

**MINUTES OF  
PUBLIC HEARING/REGULAR MEETING  
OF THE BOARD OF TRUSTEES  
Monday, July 6, 2020**

The regular monthly meeting of the Board of Trustees was held on July 6, 2020. This meeting was held telephonically by conference call and computer. The meeting was called to order at 7:32 PM by Mayor Herrington with the following in attendance:

Brian Herrington	Mayor
Randall Rosenbaum	Deputy Mayor
Jay Beber	Trustee
Gary Lewandowski	Trustee
Frank Genese	Trustee
Kate Hirsch	Trustee
Mary Jo Collins	Trustee
Jeff Blinkoff	Village Attorney
Ronnie Shatzkamer	Village Administrator
Suzanne Tangredi	Village Treasurer
Peter Albinski	Building Superintendent
Robert Rockelein	Code Enforcement Officer
Richard Falcones	Superintendent Public Works
Steven Lawniczac	Village Engineer

The assembly recited the Pledge of Allegiance led by Damian Pieper. There were 27 people signed on for the meeting.

Ms. Shatzkamer reviewed then rules for participation in the meeting.

**Appointment**

Mayor Herrington appointed Damian Pieper as Associate Justice, replacing the Hon. J. Bruce Byrne who has made Florida his permanent residence.

**Public Hearing**

The public hearing portion of the meeting was opened on motion of Mayor Herrington, seconded by Trustee Beber.

The first public hearing was to consider proposed Local Law E-2020. Amend Chapter 190, "Solid Waste" to add a section entitled "Source Separation and Segregation of Recyclable or Re-useable Materials". This hearing was adjourned from June 1, 2020. New language was introduced at the last hearing however the law was not properly "aged". After discussion, a unanimous motion was made by Mayor Herrington, second by Deputy Mayor Rosenbaum, to adjourn the hearing to August 3, 2020 and close the public hearing portion of the meeting.

**Proposed Local Law E – 2020**

**Amending Chapter 190, "Solid Waste" to add a section entitled "Source Separation and Segregation of Recyclable or Re-useable Materials"**

1. The Board of Trustees hereby finds that it is in the public interest, in order to further the purposes of the state policy on solid waste management articulated in section 27-0106 of the Environmental Conservation Law and pursuant to New York Consolidated Laws, General Municipal Law - GMU § 120-aa, for the Village to adopt a local law to require the source separation and segregation of recyclable or re-useable materials from solid waste.

2. The Village hereby requires that solid waste and recyclable and/or re-useable materials which have been left by Village residents for collection by the Village carter, shall be separated by the carter at the location where such materials have been left by the residents for collection into recyclable, re-useable or other components.

3. For purposes of this section, "components" shall include paper, glass, metals, plastics, garden and yard waste, and may include other elements of solid waste as shall be designated by the Board of Trustees.

*See the stenographic record for further details.*

### **Special Presentation**

Mark Gregory of Traffic Logix gave a presentation on traffic calming solutions, particularly removable rubber speed humps. The Board asked questions and will consider this type of solution upon receipt of a traffic study.

### **Regular Meeting**

#### **Approval of Minutes**

On motion of Mayor Herrington, seconded by Trustee Collins, the minutes of the June 1, 2020 regular meeting and public hearing were approved by all with the exception of Trustee Hirsch. On motion of seconded by Trustee Genese, the minutes of the June 18, 2020 Special Meeting were unanimously approved.

#### **Treasurer's Report**

The monthly claims were approved by all with the exception of Trustee Hirsch, on motion of Trustee Genese, seconded by Trustee Beber. Mr. Blinkoff gave the Board an update on outside counsel services.

Ms. Tangredi reported that the Village has collected \$1.18 Million in tax payments to date.

#### **Building Inspector's Report**

At the Zoning Board of Appeals hearing on June 17, Chairman Michael Sahn asked the Board of Trustees to consider legislation on the permissibility of front yard gates. After discussion the Board concluded that any applications for such gates should be heard as a variance request by the Zoning Board.

Mr. Albinski reported on the Architectural Review Committee's meeting of June 30, 2020. The committee recommended Approval with Conditions on applications of 245 Crabapple Road for a new residence, 133 Elderfields Road for a sports court and shed, and 7 Hunters Lane for rear additions and alterations. The applications of 99 Burch Lane for a new residence and 54 Ridge Drive East for additions and alterations had no action taken. On motion of Lewandowski seconded by Mayor Herrington, the Board unanimously approved the findings of the ARC.

The Mayor asked Mr. Albinski to prepare a report on new home construction last year versus this year. In the period from January to June 2019, plans for 4 new homes were approved with 1 pending. For the period January to June 2020, 6 were approved with 5 pending.

#### **Public Works Superintendent Report**

Mr. Falcones is awaiting a determination of responsibility for the clean up of Middle Neck Rd. before proceeding. As it is a heavily trafficked road, any work would have to be done a small portion at a time. The Public Works crew installed hundreds of small American flags on Village owned traffic islands and in front of Village Hall to commemorate Independence Day. The public feedback was overwhelmingly positive.

**Village Engineer's Report**

Mr. Lawniczak will have the 2020 Road Bid specs and drawings ready for pick up next week. A legal notice will be published on Wednesday, July 15.

**Administrator's Report**

Ms. Shatzkamer reported on the Villages FEMA application and Nassau County Hazard Mitigation submissions. The annual insurance renewal came in \$1,681.11 under last year's renewal.

**RESOLUTION NO. 33 – JULY 6, 2020**

**RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT**

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

**BE IT RESOLVED** that the Board of Trustees of the Village of Flower Hill authorizes the Mayor to enter into an agreement with:

GovPayNet d/b/a Worldpay LLC, 8500 Governors Drive, Symmes Township, OH 45249 for merchant services to enable credit card and e-check payment of Village fees, charges, deposits and payments; and

**FURTHER**, the agreement stipulates that there will be no cost to the Village, GovPayNet will collect a 2.5% fee for each credit card transaction and \$0.75 for each e-check transaction and provide all service and set up to the Village at their own expense.

The Board was polled as follows:

- Trustee Genese                   Aye
- Trustee Beber                   Aye
- Trustee Lewandowski        Aye
- Trustee Collins                Aye
- Deputy Mayor Rosenbaum    Aye
- Mayor Herrington             Aye

**RESOLUTION NO. 34 – JULY 6, 2020**

**RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT**

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

**BE IT RESOLVED** that the Board of Trustees of the Village of Flower Hill authorizes the Mayor to enter into an agreement with:

Constant Contact, Reservoir Place, 1601 Trapelo Road, Waltham, MA 02451 for Email marketing services at a cost of \$20.00 per month after a 60-day free trial period.

The Board was polled as follows:

- Trustee Genese                   Aye
- Trustee Beber                   Aye
- Trustee Lewandowski        Aye
- Trustee Collins                Aye
- Deputy Mayor Rosenbaum    Aye
- Mayor Herrington             Aye

**RESOLUTION NO. 35 – July 6, 2020**

**ANNOUNCING THE POLLING PLACE AND TIME FOR THE  
September 15, 2020 GENERAL VILLAGE ELECTION**

The following resolution was offered by Trustee Hirsch, second by Mayor Herrington:

**WHEREAS**, pursuant to Article 15 section 15-104 of the New York State Election Law the Board of Trustees of the Village of Flower Hill, is required to adopt a resolution setting forth information about the General Election;

**WHEREAS**, the Resolution must be adopted at least sixty (60) days prior to the General and Special Village Election;

**WHEREAS**, the General Election for the Village of Flower Hill will be held on Tuesday, September 15, 2020;

**NOW THEREFORE, be it RESOLVED**, that the polling place for the September 15, 2020 General Village election shall be the Village Hall, located at 1 Bonnie Heights Road, Manhasset, New York; and be it further

**RESOLVED**, that the polling place shall be open from 12:00 noon to 9:00 pm; and be it further

**RESOLVED**, that at least ten days prior to the election the Village Clerk shall publish, a notice which shall state:

(1) the polling place;

(2) the hours during which the polls shall be open; and

(3) the names and addresses of all those who have been duly nominated in accordance with the provisions of this chapter for village office by certificate or petition of nomination duly filed with the village clerk and the office and term of such office for which they have been so nominated; and be it further

**RESOLVED**, that in addition to such publication, a copy of such notice shall be posted in at least six conspicuous public places within the village and at each polling place at least one day before the village election.

The Board was polled as follows:

Trustee Genese	Aye
Trustee Beber	Aye
Trustee Lewandowski	Aye
Trustee Collins	Aye
Deputy Mayor Rosenbaum	Aye
Mayor Herrington	Aye

### **Attorney's Report**

Mr. Blinkoff reported on the June 17, 2020 Board of Zoning Appeals hearing.

### **Mayor's Report**

The Mayor discussed ideas for a long-term plan for the Village with the goal of having more detail by the end of summer. Ideas for a memorial to Mayor McNamara were presented. The Mayor asked Ms. Shatzkamer to reach out to Mrs. McNamara to discuss.

The Mayor has created several new committees: Parks – Trustees Collins, Lewandowski and resident Chris Ferraro; Sustainability – Trustees Beber, Genese and resident Claire Dorfman; Landscape Advisory – Mayor Herrington, Deputy Mayor Rosenbaum, Trustee Collins, Administrator Ronnie Shatzkamer, Code Enforcement Officer Robert Rockelein, residents Adam Bell and Nancy Yee, and Aldo Calabrese representing landscapers.

### **Trustees Report**

Trustee Beber noted that the summer Newsletter should be received by the end of the week. Both he and Deputy Mayor Rosenbaum have been working on updating the Village website. Trustee Lewandowski was able to recruit volunteers for the Village emergency shelter, located at Manhasset High School.

Trustee Hirsch offered a resolution to rescind Local Law 5 of 2019. There was no second.

### **Old Business**

In order to alleviate parking on the residential portion of Ridge Drive West, a law was proposed to allow parking in the no parking zone alongside Joanne's pizza.

**RESOLUTION NO. 36 – July 6, 2020**  
**RESOLUTION INTRODUCING LOCAL LAW I-2020, AMEND CHAPTER 227**  
**“VEHICLES AND TRAFFIC”**

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

**BE IT RESOLVED**, that Local Law “I” of the Year 2020, regarding lifting no parking regulations on Ridge Drive West has been introduced; 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 Monday, August 3, 2020 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 Genese	Aye
Trustee Beber	Aye
Trustee Lewandowski	Aye
Trustee Hirsch	Aye
Trustee Collins	Aye
Deputy Mayor Rosenbaum	Aye
Mayor Herrington	Aye

**PROPOSED LOCAL LAW I – 2020**

AMEND CHAPTER 227 “VEHICLES AND TRAFFIC”, SECTION 227-33 SCHEDULE IX,  
“NO PARKING AT ANY TIME”

Remove Ridge Drive West, West Side, from Northern Blvd. north for a distance of 165 feet.

Resident Adam Landkowsky asked for a stop sign on Crabapple Road at Woodhill Lane. The Mayor added that to a traffic study RFP that was issued on June 30, with a return date of July 29, 2020 to allow the Board time to consider an award. The following roads were included in the RFP:  
Port Washington/Roslyn

- 1) Center Dr (Northbound) to Ridge Drive E. (Northeast bound) to Woodland Rd. (Westbound) to Birchdale Lane (Northbound) to Cherrywood Lane (Westbound) to Wood Valley Road (Northbound) to Port Washington Blvd. (Northbound) in AM, reverse in PM
- 2) Birchdale Lane (North) to Country Club Dr. (North & West) to Port Washington Blvd. (North)
- 3) Ridge Drive East to Ridge Drive West to Northern Blvd.

Manhasset

- 1) Dogwood-Northwoods-Elderfields-Boulder cut through to Manhasset Woods Rd.
- 2) Stonytown Rd. (Westbound) to Manhasset Woods
- 3) Bonnie Heights Rd. (Westbound) to Manhasset Woods
- 4) Dogwood (West of Manhasset Woods Rd.) to Mason Dr. (Westbound) to Pinewood (Northbound) to Bridge Road (Westbound) to Plandome Rd.
- 5) Crabapple (southbound), Woodhill to Woodhill

**RESOLUTION NO. 37 – July 6, 2020**  
**RESOLUTION INTRODUCING LOCAL LAW J-2020, AMEND CHAPTER 144, “LANDSCAPING**  
**EQUIPMENT AND USE”**

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

**BE IT RESOLVED**, that Local Law “J” of the Year 2020, regarding amendment to the landscaping

law has been introduced; 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 Monday, August 3, 2020 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 Genese	Aye
Trustee Beber	Aye
Trustee Lewandowski	Aye
Trustee Hirsch	Aye
Trustee Collins	Aye
Deputy Mayor Rosenbaum	Aye
Mayor Herrington	Aye

## 1VILLAGE OF FLOWER HILL

### Proposed Local Law J of the Year 2020

A Local Law amending Chapter 144 of the Village Code of the Incorporated Village of Flower Hill entitled "Landscaping Equipment and Use" as follows:

Be it enacted by the Board of Trustees of the Incorporated Village of Flower Hill, New York as follows:

**Section 1.** Adding Chapter 144, section 144-4 as follows:

§ 144-4 No landscaper shall operate any gas-powered leaf blower during the period from June 15 through and including September 15. This time period may be changed by resolution of the Board of Trustees as it deems appropriate.

(a) Temporary waiver:

The Village Administrator shall have discretion upon written request by a homeowner, to grant a temporary waiver allowing the operation of landscaping for a special event such as a wedding, party, or other large social gathering.

(b) Exception: This subsection shall not apply to the operation of gasoline- or diesel-powered leaf blowers operated in the course of performing groundskeeping, gardening or landscaping services at golf courses, except when the equipment is operated within 100 feet of a lot containing a residence.

**Section 2.** Amending section 144-2 Definitions to include the definition of "Holiday" as follows: New Year's Day, **Martin Luther King, Jr. Day**, **Presidents' Day**, Memorial Day, Independence Day, Labor Day, **Columbus Day**, Veterans Day, Thanksgiving Day and Christmas Day.

**Section 3.** Amending section 144-3 (6)(b) to include:

1) Exceptions:

a) the operation of gasoline or diesel-powered leaf blowers operated in the course of performing groundskeeping, gardening or landscaping services at golf courses, shall be permitted during these hours so long as not being conducted within 100 feet of a lot containing a residence.

b) Temporary waiver:

The Village Administrator shall have discretion upon written request by a homeowner, to grant a temporary waiver allowing the operation of landscaping for a special event such as a wedding, party, or other large social gathering.

**Section 4. 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 5. Effective Date.** This law shall take effect immediately.

**New Business**

The Board of Trustees received a request from Mr. & Mrs Sheerin, 100 Elderfields Road to allow them to maintain their fence within the Village’s Right of Way (ROW). They were represented by their landscape architect Kevin Natalie.

**RESOLUTION NO. 38 – July 6, 2020  
RESOLUTION REGARDING A FENCE IN THE ROW**

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

**WHEREBY**, Mr. And Mrs. Matthew Sheerin, 100 Elderfields Road, Manhasset, NY 11030 also known as Section 3, Block 197, Lot 6 on the Nassau County Land and Tax Map, have formally requested that the Board of Trustees allow them to maintain an estate fence outside their property line, within the Right of Way owned by the Village ; and

**FURTHER**, that the Board of Trustees recognizes that the topography of the land bordering the fence on the property owner’s side has a steep drop off that would be a danger to pedestrians should the fence be moved onto their property line;

**BE IT RESOLVED**, that Board of Trustees hereby grants the right to maintain the fence on the condition that the plantings along the fence not become overgrown and that the property owners enter into an agreement with the Village whereby they relinquish all claims and liability arising from the installation of the fence directly adjacent to said property against the Inc. Village of Flower Hill, that may occur within the Village of Flower Hill Right of Way, adjacent to 100 Elderfields Road. They also agree to hold the Village of Flower Hill harmless for any third-party claims that may arise for bodily injury or property damage caused by said structures in the Right-of-Way. They agree that they shall be held liable in tort for such damages to another. Alternatively, should the Village be called upon to make such payment to a third party, the Village will look to me for contribution and indemnity.

The Board of Trustees was polled as follows:

- Trustee Genese                   Aye
- Trustee Beber                   Aye
- Trustee Lewandowski        Aye
- Trustee Hirsch                 Aye
- Trustee Collins                Aye
- Deputy Mayor Rosenbaum    Aye
- Mayor Herrington             Aye

The Board also received a referral from the Board of Zoning Appeals to determine whether driveway posts with a signal box in the ROW at 170 Elderfields can remain or must be moved. The Board referred this back to the BZA as they must determine whether the gates in a front yard will be granted a variance. If not, the posts would be moot. On motion of Mayor Herrington, second by Deputy Mayor Rosenbaum, the Board agreed to adjourn this matter until the August 3 meeting, after the Zoning Board meets on July 15.

On motion of Mayor Herrington second by Deputy Mayor Rosenbaum, the Board went into Executive Session to discuss the Extenet case updates and pending litigation. No action was taken.

On motion of Mayor Herrington second by Trustee Lewandowski, the Executive Session and regular meeting was adjourned at 11:19 pm.

Respectfully submitted,  
Ronnie Shatzkamer  
Village Administrator