

**MINUTES OF
REGULAR MEETING/PUBLIC HEARING
OF THE BOARD OF TRUSTEES
February 5, 2018**

The regular monthly meeting and public hearing of the Board of Trustees was held on February 5, 2018. The meeting was called to order at 7:35 PM by Mayor McNamara with the following in attendance:

Robert McNamara	Mayor
Brian Herrington	Deputy Mayor
Gary Lewandowski	Trustee
Frank Genese	Trustee
Randall Rosenbaum	Trustee
Kate Hirsch	Trustee
Jay Beber	Trustee
Jeffrey Blinkoff	Village Attorney
Ronnie Shatzkamer	Village Administrator
Andrew Lawrence	Building Superintendent
Suzanne Tangredi	Village Treasurer
Peter Albinski	Village Architect
Robert Rockelein	Code Enforcement Officer
Richard Falcones	Public Works Supervisor
Steve Lawniczak	Village Engineer

Rhoda Becker led the assembly in the Pledge of Allegiance. There were ten members of the public present.

Public Hearing

On motion of Trustee Rosenbaum, seconded by Trustee Beber, the public hearing portion of the meeting was called to order at 7:35 pm.

The first hearing, adjourned from December, was regarding a change of use and site plan approval granted on July 11, 2016 for 1045 Northern Blvd. to change from a car rental use to a commercial retail building. No action has been taken on the application since its approval so the Board is considering whether to modify, rescind or take further action on said application. Mr. John Armentano, attorney and applicant Michael Cohen appeared. The Board was presented with a brief sketch of an action plan that had been previously requested. The Board ordered that the cars parked on the property be removed by March 1 and building plans be submitted so that a demolition permit may be issued by April 1. If these dates are not met the entire approval process will need to start anew.

The second hearing was to consider Local Law A-2018, whereby Code sections 240-27 through 240-32 entitled "Zoning, Article V, Board of Appeals" be merged with Section A244 entitled "Board of Appeals Rules and Regulations" to create a new chapter in Part 1: Administrative Legislation

**RESOLUTION NO. 03 – February 5, 2018
RESOLUTION APPROVING A LOCAL LAW**

The following resolution was offered by Mayor McNamara, seconded by Trustee Lewandowski: **WHEREAS**, the Board of Trustees has determined that it is in the best interests of clarity to enact proposed Local Law A – 2018 as Local Law 2 - 2018; 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 A - 2018 as Local Law 2– 2018; and

BE IT FURTHER RESOLVED that this law shall take effect immediately

The Board of Trustees was polled as follows:

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

PROPOSED LOCAL LAW 2 - 2018

Merge all sections of Code relating to Zoning Board of Appeals into one comprehensive section

Create a new Section in “Part 1 Administrative Legislation”, “Zoning Board of Appeals” Merging Section 240, Article V, “Zoning Board of Appeals and Section A244 “Zoning Board of Appeals Rules and Regulations”

The third hearing was to consider the enactment of Local Law B – 2018 to update the fee schedule of the Village Code.

**RESOLUTION NO. 04 – February 5, 2018
RESOLUTION APPROVING A LOCAL LAW**

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

WHEREAS, the Board of Trustees has determined that it is in the best interests of clarity to enact proposed Local Law B – 2018 as Local Law 3 - 2018; 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 - 2018 as Local Law 3– 2018; and

BE IT FURTHER RESOLVED that this law shall take effect immediately

The Board of Trustees was polled as follows:

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

LOCAL LAW 3 – 2018

**Amend FEES, CHARGES AND DEPOSITS
A243 Attachment 1
Incorporated Village of Flower Hill
Schedule of Fees**

Code Section	Description	Fee Amount
§ 74-1B	Auctioneering license	\$100/year
§ 85-15	Bond on new construction	\$50,000

§ 85-15	Bond on new construction in excess of 500 s.f. of lot coverage	\$25,000
§ 112-7C	Erosion Control Permit application	\$100
§ 114-1B	Exhibition/sound truck license (Must also comply with Ch. 158 Noise)	\$100
§ 119-4	Fences or fence alterations	\$100
§ 131-2	Garage sale license	Resident: no fee Commercial license: \$100
§ 143-6(A)	Landmark designation application	\$250
§ 147-1	Ice cream/food truck vending	\$100/year
§ 147-3B	Sale of food and/or beverages	\$100/year
§ 147-4	Landscaping and tree companies	\$25/year for first vehicle; \$15 each additional vehicle
§ 147-5	Security service license	\$1,000/year
§ 181-8(D)	Sign application	\$50 plus \$5/sq. ft. (\$100 minimum) Annual renewal \$5/sq. ft. (\$100 minimum)
§ 190-5(B)	Dumpster permit	\$50 per month
§ 195-1	Curb cutting or altering	\$250
§ 195-2	Street excavations/Road Openings	\$250
§ 195-4	Bond for Road Opening	\$10,000
§ 195-6	Moving buildings over streets	\$500
	Moving buildings on a lot	\$250
§ 198-5(D)	Subdivision fee	\$25,000 per new lot created
§ 201-10	Swimming pool construction bond	\$5,000
§ 219-8(D)	Tree removal permit	\$150/live tree; \$50 inspection fee for dead or damaged trees
§ 219-9(B)	Tree Replacement Bond	\$500 per tree
§ 227-21	Abandoned vehicle removal & storage	\$250 + \$100/day
§ 240-32C	Submission of a variance application or appeal to the Zoning Board of Appeals	\$250 Residential \$500 Commercial \$1,000 deposit for costs
§ 85-4(A)	Demolition	\$250
§ 85-4(B)	Residential application for building permit	\$500 (new construction) \$250 (alteration)
	Nonresidential application for building permit	\$750 (new construction) \$500 (alteration)
	Residential new construction	1% of \$300.00 per square foot
	Residential alteration	1% of construction cost
	Legalization of existing residential construction	2% of construction cost
	Nonresidential new construction	2% of \$300.00 per square foot
	Nonresidential alteration	2% of construction cost
	Legalization of existing non-residential construction	4% of construction cost
	Post-permit amendment fee	\$100 + 1% of additional cost
§ 85-5(F)	Building Permit Extension	See chapter
§ 86-4(B)	Plumbing permit fee	\$100 + \$15/ fixture
§ 86-4(B)	Miscellaneous permit application fee	\$100 + 1% of construction cost

	Sanitary/sewage facility permit	\$100
§ 240-15(A)	Application for special exception use or Site plan review	\$500
	Deposit for costs	\$1,000
§ 30-7	Application to Planning Board	\$500
	Deposit for costs	\$1,000
§ A243-5	Application to amend official map	To be determined by Board of Trustees
§ A243-9	Impact fee	Based on \$2.50 per square foot

IMPACT FEE			
SF of Modification	Basic Fee	Per Square Foot Cost (\$2.50/sf)	Total Impact Fee
2,000	\$1,000	\$5,000	\$6,000
2,500	\$1,000	\$6,250	\$7,250
3,000	\$1,000	\$7,500	\$8,500
3,500	\$1,000	\$8,750	\$9,750
4,000	\$1,000	\$10,000	\$11,000
4,500	\$1,000	\$11,250	\$12,250
5,000	\$1,000	\$12,500	\$13,500
5,500	\$1,000	\$13,750	\$14,750
6,000	\$1,000	\$15,000	\$16,000
6,500	\$1,000	\$16,250	\$17,250
7,000	\$1,000	\$17,500	\$18,500
7,500	\$1,000	\$18,750	\$19,750

Miscellaneous fees

Public assembly	\$100/year
Combustibles and explosives	\$100/year
Review or preparation of Environmental Impact Statement	To be fixed by Board of Trustees
Storage and removal or abandonment of flammable	\$100 for 1,000 gallons \$250 for greater than 1,000 gallons
Block party	\$25
Change of address	\$500

§ A243-1	Copy of Village Code	\$250
	Copy of Zoning Chapter	\$25
	Copy of C/O, permit, certificate of existing use	\$50
	Pages not larger than 8 1/2 x 14	\$0.25/page
	Other documents	Actual cost to the village + 20%

The last hearing was to consider the enactment of proposed Local Law C of 2018 regarding expiration of residential building submissions and approvals that do not have any activity to further the issuance of a permit for a period of six months.

RESOLUTION NO. 05 – February 5, 2018
RESOLUTION APPROVING A LOCAL LAW

The following resolution was offered by Mayor McNamara, seconded by Deputy Mayor Herrington: **WHEREAS**, the Board of Trustees has determined that it is in the best interests of the Village to enact proposed Local Law C – 2018 as Local Law 4- 2018; 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 C - 2018 as Local Law 4– 2018; and

BE IT FURTHER RESOLVED that this law shall take effect immediately

The Board of Trustees was polled as follows:

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

LOCAL LAW 4 – 2018

Amend Section 85-5(F) “Building Construction”; “Issuance of Permit”, “Expiration; Extension” to add a new sub-section:

Expiration of Residential Building Approvals and Submissions

85-5(F)(6) All residential site plan approvals, Architectural Review Committee approvals and Building Permit submissions that do not have any activity that would further the issuance of a permit for a period of six months shall be deemed expired by limitation.

On motion of Trustee Rosenbaum, seconded by Trustee Beber, the public hearing portion of the meeting was closed at 8:00 pm.

See the stenographic record for details.

Regular Meeting

Approval of Minutes

The minutes of the January 3, 2018 regular meeting/public hearing were approved as submitted on motion of Deputy Mayor Herrington, seconded by Mayor McNamara.

Treasurer’s Report

The claims were unanimously approved on motion of Trustee Rosenbaum, seconded by Mayor McNamara.

Ms. Shatzkamer reviewed the questions presented by the State Comptroller’s office in response to the Village’s annual Update Document.

“The Capital Project Fund should not be used solely for a capital reserves. The capital project fund can have capital reserve, however the fund should not be used to accumulated monies for a capital reserve. Village should use the H fund when there is an active capital project. The only activity reported in the capital project fund in the last five years are monies transferred from the general fund. Does the Village have a capital project in place? If not, the capital reserves reported in the H fund should be moved to the A fund.”

The Board directed Ms. Tangredi to transfer funds from the H fund to the A fund.

Architectural Review Committee Report

Mr. Albinski reported on the January 29, 2018 meeting.

The following returning applications were recommended for approval with conditions: 4 Overhill Road, alterations to previously approved plans; 85 Country Club Drive, new one family dwelling; 12

Bonnie Heights Road, revisions to previously approved façade changes. A new application for a new pool house at 510 Manhasset Woods Road was approved and an application for 43 Colony Lane for additions and alterations was approved with conditions.

On motion of Trustee Lewandowski, seconded by Trustee Hirsch, the Board unanimously approved the recommendations of the Committee.

Building Inspector’s Report

The Board of Trustees had asked the owner of 74 Crabapple Road to present a progress report on construction at the January meeting. The owner, Mr. Batelic could not be present but upon review of Mr. Lawrence the work is progressing in a workmanlike manner. The Board will review the progress again in March.

There has been an increase in the installation of utility meters on stanchions in the side yard rather than on the house itself. Mr. Lawrence asked the Board for guidance on how these structures should be treated. After discussion the Board agreed that there is a need to legislate their location at no closer than 4’ from the property line with screen required.

RESOLUTION NO. 06 – February 5, 2018 RESOLUTION INTRODUCING LOCAL LAW D – 2018 PROVIDING FOR SETBACK REQUIREMENTS FOR UTILITY METERS

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

BE IT RESOLVED, that Local Law “D” of the Year 2018 is hereby introduced to provide setback requirements for utility meters or equipment in a side yard; 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 7:30 p.m. on Wednesday, March 5, 2018 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 Hirsch	Aye
Trustee Rosenbaum	Aye
Trustee Genese	Aye
Trustee Lewandowski	Aye
Trustee Beber	Aye
Deputy Mayor Herrington	Aye
Mayor McNamara	Aye

Engineer’s Report

Mr. Lawniczak presented a list of roads under consideration for replacement or upgrade in the 2018-19 fiscal year: Dogwood, Center, Knolls, Maple and drainage on Knollwood. Based on his estimates the Mayor and Board will include some of these projects in the budget.

Administrator’s Report

Ms. Shatzkamer asked for Board approval to contract with D&B Engineers for the creation of the 2018 Stormwater Reports. On motion of Mayor McNamara , seconded by Deputy Mayor Herrington, the Board unanimously gave their approval.

RESOLUTION NO. 07 – February 5, 2018 RESOLUTON APPOINTING ELECTION INSPECTORS FOR GENERAL VILLAGE ELECTION

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

WHEREAS, pursuant to Article 15 section 15-116 of the New York State Election Law the Board of Trustees of the Incorporated Village of Flower Hill, is authorized to appoint individuals to serve as Inspectors of Elections for General and Special Village elections;

WHEREAS, the General Village Election will be held on March 20, 2018;
NOW THEREFORE, BE IT RESOLVED, that the Board of Trustees hereby appoints the following persons to serve as Inspectors of Elections at the General Village Election: Leslie House and Anthony Rowland; in the event that neither of the above can serve, any other qualified individual may be appointed, and be it further
RESOLVED, that each of these individuals are duly qualified to serve as Inspectors under New York State Election Law; and be it further
RESOLVED, that the compensation paid to the Inspectors shall be one hundred twenty five dollars (\$125.00) for the Inspectors; and be it further
RESOLVED, that all Inspectors must file a Constitutional oath with the Village Clerk prior to the assumption of his or her duties.

The Board of Trustees was polled as follows:

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

Ms. Shatzkamer reported that she submitted reimbursement to the state for the 2017 highway work. The Village should receive payment of approximately \$130,000 in March.

As the Village has been getting comprehensive news coverage from the Blank Slate Media's local newspapers and they have recently added weekly papers in all areas of the village, and have increased their circulation to exceed that of Anton News, Ms. Shatzkamer proposed changing the newspaper of record at the April annual meeting. A motion to this effect was offered by Trustee Hirsch, seconded by Trustee Rosenbaum and unanimously approved.

Trustee's Report

Trustee Genese reported that the Port Washington Fire Dept. LOSAP payment from Flower Hill will be \$33,516 (a \$500 increase over last year) which is 7.3% of the total. Also Hempstead Harbor Protection Committee dues will be \$5445 for 2018, 6% of the total and is the same as last year.

Mayor's Report

The Mayor appointed Rhoda Becker to serve as Village Historian, replacing the late John Walter. The following committee appointments were made: Lighting - Deputy Mayor Herrington, Trustee Genese, Trustee Beber. Exhibition Law Review - Trustee Hirsch, Trustee Lewandowski, Trustee Rosenbaum. Both committees were given 60 days to come back with a report on their progress. The Mayor reviewed the progress or lack thereof on the acquisition of Middle Neck Road from the county. He also updated the Board on the reconstruction of Port Washington Blvd. and asked Ms. Shatzkamer to reach out to the DOT to set up a public information meeting.

Old Business

The subject of rocks placed in the Right of Way along Manhasset Woods Road was revisited. Ms. Shatzkamer reported on the feedback she received from residents who were asked to remove the rocks. Gabriella Morizio, a resident of Manhasset Woods Road, spoke on the safety issues of having the rocks remain. The Board will make a determination on how to proceed.

Trustee Rosenbaum agreed to work with Mr. Falcones on the design of a new traffic island at their intersection of Northern Blvd. and Ridge Drive West.

Ms. Shatzkamer reached out to the Roslyn Fire Companies for an explanation of the \$18,000 increase in the 2018 contract. The explanation received by the Company's attorney was that the increase reflects the changes in property assessment.

RESOLUTION NO. 08 – February 5, 2018
RESOLUTION ADOPTING AND RENEWING A FIRE PROTECTION CONTRACT WITH THE
ROSLYN FIRE COMPANIES FOR THE YEAR 2018

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

WHEREAS, New York State Village Law § 4-412(3)(9) authorizes the Board of Trustees to enter into a contract for fire protection services with any city, village, fire district, or incorporated fire company having its headquarters outside such village and maintaining adequate and suitable apparatus and appliances for the furnishing of fire protection in such village; and

WHEREAS the approval of said contract is conditional upon the adoption and inclusion of a new updated Section 4 to the Contract Rider relating to insurance coverages;

THEREFORE, be it **RESOLVED**, the Board of Trustees of the Incorporated Village of Flower Hill hereby adopts the fire services contract with the Roslyn Fire Companies FOR THE PERIOD January 1, 2018 through December 31, 2018; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute the fire services contract with the Roslyn Fire Companies.

The Board of Trustees was polled as follows:

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

New Business

Mr. Jason Maroof, builder of a new one family home on Chestnut Road, asked for relief from the building permit fees of 1% of \$300.00 per square foot. The Board denied his request.

The Board considered extending the amount of time on a permit for larger homes to more than the current one year. After some discussion, the Board agreed to reconsider the issue next month.

On motion of Trustee Genese, second by Trustee Beber, the meeting was adjourned at 9:05 pm.

Respectfully submitted,

Ronnie Shatzkamer
Village Administrator