: August 26, 2024 at 6:00PM

15. Adjournment:

There being no further business the meeting was adjourned at 6:34 PM

Michelle Blandino

Village Clerk