

Minutes of the public meeting of the Board of Trustees of the Incorporated Village of Hewlett Bay Park held on Monday, May 22, 2023 at 6:00 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 Salomon called the meeting to order at 6:03 PM

2. Roll Call:

Present-	Mayor	Alex Salomon-
	Deputy Mayor	Antonio Oliviero
	Trustee	Michael Davidov
	Trustee	Renee Zylberberg
	Village Clerk	Michelle Blandino
	Village Attorney	Brian Stolar
	Building Inspector	Dennis Fromigia- Via Zoom
Excused	Trustee	Jay Levy

3. Notice of Meeting – Nassau Herald:

The Clerk reported that notice of the 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 April 17, 2023

On motion by Trustee Zylberberg, seconded by Deputy Mayor Oliviero, and approved, the Board dispensed with the reading of the April 17, 2023 minutes as the Clerk had previously mailed such minutes and they are hereby approved.

5. Everit Avenue Paving Program/ Puddling IFO 133 Everit Avenue Update

The Board discussed

6. Public Hearing Date Annual Storm Water Report

A. Open Hearing – The Mayor opened the public hearing

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

C. Affidavits – Affidavits of posting and publication are on file at the Village Clerk's office.

D. Appearances – None.

E. Close Hearing –On motion made by Mayor Salomon, seconded by Trustee Zylberberg and unanimously approved the Board voted to close the hearing and adopt the Storm water Annual Report and authorize the Mayor to sign the report.

7. Building Inspector/ Dennis Fromigia

The Board discussed

8. Asphalt Speed Hump Proposals (larger size speed humps)

On motion by Mayor Salomon, seconded by Deputy Mayor Oliviero and unanimously approved, the Board adopted the following resolution:

WHEREAS, the Board retained Nelson Pope & Voorhis to conduct a viability analysis of speed humps in certain areas in the Village; and

WHEREAS, Nelson Pope & Voorhis advised the Board that a speed hump at Meadowview Avenue between East Broadway and Cedar Avenue in front of 180 Meadowview Avenue would be an acceptable location for a speed hump in accordance with the recommendation of Nelson Pope and Voorhis, and

WHEREAS, the Board is desirous of installing speed humps in accord with the recommendations of Nelson, Pope & Voorhis to provide for the protection and safety of the Village and its residents,

NOW, THEREFORE, BE IT RESOLVED, that, with regard to installation of a speed hump at 180 Meadowview Avenue, the Board hereby finds and concludes that

(a) the proposed action 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 actions 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 actions; and

BE IT FURTHER RESOLVED that the Board

approves the installation of a speed hump at Meadowview Avenue between East Broadway and Cedar Avenue in front of 180 Meadowview Avenue, approves the proposal of _American Paving to install the speed hump in this location at a cost of \$4,775.00, and authorized installation by American Paving Corp

9. Election – Appoint Election Inspector to fill vacancy

Appoint Election Inspector

On motion by Trustee Zylberberg, seconded by Deputy Mayor Oliviero, the following resolution was unanimously adopted.

WHEREAS, pursuant to the Election Law, the Board of Trustees is required to appoint an even number of inspectors of election, and fix their compensation.

NOW, THEREFORE, BE IT RESOLVED, that the following person is hereby designated and appointed as inspector of election to replace Elaine Levy Election Inspector who withdrew her position as Election Inspector, and shall meet on June 20, 2023 at the place designated for such Village Election,

between the hours of 12 Noon and 9:00 p.m., inclusive, for the purpose of the Village Election:

<u>NAME</u>	<u>ADDRESS</u>	<u>PARTY</u>
Peter Socolo	920 BROADWAY APT 9 WOODMERE, NY 11598	DEMOCRAT

RESOLVED, that the compensation for the aforesaid inspector of election shall be \$135.00 for each of said days that said inspector of election may be required to serve.

10. Proposals for trimming and pruning Trees

Tabled pending an analysis by the Building Inspector

11. Board Resolution authorize Mayor to sign engagement letter with Satty Levine Ciacco., CPA's, P.C. for auditing services for fiscal year end February 28, 2023

On motion by Trustee Zylberberg, seconded by Trustee Davidov and unanimously approved, the Board authorized Mayor Salomon to sign the engagement letters with Satty, Levine & Ciacco, CPA's, P.C. in connection with the Village and Village Justice Court 2023 year-end audits.

12. Village Hall Roof Proposals for Repair and Replacement

Tabled

13. Building Department Correspondence

A. Mr. & Mrs. Carmine Abruzzo- Resident at 162 Cedar Avenue- Requesting Grade Change

On motion by Mayor Salomon, seconded by Deputy Mayor Oliviero and unanimously approved, the Board adopted the following resolution:

WHEREAS, Carmine and Collette Abruzzo, applied to the Board pursuant to Village Code §146-9.2 for a substantial grade change to permit a grade change in excess of one (1) foot, and

WHEREAS, the proposed grade change is 1.34 feet and is located only in the northwestern corner of the premises, and

WHEREAS, the applicant's representative explained that the grade change was being made in accordance with bulkhead work and designed to comport with the

New York State Department of Environmental Conservation regulations applicable to areas behind a bulkhead, and

WHEREAS, the proposal includes 17 drywells, a retaining wall and surface design for on-site retention of any stormwater resulting from the grade change, and

WHEREAS, the plans showing the grade change, entitled "Proposed Grade Change", prepared by Yoon's Group Khodeir Architectural Division and dated January 17, 2023 (the "Plans") have been reviewed by the Building Inspector and the Building Inspector confirms that the design should accommodate any stormwater resulting from the grade change, and

WHEREAS, the grade change for which approval is sought is minimal – only 4 inches – at its highest point,

NOW, THEREFORE, NOW, THEREFORE, BE IT RESOLVED, that, with regard to the proposed action, the Board hereby finds and concludes that

- (a) the proposed local law 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 actions 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 actions; and

BE IT FURTHER RESOLVED that the Board grants the request for a substantial grade change as shown on the Plans, on the condition that the proposed retaining wall on the northerly side property line include a stone wall façade, which façade must first be approved by the Building Inspector and shall be added to the Plans.

B. Proposal received from RSM Building Development for the maintenance of 210 Cedar Avenue-

WHEREAS, the Board of Trustees of the Village of Hewlett Bay Park received a report from the Village Building Inspector dated April 26, 2023 (the "Building Inspector's Report") demonstrating the existence of various persistent Village Code violations relating to growth of grass and weeds at a height in excess of eight (8) inches and debris located at 210 Cedar Avenue, Hewlett Bay Park, New York (the "Premises"), and

WHEREAS, on account of the previous persistent violations and the continuous lack of maintenance of the Premises and the impacts on the health and safety of the Village and Village residents, on June 20, 2022, the Board of Trustees determined that if the Premises again become non-compliant with Village Code §115-1(a) at any time when the Premises are owned by Bella and/or Simkha Fridman, in that there then exists grass and/or weeds that have reached a height in excess of eight (8) inches, and/or that construction materials and/or debris accumulate at the

Premises, that (a) upon the written determination of such violation(s) by the Building Inspector, (b) such writing together with this Resolution being provided to the owners of the Premises by regular mail, and (c) the passage of seven (7) business days after the sending of such notice, the Village has authority to enter upon the Premises, and the Village may perform such remedial action as may be required to cure or remove all such violations, or for such other relief as may be appropriate, and to assess the costs thereof, including reasonable attorneys' fees, against the Premises in the same manner as provided for real property taxes due to the Village (the "2022 Resolution"), and

WHEREAS, the Village previously sent the 2022 Resolution to the owners of the Premises, and

WHEREAS, in accordance with the 2022 Resolution, and based on the Building Inspector's Report demonstrating the existence of violations of Village Code §115-1(A) including the growth of grass and weeds in excess of eight (8) inches and debris strewn about on the Premises, the Board

1. Directs the Building Inspector to send the Building Inspector's Report, with a copy of the 2022 Resolution, and
2. Upon the passage of 7 business days after the sending of such notice, the Board authorizes RSM Building Development, in accordance with a written proposal to the Board, to enter upon the Premises and cut the grass and weeds and remove the debris at a cost not to exceed \$3,250, and
3. The owner shall pay to the Village the cost of such work, and if no such payment is made, Board directs the Village Treasurer to charge the costs of the aforesaid work as a real property tax lien against the Premises in the manner provided in Village Code § 115-5, and
4. Upon a further written determination of the Building Inspector of violations on account of grass or weeds in excess of 8 inches or the accumulation of debris on the Premises, the Building Inspector is authorized to send the correspondence provided in the 2022 Resolution and the Board authorizes RSM Building Development to perform the clean up and remediation work with the costs of such work payable by the owners or otherwise charged as a tax lien in accordance with Village Code §115-5.

C. Resident who resides at 81 Cedar Avenue requesting planting of trees at rear of her property that back Village Hall to block sight of salt building

Discussed

14. Flag Star Third Party Custodian Agreement

WHEREAS, all public deposits of funds in excess of the amount insured by the Federal Deposit Insurance Act are required to be secured in accordance with General Municipal Law §10 and depository banks are required to provide collateral for such deposits, and

WHEREAS, all securities and collateral pledged to secure deposits must be held pursuant to a written security and custodial agreement, and

WHEREAS, the Board of Trustees finds that it is in the Village's best interest to require that such collateral be delivered to a bank or trust company other than the financial institution in which the deposits are made so as to protect the Village's collateral from claims of creditors if the depository bank becomes insolvent,

NOW, THEREFORE, the Board:

1. Designates Flagstar Bank, N.A., having offices at 102 Duffy Avenue, Hicksville, New York 11801 ("Flagstar") as a depository for the deposit of monies up to a maximum of one million dollars (\$1,000,000); and
2. Authorizes and designates Federal Home Loan Bank of New York ("FHLB") to serve as a custodian for securities pledged by Flagstar in accordance with a third-party custodian agreement; and
3. Agrees to enter into a Third Party Custodian Agreement amongst the Village, Flagstar (as a depository bank) and FHLB to provide for FHLB to serve as the custodian of securities pledged by Flagstar for the benefit of the Village, and authorizes the Mayor to execute such agreement upon approval as to the form of agreement by the Village Attorney.

15. Renewal of all Villages Insurance Policies

Tabled

16. Re-Assign Street Sign Contract and payments from GC Signs to Dawes Signs Inc.

WHEREAS, the Village has contracted with GC Signs Inc. for street signs, and
WHEREAS, GC Signs has provided the Village with sufficient evidence demonstrating that the contract and payments are to be assigned to Dawes Signs Inc.,

NOW, THEREFORE, the Board authorizes any remaining payments for the sign work to be paid to Dawes Signs Inc. when due.

17. IT Proposals

On motion by Mayor Salomon, seconded by Trustee Zylberberg and unanimously Approved, the Board awarded ABRZ International Ltd, 244 East Merrick Road, Freeport NY the contract for the Village Computer Infrastructure, in accordance with their written proposal, pending authorization from the Village of Woodsburgh and the Village of Hewlett Neck

18. Reports

A. Public Safety

1. Police Report –April 2023

April	Arrests:	0
	Movers:	18
	Parkers	3
	Crime	0
	Aided Cases	1

A. Treasurer's Report –April 2023

Cash Status – April 2023

Bank Balances - Reg., Pay. M.M., as of 04/01/2023	744,019.91
--	------------

Plus – Receipts:

Property Taxes	26,031.05	
Departmental Income	200.00	
Use of Money and Property	2,215.05	
Licenses and Permits	1,075.00	
Fines and Forfeitures	2,701.00	
Sale of Property	100.00	
State Aid	1,303.00	
		<u>33,625.10</u>
		777,645.01

Less - Disbursements:

General Gov't Support	16,364.54	
Public Safety	9,609.95	
Transportation	27,845.76	
Culture and Recreation	14.15	
Home and Community Services	696.74	
Employee Benefits	12,846.62	<u>-67,377.76</u>
		710,267.25
Trust Account Road Deposit	7,500.00	<u>7,500.00</u>
		717,767.25

Proof – Bank Balances:

Signature Bank – Reg	36,387.48
Signature Bank – Pay	4,260.97
Signature Bank – M.M.	572,118.80
Signature Bank Trust	<u>105,000.00</u>
	717,767.25

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 Trustee Zylberberg, seconded by Mayor Salomon, and adopted unanimously, the Board authorized and directed the Village Treasurer pay the general fund claims in the total sum of \$81,058.15 set forth in abstract #724 and 724A (copy of the abstract is on file in the Village office).

19. New Business- None

20. Next Meeting: June 27, 2023 at 6:00 PM

21. Adjournment:

There being no further business the meeting was adjourned at 8:10 PM.

Michelle Blandino

Village Clerk