

Minutes of the meeting of the Board of Trustees of the Incorporated Village of Hewlett Bay Park held on Monday, July 18, 2022 at 6:00 PM. at Village Hall, 30 Piermont Avenue, Hewlett NY 11557. Members of the public also were permitted to observe and participate.

The public had a right to speak at this meeting.

1. Calling the Meeting to Order:

Mayor Salomon called the meeting to order at 6:04 PM

A. Mayor Salomon appointed Dr. Antonio Oliviero as Deputy Mayor

2. Roll Call:

Present-	Mayor	Alex Salomon
	Deputy Mayor	Antonio Oliviero
	Trustee	Gail Rubel
	Trustee	Jay Levy- left meeting at 7:10 PM
	Trustee	Renee Zylberberg
	Village Clerk	Michelle Blandino
	Village Attorney	Brian Stolar
	Building Inspector	Dennis Fromigia

3. Notice of Meeting – Nassau Herald:

The Clerk 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. Application of The Hebrew Academy of Long Beach, 291 Meadowview Avenue, Hewlett Bay Park, New York, to demolish an existing gymnasium, construct a new gymnasium, classroom space, parking area, and fire access road, which proposed construction requires an amendment of a special use permit pursuant to Village Code §§146-9(B) and 146-24.3, and variances or waivers of the following Village Code sections: (a) 146-24.2(A), in that the lot area is 7.17 acres, where an educational use requires a minimum lot area of not less than 9 acres; (b) 146-24.2(E), to permit impervious surface coverage to be 25.1%, where a maximum of 15% is permitted; (c) 146-24.2(F), to permit a gymnasium height of 42 feet and a locker room/meeting room height of 32 feet, where a maximum of 30 feet is permitted; (d) 146-24.2(H), to permit (i) the gymnasium to be setback 26.33 feet from a property line, where a minimum of 100 feet is required, and (ii) the parking area to be located within 75 feet from the property line; and (e) 146-24.2(I)(i), to permit 119 parking spaces, where a minimum of 242 spaces is required. Premises are designated as Section 42, Block L, Lot 1 on the Nassau County Land and Tax Map.

The Board noted that the number of people present at Village Hall, in connection with this hearing, was excessive and rendered the use of Village Hall for the hearing to be unsafe given the current state of COVID-19. As such, on motion by Mayor Salomon, seconded by Deputy Mayor Oliviero, and unanimously carried, the Board adjourned

the public hearing to September 12, 2022, at 6:00pm at the Hebrew Academy of Long Beach, 523 Church Street, Woodmere, New York.

5. Minutes –May 23, 2022

On motion by Mayor Salomon, seconded by Deputy Mayor Oliviero, and approved unanimously, the Board dispensed with the reading of the May 23, 2022 minutes as the Clerk had previously mailed such minutes and they are hereby approved.

6. A. Public Hearing for Proposed Local Law HBP- 2203 – A local law to amend Chapter 53 of the Code of the Village of Hewlett Bay Park, to provide for new procedures for building permit extensions

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 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, seconded by Deputy Mayor Oliviero, and adopted unanimously, the Board closed the public hearing and adopted the following resolution:

RESOLVED, that the Board hereby finds and concludes that

(a) Proposed Law HBP-2203 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 Bill HBP-2203 as Local Law HBP-4-2022, and directs the Village Clerk to file Local Law HBP-4-2022 with the New York Secretary of State and take all actions required by law.

B. Public Hearing for Proposed Local Law HBP- 2204- A local law to amend Chapter 1, 75, and 128 of the code of the Village of Hewlett Bay Park ("Village") to provide penalties for violations of the Village Code

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 the Mayor, seconded by Deputy Mayor Oliviero, and adopted unanimously, the Board closed the public hearing and adopted the following resolution:

RESOLVED, that the Board hereby finds and concludes that

- (a) Proposed Law HBP-2204 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 Bill HBP-2204 as Local Law HBP-5-2022, and directs the Village Clerk to file Local Law HBP-5-2022 with the New York Secretary of State and take all actions required by law.

7. A. Mayor Salomon made the following Appointments for terms indicated

Village 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	Stella Gershfield	5 years
Alt Member – Board of Appeals	Gregg Kugler	1 year
Alt Member – Board of Appeals	Neil Sosklel	1 year
Chair- Design Review Board	Andrea Soskel	1 year
Vice Chair- Design Review Board	Mary Lee Morris	1 year
Member – Design Review Board	Andrea Soskel	3 years
Member – Design Review Board	Mary Lee Morris	3 years
Member – Design Review Board	Sarah Joseph	3 years

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

B. Mayor Salomon made the following Appointments to serve at the Pleasure of the Mayor

Budget Officer	Antonio Oliviero
Building Inspector/Code Enforcement Officer	Dennis Fromigia
Plumbing Inspector	Dennis Fromigia
Deputy Plumbing Inspector	Joseph Montilli
Police Commissioner	Alex Salomon.
Associate Village Justice	Kristen Clodfelter
Village Prosecutor	Mindy Roman, Esq
Deputy Village Prosecutor	Richard S. Prisco
Village Engineer	West Side Engineers, P.C. Nelson & Pope Engineers
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 Mayor Salomon seconded by Trustee Zylberberg, the above appointments were unanimously approved.

8.

The Mayor made the following Appointment to serve at the pleasure of the Mayor:

Brian S. Stolar as Village Attorney

On motion by Trustee Zylberberg and seconded by Deputy Mayor Oliviero, 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 \$280 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 \$280 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.

9.

Designations:

Bank Depositories

On motion by Mayor Salomon, seconded by Deputy Mayor Oliviero, 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:"

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

Signatures on Checks

Revised Payment of Claims Policy

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

Whereas, pursuant to Village Law S5-524 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 55-524(5), the following claims may be paid without prior audit and approval by the Board of Trustees:

- (a) fixed salaries;
- (b) debt service;
- (c) amounts becoming due upon lawful contracts for periods exceeding one year;
- (d) 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 55-524(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.

Official Newspaper – Nassau Herald

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

Village Auditor- Satty, Levine, Ciacco, CPA

Mayor Salomon 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 20, 2022. The motion was seconded by Trustee Zylberberg and unanimously approved.

Annual Policies:

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

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

10. Hurricane Preparedness Supplies

On motion by Mayor Salomon, seconded by Deputy Mayor Oliviero and unanimously carried, the Board approved the Clerk to purchase the needed Hurricane preparedness supplies not to exceed \$1100.00

11. Sweeping of Roads / Village of Lynbrook IMA

The Board discussed and decided not to go ahead with future sweeping at this time

12. Woodsburgh and Hewlett Neck Lease Agreements

The Board discussed

13. Reports

A. Public Safety

1. Police Report –June 2022

June	Arrests:	0
	Movers:	17
	Parkers	0
	Crime	2

A. Treasurer's Report –June 2022

Cash Status – June 2022

Bank Balances - Reg., Pay. M.M.,
as of 6/01/2022

767,869.12

Plus – Receipts:

Departmental Income	200.00
Use of Money and Property	1,937.17
Licenses and Permits	5,636.90

Fines and Forfeitures	1,085.00	
State Aid	10,362.23	
		<u>19,221.30</u>
		787,090.42
<u>Less - Disbursements:</u>		
General Gov't Support	41,279.22	
Public Safety	5,290.00	
Transportation	9,919.06	
Culture and Recreation	1,403.13	
Home & Community	815.60	
Employee Benefits	<u>9,438.09</u>	<u>-68,145.10</u>
		718,945.32
Trust Account Deposits		<u>+15,000.00</u>
		733,945.32
Prepaid liability Payroll		<u>-5,048.91</u>
		728,896.41
<u>Proof – Bank Balances:</u>		
Signature Bank – Reg	27,041.95	
Signature Bank – Pay	12,752.22	
Signature Bank – M.M.	576,602.24	
Signature Bank Trust	<u>112,500.00</u>	
	728,896.41	

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 Mayor Salomon, seconded by Deputy Mayor Oliviero, and adopted unanimously, the Board authorized and directed the Village Treasurer pay the general fund claims in the total sum of \$54,411.00 set forth in abstract #715 (copy of the abstract is on file in the Village office).

14. New Business: None

15. Next Meeting: August 15, 2022 at 6:00 PM

Executive Session: At 7:40 p.m. on motion by Mayor Salomon seconded by Trustee Rubel and unanimously approved, the Board voted to convene in Executive Session to obtain legal advice.

At 8:00 p.m. the Board reconvened into regular session.

16. Adjournment:

There being no further business the meeting was adjourned at 8:00pm.

Michelle Blandino
Village Clerk

