

Minutes of the meeting of the Board of Trustees of the Incorporated Village of Hewlett Bay Park held on Tuesday, March 30, 2021 at 5:30 PM. via Zoom video conference. The meeting was held in compliance with Executive Orders issued by Governor Cuomo.

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.

The meeting was recorded and shall remain available for public viewing

The public had a right to speak at this meeting

1. Calling the Meeting to Order:

Mayor Kaufman called the meeting to order at 5:35 PM

2. Roll Call:

Present-	Mayor	Steven Kaufman
	Deputy Mayor	Alex Salomon
	Trustee	Gail Rubel
	Trustee	Jay Levy
	Trustee	Dr. Antonio Oliviero
	Village Clerk	Michelle Blandino
	Village Attorney	Brian Stolar
	<u>Excused-</u>	
	Treasurer	Shari Salomon
	Building Inspector	Steve Cherson

3. Notice of Meeting – Nassau Herald:

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

4. Minutes –February 23, 2021

On motion by Trustee Levy, seconded by Deputy Mayor Salomon, and approved unanimously the Board dispensed with the reading of the minutes of February 23, 2021 as the Clerk had previously mailed such minutes and they are hereby approved.

5. Continuation of Public Hearing for the HALB Gym Application

On motion duly made by the Mayor, seconded by Deputy Mayor Salomon, and adopted unanimously, the board close the public hearing.
The Board discussed the HALB application. After such discussion, on motion duly made

by the Mayor, seconded by Trustee Levy, and adopted unanimously, the Board adopted the following decision:

SEE ATTACHED RESOLUTION

6. Decision of Public Hearing for Renewal of Cablevision Franchise Agreement

RESOLUTION AUTHORIZING THE VILLAGE TO RENEW A CABLEVISION SYSTEMS LONG ISLAND CORPORATION TO OPERATE A CABLE SYSTEM IN THE VILLAGE OF HEWLETT BAY PARK

WHEREAS, the Village of Hewlett Bay park is a “franchising authority” in accordance with Title VI of the Communications Act of 1934, (the “Communications Act”), and is authorized to grant one or more nonexclusive cable television franchises pursuant to Article 11 of the New York Public Service Law, as amended, and Title 16, Chapter VIII, Parts 890.60 through 899, of the Official Compilation of Codes, Rules and Regulations of the State of New York, as amended (collectively the “Cable Laws”);

WHEREAS, the Village, executed a franchise agreement with Cablevision Systems Long Island Corporation (the “Franchisee”) on November 8, 2010, which was thereafter confirmed and made effective by the New York State Public Service Commission (“Commission”) on April 14, 2010 for a term of ten (10) years (Case No. 10-V-0471), and

WHEREAS, said franchise agreement expired on November 8, 2020; and

WHEREAS, Franchisee has submitted a proposed franchise renewal agreement (the “Franchise Renewal Agreement”) to continue operating its system within the Village; and

WHEREAS, The Village and Franchisee have mutually agreed to the terms of said Franchise Renewal Agreement; and

WHEREAS, the Village has determined that the Franchisee is and has been in substantial compliance with all terms/provisions of its existing franchises and applicable law; and

WHEREAS, the Village has determined that Franchisee has the requisite legal, technical and financial capabilities to operate a Cable Systems within the Village and that Franchisee’s proposals for renewal of the franchises meet the cable related needs of the Community; and

WHERE AS, a duly noticed Public Hearing, affording an opportunity for all those interested parties within the Village to be heard on the proposed Franchise Renewal Agreement was held before the Village on December 21, 2020.

NOW, THEREFORE, be it

RESOLVED, that the Village Board of Trustees determines that it is in the best interest of the public to award the Franchise Renewal Agreement to the Franchisee; and be it

FURTHER RESOLVED that the Board hereby authorizes the Mayor to enter into the Franchise Renewal Agreement with Cablevision Systems Long Island Corporation, subject to final review and negotiation, and to execute any other documents necessary to effectuate the granting of the franchise renewal on behalf of the Village of Hewlett Bay Park.

7. Public hearing for Verizon Franchise Renewal

- 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 were received and are filed in the Clerk's office
- D. Appearances- There was no one appearing before the Board
- E. Close hearing –On motion by Mayor Kaufman, seconded by Trustee Levy and unanimously approved, the Board voted to close the public hearing and adopt and approve the cable agreement between the Village of Hewlett Bay Park and Verizon , New York for a term of five years upon confirmation of the agreement by the New York State Public Service Commission

8. Annual Storm Water Report Proposals

Nelson Pope Engineers	\$3000
West Side Engineering	\$2000

On motion by Mayor Kaufman, seconded by Trustee Rubel, the Board voted unanimously to authorize West Side Engineering, PC. to prepare the Year 18th Annual Report for the Phase 2 Storm Water Program in accordance with a written proposal, and authorized the Mayor to execute any documents necessary to accept the proposal for a fee not to exceed \$2000.00

9. Building Department Correspondence

- A. Letter Received from Ronald Beitler, owner of 320 Meadowview Ave, requesting 1st extension on Permit #HBP-2020005 for interior renovations, kitchen, bathroom and windows. Permit will run from 3/11/2021 to 9/10/2021
No Charge

On motion by Mayor Kaufman, seconded by Trustee Rubel and unanimously approved, the Board granted the 1st extension for permit HBP 2020005 to for interior renovations, kitchen, bathroom and windows located at 320 Meadowview Ave. Permit will run from 3/11/2021 to 9/10/2021 . No fee

- B. Letter Received from Josh Heller, owner of 213 Cedar Ave, requesting 1st extension on Permit #2020004 to construct a two story single family dwelling with attic, basement and 3 car attached garage. Permit will run from 3/25/2021 to 9/24/2021 No Charge

On motion by Mayor Kaufman, seconded by Trustee Rubel and unanimously approved, the Board granted the 1st extension for permit HBP 2020004 to

construct a two story single family dwelling with attic, basement and 3 car attached garage located at 213 Cedar Ave. Permit will run from 3/25/2021 to 9/24/2021 . No fee

C. Garbage cans at 1193 Elinor Road- The Board discussed

D. 320 Meadowview Ave- Proposed wood/vinyl coated metal grid fencing along The side of rear property lines

Tabled

10. Election Update and Resolutions

A. Appoint Election Inspectors and Compensation

On motion by Mayor Kaufman and seconded by Trustee Levy, 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, and designate one of them as Chair,

NOW, THEREFORE, BE IT RESOLVED, that the following persons are hereby designated and appointed inspectors of election, and they shall meet on June 15, 2021 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>
Elaine Levy	510 DUBOIS AVE VALLEY STREAM, NEW YORK 11581	Democrat
Francine Kornweiss	250 Central Ave LAWRENCE, NY 11559	DEMOCRAT
Jay Anderson	1367 BROADWAY HEWLETT, NEW YORK 11557	REPUBLICAN
Rachel Anderson	1367 BROADWAY HEWLETT, NY 11598	REPUBLICAN

AND IT IS FURTHER RESOLVED, that Francine Kornweiss, hereby is, designated to act as Chair of said inspectors of election, and it is further

RESOLVED, that the compensation for each of the aforesaid inspectors of election shall be \$126.00 for each of said days that said inspectors of election may be required to serve.

B. Designate polling place and hours for Village Election to be held on Tuesday, June 15, 2021.

On motion by Mayor Kaufman, and seconded by Trustee Levy, the following resolution was unanimously adopted.

WHEREAS, pursuant to the Election Law, the Board of Trustees is required to designate the polling place for the Village election to be held on June 15, 2021, and the hours of election,

NOW, THEREFORE, BE IT RESOLVED, that the polling place for the Village Election to be held on June 15, 2021 shall be the Village Hall, 30 Piermont Avenue, Hewlett, New York.

BE IT FURTHER RESOLVED, that the hours of the said Village Election shall be from 12:00 noon to 9:00 p.m., inclusive.

11. Emergency Operation Plan

On motion by Deputy Mayor Salomon, seconded by Trustee Oliviero and unanimously agreed, the Board adopted the Emergency Operations Plan to become effective immediately.

12. Street Sweeping Proposals

Stasi Brother Asphalt Corp
Dejana Industries

On motion by Mayor Kaufman, seconded by Trustee Oliviero and unanimously approved, the Board awarded the contract to Dejana Industries. for street sweeping, based on a proposal submitted to the Village on 3/30/2021, at a total cost not to exceed \$1585 plus \$63 per cubic yard for debris removal. The Board authorized the Mayor to execute any documents necessary to accept the proposal.

13. Village Trust Account for Street Opening Deposits

On motion by Mayor Kaufman, seconded by Trustee Levy and unanimously approved, the Board adopted the following Resolution

WHEREAS, the Village maintains a road opening permit program, and

WHEREAS, as part of that program, as a precondition of obtaining a permit to open a roadway for the purpose of placement of underground utilities, an applicant must submit a deposit to the Village to assure that the roadway is repaired in accordance with Village roadway standards, and

WHEREAS, after the completion of the utility work, and upon confirmation that the roadway repair work is completed properly, the Village refunds the funds to the applicant, and

WHEREAS, where the work is not completed properly, and the Village is required to perform restorative work, the Village applies the deposited funds towards the cost of that work and refunds any remaining balance, and

WHEREAS, since 2001, the Village has had a balance of \$4,000 on account of such deposits (the "Funds"), and after diligently seeking to determine the entity applicants who made these

deposits, including a records review and contacting the utility companies, the Village has not been able to determine the payors who account for this total deposit amount, and

WHEREAS, in accordance with New York State Abandoned Property Law (APL) §1310, the Village contacted the Office of Unclaimed Funds, New York State Office of the State Comptroller (the "Office"), inquiring whether the Office would accept the Funds as unclaimed funds, and

WHEREAS, in accordance with APL §1310, on December 22, 2020, the Village wrote to the Office requesting the Office consider whether it will accept the Funds as unclaimed funds, and

WHEREAS, APL §1310 provides that the Office is to consent to or deny the request within 30 days of receipt of the request, and more than thirty-five (35) days has passed since the sending of the request, and

WHEREAS, the Office has not responded to the Village's request, and thus has not consented to receive the unclaimed funds;

NOW, THEREFORE, the Board determines that the Funds have been abandoned, accepts the Funds as Village monies, upon confirmation from the Village accountant that such transfer is a permissible budgetary action, transfers the Funds to the General Account and directs the Village Treasurer to transfer the Funds to the General Account

14. Potholes and Paving

On motion by Mayor Kaufman, seconded by Trustee Oliviero and unanimously approved, the Board authorized the Clerk to have John Devito Contracting to fill necessary potholes immediately and have Westside Engineering do a survey of Village roads to see where repaving is needed and report back to the Board.

15. Reports:

A. Public Safety

1. Police Report –February 2021

February:	Arrests:	0
	Movers:	9
	Parkers	1
	Crime	0

A. Treasurer's Report –February 2021

Cash Status – February 2021

Bank Balances - Reg., Pay. M.M., as of 2/1/2021	593,949.72
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Plus – Receipts:

Non-Property Taxes	21,365.57
Departmental Income	2,025.00
Use of Money and Property	1,825.00
Licenses and Permits	12,821.73

Fines and Forfeitures	1,940.00	
Sale of Property/Other Comp	100.00	
Misc.	500.00	
		<u>40,577.30</u>
		634,527.02
<u>Less - Disbursements:</u>		
General Gov't Support	17,902.24	
Public Safety	8,514.17	
Transportation	14,435.26	
Culture and Recreation	6,449.80	
Home and Community Service	863.94	
Employee Benefits	<u>2,298.14</u>	<u>-50,463.55</u>
		584,063.47
<u>Proof – Bank Balances:</u>		
Capital One – Reg	24,321.87	
Capital One – Pay	9,466.98	
Capital One – M.M.	<u>550,274.62</u>	
	584,063.47	

1. Audit of Claims

The Board discussed the claims. Upon confirmation from the Village Treasurer 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 Kaufman, seconded by Trustee Rubel, and adopted unanimously, the Board authorized and directed the Village Treasurer to review and pay the general fund claims in the total sum of \$52,666.40 set forth in abstract #702 (copy of the abstract is on file in the Village office).

14. New Business:

Proposed Bill HBP 2101 A local law to amend the Code of the Village of Hewlett Bay Park, in relation to temporary outdoor storage containers.

On motion by Mayor Kaufman, seconded by Trustee Rubel, and unanimously approved, the Board scheduled proposed Local Law HBP—2101, for public hearing on May 4, 2021 at 5:30pm, and directed the Village Clerk to publish and post notice of the hearing, as required.

15. Next Meeting: May 5, 2021 at 5:30 PM.

16. Adjournment:

There being no further business the meeting was adjourned at 6:57 PM.

Michelle Blandino
Village Clerk