

**MINUTES OF
REGULAR MEETING/PUBLIC HEARING
OF THE BOARD OF TRUSTEES
March 6, 2017**

The regular monthly meeting and public hearing of the Board of Trustees was held on March 6, 2017. The meeting was called to order at 7:30 PM by Mayor McNamara with the following in attendance:

Robert McNamara	Mayor
Brian Herrington	Trustee
Randall Rosenbaum	Trustee
Gary Lewandowski	Trustee
Frank Genese	Trustee
Jeffrey Blinkoff	Village Attorney
Ronnie Shatzkamer	Village Administrator
Andrew Lawrence	Building Superintendent
Suzanne Tangredi	Deputy Clerk/Treasurer
Robert Rockelein	Code Enforcement Officer
Steve Lawniczak	Village Engineer

Mr. Lawniczak led the assembly in the Pledge of Allegiance. There were three members of the public present.

Public Hearing

Trustee Lewandowski offered a motion to open the public hearing portion of the meeting, seconded by Trustee Rosenbaum and unanimously carried.

The first hearing was to consider the enactment of Proposed Local Law B – 2017 entitled "A Local Law amending Chapter 85-5(F) of the Municipal Code of the Incorporated Village of Flower Hill entitled "Building Construction; Issuance of Permit"

RESOLUTION NO.15 – March 6, 2017

RESOLUTION APPROVING LOCAL LAW 4- 2017

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

WHEREAS, the Board of Trustees has determined that it is in the best interests of the Village; and

WHEREAS, the Board of Trustees has determined that it is the lead agency for the purposes of the State Environmental Quality Review Act, ("SEQRA"), and has further determined that the consideration of the within Local Law is a Type II Action requiring no further action under SEQRA;

NOW, THEREFORE BE IT RESOLVED, that the Board of Trustee hereby adopts Local Law "B" as Local Law "4" of the Year 2017 providing for an amendment to the Village Code chapter amending Chapter 85-5(F) entitled "Building Construction; Issuance of Permit" as follows:

Section 1. Replace Section 85-5(F) as follows:

Every major or minor construction permit, plumbing permit, demolition permit expires one year after issuance. Every Miscellaneous permit expires three months after expiration with the exception of Dumpster & storage pod permits.

Except:

If no work is conducted for any consecutive period of 30 days, the building permit shall expire by limitation.

Unless actual construction is begun within six months of the date of issuance of any building permit, such building permit, shall expire by limitation.

Every major or minor construction permit, plumbing permit or demolition permit, upon approval of the Building Superintendent based upon good cause shown may be extended prior to its expiration:

For a period of 6 months for a fee of 25% of the original fee.

A second extension may be issued for a period of 3 months for a fee of 50% of the original fee and must be accompanied by a cash bond equal to the cost of the work remaining to be done as determined by the Building Superintendent.

The Building Superintendent may extend a permit for additional periods not to exceed three months each at the original permit fee plus 1% of the estimated cost of construction.

If a building permit expires and no application for an extension has been received, the building permit shall then be deemed void and may only be reopened with a new application at the original fee plus 1% of the estimated cost of construction.

Any person aggrieved by the action of the Building Superintendent may appeal to the Board of Trustees.

Every Miscellaneous permit, with the exception of dumpster & storage pod permits, upon approval of the Building Superintendent:

May be extended prior to its expiration for a period of 1 month for a fee of 25% of the original fee.

A second extension may be issued for a period of 2 months for a fee of 50% of the original fee.

If a Miscellaneous permit expires and no application for an extension has been received, the permit shall then be deemed void and may only be reopened with a new application at the original fee.

If work does not commence within six months from the issuance of a building permit and the applicant requests in writing that the building permit be withdrawn prior to the end of the six-month period, then 50% of the building permit application fee shall be reimbursed to the applicant. No building permit application fees, or portion thereof, shall be reimbursed to the applicant upon the expiration of a building permit by limitation.

Section 3. 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.

Section 4. Effective Date. This law shall take effect immediately.

The Board of Trustees was polled as follows:

Trustee Rosenbaum	Aye
Trustee Lewandowski	Aye
Trustee Genese	Aye
Deputy Mayor Herrington	Aye
Mayor McNamara	Aye

On motion of Trustee Rosenbaum, seconded by the Deputy Mayor, the public hearing was closed at 7:45 pm. *See the hearing transcript for further detail.*

Approval of Minutes

The minutes of the February 6, 2017 regular meeting/public hearing were unanimously approved as submitted on motion of Deputy Mayor Herrington, seconded by Trustee Rosenbaum.

Treasurer's Report

The claims were unanimously approved on motion of Mayor McNamara, seconded by Deputy Mayor Herrington. The Budget Committee will meet on March 28, 2017 at 6 pm. A public hearing to present the tentative budget to the Board will be held on March 31, 2017 at 9 am.

Public Comment

Dan Eliasson, owner of 38 Mallard Rd. asked for relief from building permit extension fees. The Board denied the request.

Architectural Review Committee Report

Mr. Lawrence reported on the February 27, 2017 meeting.

The following applications were recommended for approval: Tansey, 50 Oak Tree Lane for change to façade; Sahn, 33 Ridge Drive East, rear addition; Hegarty, 40 Chestnut Road, rear addition; JV2 Inc., 17 Sycamore Drive, new one family dwelling; Samida, 75 Knollwood Road,

rear deck; Nicaj, 25 Woodland Road, portico and exterior stucco; Baranowska, 12 Mason Drive, siding; Strianese, 64 Elderfields, driveway piers and site plan.

On motion of Mayor McNamara seconded by Trustee Rosenbaum, the Board unanimously approved the recommendations of the Committee.

Building Superintendent's Report

Mr. Lawrence reported that in light of the heavy ARC case load, he and Tami Cook, Chair of the ARC, would meet to triage the outstanding applications before the next meeting.

Engineer's Report

Mr. Lawniczak prepared the legal notice for bidding on the sports wall Bids will be opened on March 31, 2017 at 10 am. He reviewed the 2017 roadwork project and noted that the intersection of Farmview and Brookside has some drainage issues that should be included in the project.

Village Administrator's Report

Ms. Shatzkamer reminded the Board of the outstanding bill from the Port Washington Manhasset OEM group. The Board requested that the item be table till next month.

Attorney's Report

Mr. Blinkoff submitted a report on the Zoning Board hearing of February 8, 2017

Trustees Report

Trustee Genese reported on his research into expanded impact fees and sub-division fees. The Board reviewed the material and agreed to introduce it as a new local law.

RESOLUTION NO. 16 – March 6, 2017 RESOLUTION PROVIDING FOR PUBLIC NOTICE AND HEARING LOCAL LAW F OF 2017

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

BE IT RESOLVED, that Local Law F – 2017 providing for an amendment to Chapter A243 “Fees, Charges and Deposits” to add an impact fee for new construction within the Village; and **THEREFORE BE IT 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 7:30 p.m. on Monday, April 3, 2017 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 of Trustees was polled as follows:

Trustee Rosenbaum	Aye
Trustee Lewandowski	Aye
Trustee Genese	Aye
Deputy Mayor Herrington	Aye
Mayor McNamara	Aye

RESOLUTION NO. 17 – March 6, 2017 RESOLUTION PROVIDING FOR PUBLIC NOTICE AND HEARING LOCAL LAW G OF 2017

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

BE IT RESOLVED, that Local Law F – 2017 providing for an amendment to Chapter A243 “Fees, Charges and Deposits” to add a fee for sub-divisions within the Village is hereby introduced; and

THEREFORE BE IT 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 7:30 p.m. on Monday, April 3, 2017 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 of Trustees was polled as follows:

Trustee Rosenbaum	Aye
Trustee Lewandowski	Aye
Trustee Genese	Aye
Deputy Mayor Herrington	Aye
Mayor McNamara	Aye

Trustee Herrington requested that the Board consider entering into a contract with the Citizen's Campaign for the Environment to provide drug take back events in the community

RESOLUTION NO. 18 – March 6, 2017

RESOLUTION ALLOWING MAYOR TO ENTER INTO AN AGREEMENT

The following resolution was offered by Deputy Mayor Herrington, seconded by Trustee Genese:

WHEREAS, the Village, in furtherance of the protection of our bays and watershed, agrees that pharmaceuticals must be properly disposed of in order to avoid contaminating our waters, and

WHEREAS, the Village agrees to partner with the Citizen's Campaign for the Environment (CCFE) to host two drug take back days within the Manhasset Bay Watershed area;

NOW BE IT RESOLVED that the Board of Trustees, authorizes the Mayor to enter into a grant agreement with CCFE to receive \$3,000.00 to hold such events; and

BE IT FURTHER RESOLVED, that the provisions of this resolution shall take effect immediately.

The Board of Trustees was polled as follows:

Trustee Rosenbaum	Aye
Trustee Lewandowski	Aye
Trustee Genese	Aye
Deputy Mayor Herrington	Aye
Mayor McNamara	Aye

Mayor's Report

Mayor McNamara reported on his meeting with County Legislator Delia DeRiggi-Whitton. They discussed county upgrade of Middle Neck Road and grant opportunities.

Old Business

RESOLUTION NO. 19– March 6, 2017

RESOLUTION REFERRING SITE PLAN REVIEW

The following resolution was offered by Trustee Genese, seconded by Trustee Lewandowski:

BE IT RESOLVED that Section 30-5 of the Code of the Village of Flower Hill allows the Board of Trustees to empower the Planning Board to review and advise the Trustees regarding specific applications for site plan review; and

BE IT FURTHER RESOLVED that the Board of Trustees hereby empowers the Planning Board of the Village of Flower Hill to review certain site and in turn advise the Board of their findings

The Board of Trustees was polled as follows:

Trustee Rosenbaum	Aye
Trustee Lewandowski	Aye
Trustee Genese	Aye
Deputy Mayor Herrington	Aye
Mayor McNamara	Aye

The Board reviewed the Tree Committee progress and approved the new name for the Committee, the "Tree and Landscape Review Committee".

Lowering the Village wide speed limit to 25 mph was discussed. The Board asked Mr. Blinkoff to investigate how this could be accomplished.

New Business.

**RESOLUTION NO. 20– March 6, 2017
RESOLUTION PROVIDING FOR PUBLIC NOTICE AND HEARING
LOCAL LAW H OF 2017**

The following resolution was offered by Mayor McNamara, seconded by Trustee Lewandowski: **BE IT RESOLVED**, that Local Law H – 2017 providing for an amendment to Chapter 85 “Building Construction”, adding a new section entitled “Amnesty”, and **THEREFORE BE IT 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 7:30 p.m. on Monday, April 3, 2017 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 of Trustees was polled as follows:

Trustee Rosenbaum	Aye
Trustee Lewandowski	Aye
Trustee Genese	Aye
Deputy Mayor Herrington	Aye
Mayor McNamara	Aye

The Board approved payment to Total Technology for a new firewall for the server. The 2017-2018 Port Washington Fire Contract was considered and tabled to the April meeting pending further review by Trustee Genese.

Mayor McNamara offered a motion to enter into the annual contract with Dvirka and Bartilucci Engineering for Storm Water Management Reporting for 2017, seconded by Deputy Mayor Herrington and unanimously carried.

Mayor McNamara offered a motion, second by Trustee Rosenbaum and unanimously carried, to approve the annual Laurie Strauss Leukemia Foundation Ride for Research through the Village on May 21, 2017. All appropriate insurance documents have been provided.

Trustee Genese moved to carry over a discussion of light source regulation to the April meeting.

**RESOLUTION NO. 21– March 6, 2017
RESOLUTION TO HOLD THE ANNUAL VILLAGE ORGANIZATIONAL MEETING AND
2017-18 BUDGET PRESENTATION AND HEARING**

The following resolution was offered by Trustee Rosenbaum, seconded by Mayor McNamara: **BE IT RESOLVED**, that the Village Administrator shall present the tentative Village budget for the fiscal year commencing June 1, 2017, and ending May 31, 2018 to the Board of Trustees; and

BE IT RESOLVED, that immediately following, the Board of Trustees of the Inc. Village of Flower Hill shall conduct the annual Village Organizational Meeting and 2017-18 Budget Hearing on April 3, 2017, commencing at 7:30 PM at the Village Hall, 1 Bonnie Heights Rd., Manhasset, NY; and

BE IT FURTHER RESOLVED, that the Village Administrator shall post notice of this meeting Village Hall and the Village newspaper of record.

The Board of Trustees was polled as follows:

Trustee Rosenbaum	Aye
Trustee Lewandowski	Aye
Trustee Genese	Aye
Deputy Mayor Herrington	Aye
Mayor McNamara	Aye

Trustee Rosenbaum requested that the Board consider limiting the sale of cigarettes in the Village to persons over 21 years of age. Mr. Blinkoff will look into the feasibility of such a regulation

Executive Session

On motion of the Mayor, second by Trustee Rosenbaum, the Board went into executive session at 9:20 pm to discuss an employee compensation issue and a subpoena received by the Village. No action was taken.

The executive session and meeting were adjourned at 9:45 pm.

Respectfully submitted,

Ronnie Shatzkamer
Village Administrator