

**VILLAGE OF FLOWER HILL  
MINUTES OF  
REGULAR MEETING- PUBLIC HEARING  
OF THE BOARD OF TRUSTEES  
November 3, 2014**

A regular monthly meeting of the Board of Trustees was held on November 3, 2014. The meeting was called to order at 8:05 PM by Mayor Elaine Phillips with the following in attendance:

Elaine Phillips	Mayor
Robert McNamara	Deputy Mayor
Randall Rosenbaum	Trustee
Karen Reichenbach	Trustee
Gary Lewandowski	Trustee
Jeffrey Blinkoff	Village Attorney
Ronnie Shatzkamer	Village Administrator
James Gilhooly	Building Superintendent
Kathy Wade	Village Treasurer
Robert Rockelein	Code Enforcement Officer
Scott Hislop	Highway Superintendent

The Mayor asked former Trustee Norman Glavas to lead the assembly in the Pledge of Allegiance. There were fifteen members of the public present.

**Approval of Minutes**

On motion of Deputy Mayor McNamara, seconded by Trustee Reichenbach, the minutes of the October 6, 2014 Meeting were unanimously approved by the Board.

**Appointment of Trustee**

Mayor Phillips appointed resident Brian Harrington to fill the remainder of former Trustee Tab Hauser's term, until April 1, 2015. Mr. Harrington joined the Board on the podium.

**Treasurer's Report**

On motion of Deputy Mayor McNamara, seconded by Trustee Reichenbach, the claims were unanimously approved.

**Architectural Review Committee Report**

Mr. Gilhooly reported on the Committee's October 27, 2014 meeting.

The following permit applications were recommended to be approved as submitted: Coffey, 56 Sunset Dr. for a 2 story rear addition and Scharfenberger, 89 Birch La. for a rear pergola.

The following permit applications were recommended to be approved with modifications: Linder, 200 Elderfields Rd., for a new one family dwelling, pool, patio, cabana; MD Property Developers, 38 Mallard Road for a new one family dwelling and Hock, 3 Greenbriar La. for a second story addition.

No action was taken on the following permit application: Alin, 24 Greenbriar La. for a 1<sup>st</sup> & 2<sup>nd</sup> story addition.

On motion of Deputy Mayor McNamara, seconded by Trustee Lewandowski, all recommendations of the committee to issue permits were approved by the Board.

**Public Hearing**

On motion of Mayor Phillips, seconded by Trustee Herrington with unanimous approval of the Board, the public hearing portion of the meeting was opened at 8:15 pm.

The first hearing was on Local Law D - 2014 entitled "Skateboards and Similar Devices" as follows:

A new Chapter of the Village Code is hereby proposed to be enacted by the Board of Trustees of the Incorporated Village of Flower Hill, New York as follows:

**Section 1. Adding the Chapter to read as follows:**

**1. Findings and legislative intent:**

*The Village Board finds that skateboards and other similar devices are used in the Village.*

*The Village Board finds that skateboards and similar devices used in certain areas within the Village including areas with steep inclines pose a public danger to pedestrians, drivers, and users of these devices.*

*The purpose of this section is thus to protect the public health, safety welfare, peace and tranquility by regulating the operation of skateboards and similar devices in areas with steep inclines, or in such other areas of the Village as the Board from time to time may determine to be potentially dangerous locations for the use of skateboards and similar devices.*

**2. Definitions:**

**Skateboard**—*a board of wood, plastic, metal or fiberglass or similar material with roller skates or other type of wheels attached and used for gliding or moving on any hard surface.*

**3. Prohibited acts, applicability:**

*No person shall operate a skateboard or similar device on or along areas, streets, or sidewalks specified within the accompanying Resolution of the Board of Trustees. The prohibitions identified in the accompanying Resolution may from time to time be modified by further Resolution of the Board of Trustees as it deems appropriate.*

**4. Penalties:**

*Any person who violates the provisions of this Section shall be guilty of a violation, punishable by a fine not to exceed \$250.00 for the first offense. For each offense thereafter, the fine shall be no more than \$500.00.*

**5. Enforcement:**

*Code Enforcement Officers of the Village as well as police officers shall have the authority to enforce this Section and Chapter.*

**Section 2. Exercise of supersession authority.** *The Village hereby exercises the power of supersession granted to it pursuant to Municipal Home Rule Law 10(1)(ii)(e)(3) with respect to the within local law and hereby supersedes Village Law section 7-706(2) to the extent it requires notice for publication other than has been, or will be, provided as to the within local law.*

Residents of Colony Lane all spoke in favor of the law. There was some Trustee discussion. On motion of the Trustee Reichenbach, seconded by Trustee Rosenbaum, the hearing was adjourned to December 1.

The Board next6 considered Local Law C - 2014 entitled "Amendment of Chapter 219 'Trees, Brush, Shrubs, Grass and Weeds'"

**WHEREAS**, Village Code Chapter 219 "Trees, Brush, Shrubs, Grass and Weeds" contains Section 219-7 "Construction Sites" stating "where a building permit has been issued for the erection, alteration or modification of a structure, or a subdivision or an approved site plan has been granted, no permit shall be required for the removal of such trees located on the site of the building permit, grant of subdivision or site plan shall specify which such trees are to be removed." and;

**WHEREAS**, it is in the interest of the Village to promote the saving of trees wherever possible and that it is the policy of the Village to have all tree removals reviewed by the Village Arborist;

**NOW, THEREFORE BE IT RESOLVED**, that Local Law "C" of the Year 2014 providing for an amendment to Chapter 219 "Trees, Brush, Shrubs, Grass and Weeds", Section 219-7 "Construction Sites" stating "where a building permit has been issued for the erection, alteration or modification of a structure, or a subdivision or an approved site plan has been granted, a permit shall be required for the removal of such trees."

The Board held a discussion. On motion of Trustee Rosenbaum, seconded by the Mayor, the hearing was adjourned to December 1.

The Public Hearing portion of the meeting was closed at 9:25 pm.

See the Stenographic Record for further details.

### **New Business**

A Site Plan review was presented by Mrs. Frankola, owner of the Flower Hill Apartments at 26 Middle Neck Road for the conversion of a residential apartment into a commercial insurance office. The Board needs assurances that there is adequate handicapped parking and that any signage conform to Village Code. Mr. Gilhooly is requiring that the construction of the office be compliant with State Building Code for commercial use and that the existing drainage problem on the property be remedied. Ms. Frankola will meet with Mr. Gilhooly to go over the details for moving forward.

### **Administrator's Report**

Reminder to Board that a work session is scheduled for Monday, November 10 at 7 pm. Ms. Shatzkamer updated the Board on the Planning Board meeting held October 14, 2014.

### **Attorney's Report**

Mr. Blinkoff briefly reviewed the October 15, 2014 Zoning Board meeting.

### **Trustee's Report**

Trustee Reichenbach reviewed the procedure whereby landscape plans would be submitted to the Architectural Review Committee and the Village Arborist. A written procedure will be drawn up.

### **Mayor's Report**

The Mayor announced that PSEG would begin planting the islands on Port Washington Blvd. this week. She informed the Board that Trustee Mills offered her resignation due to family issues. Trustee Rosenbaum will take over the monthly e-news from her. The Village office hours will change to 8:30 am to 4:30 pm effective next Monday. The Mayor appointed Trustee Lewandowski as chair of the Architectural Review Committee.

## **Resolution No. 37 - November 3, 2014 RESOLUTION INTRODUCING LOCAL LAW "E" OF THE YEAR 2014 AND PROVIDING FOR PUBLIC NOTICE AND HEARING**

The following resolution was offered by Deputy Mayor McNamara, seconded by Trustee Lewandowski:

**WHEREAS**, Village Code Chapter 85 "Building Construction" contains Section 85-15 "Bond or deposit" stating "A surety bond or deposit in the sum set forth in Chapter **A243**, Fees, Charges, and Deposits, shall be posted to each applicant to guarantee

the reimbursement to the Village for any damages sustained to its highways or other property arising out of any construction project under this chapter. The bond or deposit amount shall be established by resolution of the Board of Trustees and may be changed from time to time as the Board deems necessary. "and;

**WHEREAS**, it is in the best interests of the Village that all construction be completed within a reasonable period of time.

**NOW, THEREFORE BE IT RESOLVED**, that Local Law "E" of the Year 2014 providing for an amendment to Chapter 85 "Building Construction " shall state that a bond shall be posted to each applicant to guarantee the reimbursement to the Village for any damages sustained to its highways or other property arising out of any construction project under this chapter "*or to ensure timely completion of any construction project as the Board shall determine necessary*", and

**BE IT FURTHER RESOLVED**, that the Board of Trustees hold a public hearing on said proposed Local Law at the Village Hall in the Incorporated Village of Flower Hill at the address of One Bonnie Heights Road, Manhasset, New York at 8:00 p.m. on Monday, December 1, 2014, and

**BE IT FURTHER RESOLVED**, that the Village Administrator publish or cause to be published a public notice in the official newspaper of the Village of said public hearing at least three days prior thereto.

The Board was polled as follows:

Trustee Rosenbaum	Aye
Trustee Lewandowski	Aye
Trustee Reichenbach	Aye
Trustee Herrington	Aye
Deputy Mayor McNamara	Aye
Mayor Phillips	Aye

On motion of Deputy Mayor McNamara, seconded by Trustee Reichenbach the Board adjourned the regular meeting at 10:15 pm.

Respectfully submitted

---

Ronnie Shatzkamer  
Village Administrator