

AGENDA
VILLAGE OF FLOWER HILL BOARD OF TRUSTEES
Monday, October 3, 2022 – 7:30 PM
PUBLIC HEARING/REGULAR MEETING

<https://www.youtube.com/channel/UCMPc74pOdNLktDh6L37W9Wg>

Pledge of Allegiance

Public Hearing

1. Proposed LL O – 2022 Reduce Village Speed Limit to 25 MPH
2. Proposed LL P – 2022 “Amend Ch. 38 “Records” “Article II” to replace MU-1 with LGS-1
3. Proposed LL Q – 2022 “Amend Ch. 219, No Tree Removal on Saturdays

Public Comment

Approval of Minutes September 12, 2022 Regular Meeting/Public Hearing

Treasurer’s Report

1. Motion to approve claims
2. Motion to approve transfer of \$500,000 from General Fund to NYCLASS

Building Superintendent’s Report

Village Engineer’s Report

Public Works Superintendent Report

Administrator’s Report

1. Municipity update

Attorney’s Report

1. BZA report 9-21-22

Mayor’s Report

1. Covid Vaccine Clinic 10-7-22

Trustee’s Report

Old Business

New Business

1. Request to waive landscaper fines 365 Dogwood, Navratil

History Report

Next Meeting: Regular Meeting & Public Hearing – November 7, 2022 at 7:30

PROPOSED LOCAL LAW O – 2022

Amend § 227-10 Speed regulations.

The maximum speed at which vehicles may proceed on or along any streets or highways within the Village is 30 miles per hour, except that the speed limit for vehicles proceeding on or along those streets or parts of streets described in Schedule VII and shall be as indicated in said schedule.

Replace 30 miles per hour with 25 miles per hour

Resolution No. – October 3, 2022
RESOLUTION ENACTING LOCAL LAW 14 OF 2022

The following resolution was offered by _____ second by _____:

WHEREAS, the Board of Trustees has determined that it is in the best interests of the Village to adopt Local Law O- 2022, amending Chapter 227-10 "Speed Regulations" to protect the residents and others who use the Village roads, this resolution hereby enacts proposed Local Law O– 2022 as Local Law 14– 2022, 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 14 of the year 2022; and

The Board was polled as follows:

Local Law 14 of the Year 2022

Amend § 227-10 Speed regulations.

The maximum speed at which vehicles may proceed on or along any streets or highways within the Village is 30 miles per hour, except that the speed limit for vehicles proceeding on or along those streets or parts of streets described in Schedule VII and shall be as indicated in said schedule.

Replace 30 miles per hour with 25 miles per hour

PROPOSED LOCAL LAW P – 2022
Amend Ch. 38, Art. II “Records”

Article II Retention and Disposition

§ 38-9 Standards adopted.

The Records Retention and Disposition Schedule MU-1, issued pursuant to Article 57-A of the Arts and Cultural Affairs Law and containing legal minimum retention periods for municipal government records, is hereby adopted for use by all municipal officers in disposing of municipal government records listed therein.

§ 38-10 Disposition.

In accordance with Article 57-A:

A.

Only those records will be disposed of that are described in Records Retention and Disposition Schedule MU-1 after they have met the minimum retention period prescribed therein.

B.

Only those records will be disposed of that do not have sufficient administrative, fiscal, legal or historical value to merit retention beyond established time periods.

Replace MU-1 with LGS-1

Resolution No. – October 3, 2022
RESOLUTION ENACTING LOCAL LAW 15 OF 2022

The following resolution was offered by ____ second by ____:

WHEREAS, the Board of Trustees has determined that it is in the best interests of the Village to adopt Local Law P- 2022, amending Chapter 38 "Records" to reflect the adoption of the LGS-1 Record Retention Schedule, this resolution hereby enacts proposed Local Law P- 2022 as Local Law 15- 2022, 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 15 of the year 2022; and

The Board was polled as follows:

Local Law 15 of the Year 2022

Amend Ch. 38, Art. II "Records"

Article II Retention and Disposition

§ 38-9Standards adopted.

The Records Retention and Disposition Schedule MU-1, issued pursuant to Article 57-A of the Arts and Cultural Affairs Law and containing legal minimum retention periods for municipal government records, is hereby adopted for use by all municipal officers in disposing of municipal government records listed therein.

§ 38-10Disposition.

In accordance with Article 57-A:

A.

Only those records will be disposed of that are described in Records Retention and Disposition Schedule MU-1 after they have met the minimum retention period prescribed therein.

B.

Only those records will be disposed of that do not have sufficient administrative, fiscal, legal or historical value to merit retention beyond established time periods.

Replace MU-1 with LGS-1

LL Q – 2022

Add Section 219-13

No tree removal shall be permitted on Saturdays or Sundays

Resolution No. – October 3, 2022

RESOLUTION ENACTING LOCAL LAW 16 OF 2022

The following resolution was offered by ____ second by ____:

WHEREAS, the Board of Trustees has determined that it is in the best interests of the Village to adopt Local Law Q- 2022, amending Chapter 219 "Trees, Shrubs, Brush, Grass and Weeds, by adding a section to Article II "Tree Removal" prohibiting removal of trees on Saturdays or Sundays, 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 16 of the year 2022; and

The Board was polled as follows:

Local Law 16 - 2022

Add Section 219-13 "Trees, Shrubs, Brush, Grass and Weeds", Article II "Tree Removal"

No tree removal shall be permitted on Saturdays or Sundays

**PUBLIC HEARING/REGULAR MEETING
OF THE BOARD OF TRUSTEES
Monday, September 12, 2022**

A public hearing and regular monthly meeting of the Board of Trustees was held on September 12, 2022. The meeting was called to order at 7:31 PM by Mayor Rosenbaum with the following in attendance:

Randall Rosenbaum	Mayor
Brian Herrington	Deputy Mayor
Frank Genese	Trustee
Mary Jo Collins	Trustee
Claire Dorfman	Trustee
Max Frankel	Trustee
Jeff Blinkoff	Village Attorney
Ronnie Shatzkamer	Village Administrator
Suzanne Tangredi	Village Treasurer
Heather Lanci	Building Specialist
Rich Falcones	Public Works Superintendent
Steve Lawniczac	Village Engineer

Mr. Lawniczac led the assembly in the Pledge of Allegiance. There were nine members of the public present.

Public Hearing

On motion of Mayor Rosenbaum, seconded by Deputy Mayor Herrington, the Public Hearing portion of the meeting was opened to consider the continued application for approval of a 2,008 square foot partition of property from the Manhasset Lakeville Water District to Mr. & Mrs. Yenicag at 315 Manhasset Woods Road in Munsey Park. Munsey Park has previously approved the application and is now seeking approval from Flower Hill as the subject property is within a 500-foot radius of the Village. Andrew Luskin, attorney for both applicants, presented. Flower Hill resident Irene Dillworth, whose property adjoins 315 Manhasset Woods Road, asked the applicant to erect a fence between their properties which was agreed to by the applicant.

**Resolution No. 045 – September 12, 2022
RESOLUTION APPROVING A PARTITION OF A LOT**

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

WHEREAS An application on behalf of Manhasset Lakeville Water District for approval of a partition of 2,008.46 square feet of the southeast corner of lot 106 to add to 315 Manhasset Woods Road, Munsey Park, NY, within 500 feet of the Village of Flower Hill, has been filed with the Village as per GML 239-m(3)(b)(i), and

WHEREAS the Board has determined that it is the lead agency under the New York State Environmental Quality Review Act ("SEQRA") and that the proposed subdivision constitutes an unlisted action under SEQRA. Further, it is the determination of the Board that the proposed subdivision will have no significant environmental impact. The Board makes this determination based upon review of the plans and submissions presented which reflect the partitioning of the property in compliance with the zoning code of the Village of Munsey Park. As such, the Board therefore issues a negative declaration with respect to the application for the purposes of SEQRA, and

WHEREAS the following condition shall be met as part of the approval, that a stockade fence shall be installed contiguous to the existing fence running approximately 30' along the Dillworth property from the Manhasset Lakeville Water District property along 315 Manhasset Woods Road subject to the Code of the Village of Munsey Park; and

NOW THEREFORE BE IT RESOLVED that after public hearing the Board has determined that this partition creates no adverse effects on Flower Hill, the Board of Trustees hereby approves this application.

The Board of Trustees was polled as follows:

Trustee Genese	Aye
Trustee Collins	Aye

Trustee Dorfman	Aye
Trustee Frankel	Aye
Deputy Mayor Herrington	Aye
Mayor Rosenbaum	Aye

The second hearing was to consider Proposed Local Law L-2022 "Amend 147-2 Peddling, Solicitation & Commercial Circularization".

Resolution No. 046 – September 12, 2022
RESOLUTION ENACTING LOCAL LAW 11 OF 2022

The following resolution was offered by Mayor Rosenbaum, second by Trustee Collins:

WHEREAS, the Board of Trustees has determined that it is in the best interests of the Village to adopt Local Law L- 2022, amending Chapter 147-2 Peddling, Solicitation & Commercial Circularization to protect the residents of the Village from unwanted intrusions in their homes and to clarify the regulations for solicitation, this resolution hereby enacts proposed Local Law L– 2022 as Local Law 11– 2022, 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 11 of the year 2022; and

The Board was polled as follows:

Trustee Genese	Aye
Trustee Collins	Aye
Trustee Dorfman	Aye
Trustee Frankel	Aye
Deputy Mayor Herrington	Aye
Mayor Rosenbaum	Aye

Local Law 11 of the Year 2022

Chapter 147-2 Peddling, Solicitation & Commercial Circularization

-A Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

CHARITABLE

The purpose of an organization which has received a letter of determination approving tax-exempt status under Title 26 of the United States Code § 501(c)(3) or the purpose of a school club, recognized and affiliated with a public or private school, having a program with annual campaigns to support the public or private school club.

COMMERCIAL

The purpose of solicitation is related to the taking or attempting to take orders for, or the selling or making immediate delivery of, any goods, wares, merchandise, personal property, anything of value, or services of any kind or description for future delivery or for services to be performed in the future, either in person or by distributing flyers and leaflets and does not constitute noncommercial solicitation, as defined in this section.

CORPORATION

The meaning consistent with the New York State Business Corporation Law and the New York State Not for Profit Corporation Law.

HAWKER AND PEDDLER

Any person, either principal or agent, who engages in any solicitation other than noncommercial solicitation.

NONCOMMERCIAL

The purpose of solicitation that is charitable, as defined in this section, religious or political.

PERSON

Any individual, corporation, firm, partnership, joint venture, association, social club, league, fraternal organization, society, joint-stock company, estate, trust, business trust, receiver, trustee, syndicate or any other group acting as a unit.

SOLICITATION

- (1) The act of any person, whether a resident of the Village of Flower Hill or not, traveling by foot, vehicle or any other type of conveyance who goes from house to house, from place to place or in or along any highway, street or sidewalk within the Village of Flower Hill either:*
 - (a) Requesting, soliciting, hawking, or peddling, either directly or indirectly, money, credit, funds, contributions, personal property or anything of value;*
 - (b) Taking, soliciting, hawking, or peddling, or attempting to take orders for the sale of any goods, wares, merchandise, personal property, anything of value, or services of any kind or description for future delivery or for services to be performed in the future, either in person or by distributing flyers and leaflets; and*
 - (c) Selling, soliciting, hawking, peddling, or making immediate delivery of any goods, wares, merchandise, personal property, anything of value, or services of any kind or description, commonly referred to as "peddling."*
- (2) Solicitation shall not include the following so long as the person is not requesting, either directly or indirectly, money, credit, funds, contributions, personal property or anything of value:*
 - (a) A person communicating or otherwise conveying ideas, views or beliefs or otherwise disseminating oral or written information to a person willing to directly receive such information, provided that such information is of a political, religious, educational, or charitable nature;*
 - (b) A person seeking to influence the personal belief of the occupant of any residence or business in regard to any political or religious matter;*
 - (c) A person seeking to obtain, from an occupant of any residence or business, an indication of the occupant's belief in regard to any political or religious matter;*
 - (d) A person conducting a poll, survey or petition drive in regard to any political matter; and*
 - (e) A person carrying, conveying, delivering or transporting dairy products, newspapers, periodicals, books or similar printed material, or other goods to regular customers on established routes or to the premises of any person who had previously ordered such products, goods or services and is entitled to receive the same.*

SOLICITOR

Any person, whether a resident of the Village of Flower Hill or not, engaged in solicitation.

B. License required.

Except as may be otherwise provided herein, it shall be unlawful for any person, or its agents or

representatives, to engage in commercial solicitation without a license previously issued pursuant to this chapter.

C. Application for license.

Application for a license as provided in this chapter shall be in writing and addressed to the Administrator of the Village of Flower Hill, and shall contain the following information:

- (1). Names and business addresses of the person that is seeking a license pursuant to this chapter. If the applicant is not a natural person, then the applicant shall provide the names and business addresses of the directors (or similar) of the organization, firm, society, association, company or corporation.*
- (2). Address for service of process, within New York State.*
- (3). Time for which permission is sought and localities and places of activity, giving the date of the commencement and termination of the planned solicitation.*
- (4). Legal and tax status of any person applying for a license pursuant to this chapter.*
- (5). The name, address, date of birth, social security number (or similar), personal photograph(s) and complete driver's license information (or similar identification) of the person or persons who shall be conducting the solicitation.*
- (6). A brief description of the nature of the business and the goods to be sold or services to be performed.*
- (7). If a vehicle or vehicles are to be used in the solicitation, a description of same, including year, make and model, together with a license plate number, vehicle registration information and liability insurance information or other satisfactory means of identification.*
- (8) Such other relevant information as the Board of Trustees may reasonably require.*

D. License fee.

All applications must be accompanied by a nonrefundable processing fee of \$25 payable to the Administrator, Village of Flower Hill. Upon approval of the license, an annual fee of \$250 for commercial solicitations for each solicitation period, from the issuance of the license to its termination, shall be paid to the Village of Flower Hill. The annual application fee shall authorize one individual commercial hawker or peddler to operate within said Village. Applicants shall pay an additional sum of \$50 for each additional individual hawker or peddler intended to solicit within said Village.

E. Expiration of license.

All licenses granted pursuant to this chapter shall expire one year from date of issuance following the granting thereof, unless sooner suspended or revoked. All such licenses may be suspended, for good cause, and are revocable, as provided for in this chapter.

F. Approval of application.

- (1). Upon receiving such application, the Village Administrator shall present the same to the Board of Trustees at its next regular meeting, but not later than 20 business days from the date upon which the application is filed. The Board of Trustees shall approve the application of all bona fide applicants who have complied with the above provisions. The Board of Trustees may deny the application for any of the following reasons:*

- (a) *The applicant provided false information on the application.*
- (b) *The individual listed or employed by the applicant has been convicted of a felony, misdemeanor or ordinance violation involving a sex offense, trafficking in controlled substances or any violent act against persons or property.*
- (c) *The applicant is a person against whom a judgment or administrative agency determination has been entered or a conviction obtained within the five years immediately preceding the date of the application, which is based upon fraud, deceit or misrepresentation.*
- (d) *The solicitation involves the sale of illegal substances or services.*
- (e) *The applicant does not possess any applicable licenses required by the laws of the United States, the State of New York, the County of Nassau, the Town of North Hempstead, and/or the Village of Flower Hill for such solicitation.*
- (f) *A determination by the Board of Trustees that the location and time of the activities described in the application would endanger the safety and welfare of the applicant or potential customers.*
- (g) *No license shall be granted, and no license shall be effective, pursuant to this section, until the applicant has presented a surety bond with a surety company reasonably approved by the Village of Flower Hill, in the amount of \$1,000.*
- (2). *Upon approval of the application by the Board of Trustees, the Village Administrator shall provide written notice to the applicant's address set forth within the application within seven days of the approval. If the Board of Trustees denies the application, the Village Administrator shall provide written notice of the denial to the applicant's address set forth within the application, which shall include the reason(s) for denial, within 14 days.*

G. Restrictions.

Any license approval granted by the Board of Trustees is subject to the following restrictions:

- (1). *All solicitation must be conducted on weekdays and Saturdays only between the hours of 10:00 a.m. and either 8:00 p.m. or 30 minutes after sunset, whichever is earlier.*
- (2) *Any solicitor licensed under this chapter shall not have more than five individuals engaged in the solicitation at any one time.*
- (3) *All solicitors shall obtain and maintain the current do-not-knock registry, established pursuant to this chapter, at the time of issuance of license and, thereafter, not less frequently than quarterly, for the duration of the license to conduct solicitation pursuant to the provisions of this chapter.*
- (4). *Solicitation is expressly prohibited with respect to owners and occupants who have made an appropriate filing with the do-not-knock registry, as described in this chapter.*

H. Do-not-knock registry.

- (1). *Any owner or occupant of residential property located in the Village who wishes to prohibit solicitation on the premises, owned or occupied by such person, may complete a form available in the Village Administrator's office or on the Village's website, setting forth the common street address of*

such premises. Upon completion of the form, Village Hall includes the owner/occupant's premises on a list of properties that do not permit solicitation (herein referred to as the "do-not-knock registry" or "registry").

- (2). In order to be removed from the registry, the owner and/or occupant must complete a form deleting the premises from the registry.*
- (3). The Board of Trustees shall, at its sole discretion, periodically provide all solicitors with an updated do-not-knock registry.*
- (4). Solicitors shall not conduct any solicitations at any premises identified on the then-current do-not-knock registry.*
- (5) It shall be the sole responsibility of the solicitor to abide by updated versions of the registry.*

I. Identification cards.

All solicitors shall, at all times during such solicitation, carry an identification card issued by the person licensed to conduct the solicitation. Each identification card shall be prominently displayed on the outer garment, and shall plainly show the name of the individual who is soliciting, his or her photograph, and the person on whose behalf such solicitation is being made.

J. Suspension and revocation of license.

- (1). Any and all licenses that may be granted by the Board of Trustees pursuant to any part of this chapter may, for good cause, be suspended by the Mayor, and the giving of written notice by the Village Administrator, for any of the following causes:*
 - (a) The licensee violates any provision of this chapter, including, but not limited to, §7, the "Do not knock" registry.*
 - (b) Fraud, misrepresentation or a false statement contained in the application for a license.*
 - (c) Violation of any of the restrictions imposed on the issuance of such license or on the conduct of any solicitations so licensed.*
 - (d) The licensee, or any individual working on behalf of or who worked on behalf of or with the licensee, is convicted of violating any federal, state or local law while in the course of operating under the license;*
 - (e) The activities for which the license was granted were or are being conducted in a manner that is detrimental to the public health, safety, peace or welfare.*
- (2). Within 10 days after receipt of written notice of the suspension, the licensee may file a written objection to the suspension with the Village Administrator, setting forth fully the grounds for objection. The Board of Trustees will thereafter hold a hearing, within 30 days of receipt of a written objection or within 40 days of the suspension if no written objection is timely made by the licensee, for a hearing to review the determination by the Mayor and to decide whether to implement a full revocation of the license or to reinstate the license. The Village Administrator shall send notice of such hearing to the licensee's address set forth in the application at least three days prior to the date set for the hearing, which the licensee shall be permitted to attend. The Board of Trustees shall*

consider any objection to the proposed revocation, whether by written objection pursuant to this provision or made in person at said hearing.

- (3) . *If the Board of Trustees decides to implement a revocation, then the Village Administrator shall provide written notice of the revocation to the licensee, which shall include the reason(s) for revocation, within three days of the hearing. If the Board of Trustees determines not to implement a revocation, and determines to reinstate the license, the Village Administrator shall provide written notice to the licensee within three days of the hearing. When a license has been revoked, no other license shall be issued under the provisions of this chapter to the same applicant within six months of the date of revocation.*

K. Exemptions.

This chapter shall not apply to persons for whom exemption is made by any special provision of law from any of the provisions of this chapter, provided they are engaged in noncommercial solicitation. This chapter shall also not apply to any duly organized religious corporation, lodge, benevolent or fraternal order, political organization; nor to a local community group or organization such as the fire district, Boy Scouts, Girl Scouts, or other such youth organization, or to any political party or candidate.

L. Penalties for offenses.

Any person, firm or corporation who or which shall violate any of the provisions of this chapter shall, upon conviction, be punishable as provided in Chapter I, General Provisions, Article II, Penalties, and as otherwise provided herein. Each day of continuance of an offense shall be considered a separate offense.

The next public hearing was to consider Proposed Local Law M – 2022 “Authorizing the Use of Videoconferencing”

**Resolution No. 047 – September 12, 2022
RESOLUTION ENACTING LOCAL LAW 12 OF 2022**

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

WHEREAS, the Board of Trustees has determined that it is in the best interests of the Village to adopt Local Law M- 2022, authorizing the use of videoconferencing, this resolution hereby enacts proposed Local Law M - 2022 as Local Law 12- 2022, 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 12 of the year 2022; and

The Board was polled as follows:

Trustee Genese	Aye
Trustee Collins	Aye
Trustee Dorfman	Aye
Trustee Frankel	Aye
Deputy Mayor Herrington	Aye
Mayor Rosenbaum	Aye

Local Law 12 of the Year 2022

A local law adopted pursuant to Public Officers Law § 103-a authorizing the use of videoconferencing within the Village of Flower Hill.

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;

Section 1. Legislative Intent

It is the intent of this local law to authorize the Village of Flower Hill to conduct meetings consistent with the videoconferencing provisions of Public Officers Law § 103-a and the videoconferencing policies adopted by the Board of Trustees.

Section 2. Authority

This local law is adopted pursuant to Public Officers Law § 103-a, which expressly authorizes the Board of Trustees to adopt local legislation, authorizing the use of videoconferencing.

Section 3. Videoconferencing for Public Meetings. The Board of Trustees of the Village of Flower Hill, County of Nassau, hereby authorizes the use of videoconferencing when conducting meetings of the Board of Trustees subject to the following:

A quorum of the members of the Board of Trustees are physically present at the meeting in one or more physical locations at which members of the public may attend the meeting.

Members of the Board of Trustees are physically present at the meeting location(s) at which the public can attend in person unless the member of the Board of Trustees is unable to be physically present due to extraordinary circumstances:

Extraordinary circumstances is defined to include any disability or illness, caregiving responsibilities, or any significant or unexpected factor or event that precludes the Board of Trustees member's physical attendance at such meeting.

Extraordinary circumstances must be certified by email or other written means to the Village Clerk by the member of the Board of Trustees in accordance with the Village's videoconferencing policies and procedures and not less than 72 hours prior to any meeting.

Except in the case of executive sessions conducted pursuant to Public Officers Law § 105, members of the Board of Trustees must be able to be heard, seen, and identified while the meeting is being conducted, including but not limited to any motions, proposals, resolutions, and any other matter formally discussed or voted upon.

The minutes of meetings involving videoconferencing must include which, if any, members of the Board of Trustees participated using videoconferencing technologies.

Such minutes must be made available to the public pursuant to Public Officers Law § 106.

Any meeting that uses videoconferencing must be recorded and such recordings must be posted to or linked on the Village website within five business days of the meeting. The recordings must remain available for a minimum of five years thereafter and recordings must be transcribed upon request.

The public notice for any meeting involving videoconferencing must:

Inform the public that:

videoconferencing will be used,

where members of the public can view and/or participate in such meeting via videoconference, and

where required documents and records will be posted or available; and

Identify the physical location(s) where members of the Board of Trustees will be physically present at the meeting and where members of the public can attend the meeting in person.

Members of the public are able to view the video broadcast of any meeting using videoconferencing simultaneously when the meeting is conducted. Additionally, at meetings where public comment or participation is authorized by the Board of Trustees, members of the public are able to participate in the proceedings using videoconference technologies in real time and with the same opportunities for public participation or testimony as in-person participation or testimony.

The Board of Trustees body may conduct meetings entirely by videoconference, with no in-person requirement, provided that:

A state of emergency is declared by the Governor of the State of New York pursuant to Executive Law § 28, or

A local state of emergency is declared by the Chief Executive Officer of the Village pursuant to Executive Law § 24, and the City Council/Board of Trustees determines that the circumstances necessitating the emergency declaration would affect or impair the ability of the public body to hold an in-person meeting.

Whenever the Board of Trustees invokes the emergency exception as defined in paragraph 7 and takes action at such meeting without allowing members of the public to be physically present, the Board of Trustees must acknowledge the previous meeting(s) and summarize any action(s) taken thereat at the next immediate meeting where the public is allowed to attend. The Board of Trustees must produce minutes of such emergency meetings pursuant to the requirements of Public Officers Law § 106.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date

This local law shall take effect immediately upon filing with the Secretary of State.

The next hearing was to consider Proposed LL N "Moratorium on Small-cell Wireless Facilities".

Resolution No. 048 – September 12, 2022 RESOLUTION ENACTING LOCAL LAW 13 OF 2022

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

WHEREAS, the Board of Trustees has determined that it is in the best interests of the Village to adopt Local Law N- 2022 imposing a moratorium on the installation of small cell wireless facilities within the Village, this resolution hereby enacts proposed Local Law N - 2022 as Local Law 13- 2022, 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 13 of the year 2022; and

The Board was polled as follows:

Trustee Genese	Aye
Trustee Collins	Aye
Trustee Dorfman	Aye
Trustee Frankel	Aye
Deputy Mayor Herrington	Aye
Mayor Rosenbaum	Aye

LOCAL LAW 13 - 2022

MORATORIUM ON APPROVAL AND CONSTRUCTION OF TELECOMMUNICATION FACILITIES

A Local Law entitled "Moratorium on Approval and Construction of Telecommunication Facilities" which allows the Board of Trustees adequate time and opportunity to explore pertinent issues and concerns of the Board of Trustees with input from the residents of the Incorporated Village of Flower Hill regarding the local approval of telecommunication facilities within the Village

***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;*

BE IT ENACTED by the Board of Trustees of the Incorporated Village of Flower Hill as follows:

SECTION 1. Purpose.

The Federal Telecommunications Act (the "Telcom Act") was signed into law in February of 1996. The passage of the Telcom Act was in response to new wireless technology and the resulting increased demand for wireless communication services created by the Federal Communications Commission ("FCC") that arose in consequence of the sale of airwave rights and the issuance of additional licenses to new carriers. Limited authority of local governments, including the Village of Flower Hill, was preserved under the Telcom Act to regulate the placement, construction, and modification of telecommunication towers, facilities and equipment in local communities.

The Village Trustees have concerns over the presence and location of current and future telecommunication facilities within the Village. The Village desires to ensure that the future siting, installation and expansion of all telecommunication facilities, equipment and accessory uses and equipment, including existing facilities in the Village, be reviewed in light of current law and technology in a manner that will further minimize any adverse impacts, while allowing communication services to be provided in accordance with the provisions of the Telcom Act. In order to conduct this review without any undue pressure, the Village must maintain the status quo in order to allow adequate time to investigate, study, and consider the science and law and then weigh the input from its residents on all issues under the Village's purview as permitted under Federal and State regulations.

Accordingly, in order to maintain the status quo to allow the Village to conduct a thorough review, this law will prohibit the filing of new applications and the consideration of any pending application for the siting, installation, and expansion of wireless telecommunication facilities such as small cell wireless facilities, equipment and accessory uses and equipment, while the Trustees research the issues,

consider available options and, if the Village deems it appropriate, to adopt legislation consistent with the current technologies and legal requirements under Federal and State regulations.

SECTION 2. Imposition of Moratorium.

For a period of twelve (12) months from and after the effective date of this law, no application for the siting, construction, erection, modification, or expansion of any current or future telecommunication tower, facility and related equipment, or for any accessory wireless equipment or structure, or for installation of wireless infrastructure including small cell wireless facilities, may be filed, accepted or processed. For the purpose of this local law, an application will be deemed to be any request for official action by the Building Inspector, Board of Trustees, Board of Zoning Appeals or other municipal board, or Village agent or employee, whether it be to commence, continue, or finalize the approval process.

The Board of Trustees may, in its sole discretion, by resolution, extend the moratorium provided for herein for two (2) ninety (90) day periods or, alternatively, terminate the moratorium prior to its expiration.

SECTION 3. Validity.

If any section, sentence, clause or phrase of this law is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding will in no way affect the validity of the remaining portions of this law.

SECTION 4. Effective Date.

This law shall become effective immediately.

On motion of Mayor Rosenbaum, second by Trustee Frankel, the public hearing portion of the meeting was closed at 8:08 PM.

See the stenographic record for further detail

Public Comment

Bob Young of Sunnyvale Rd. addressed the Board

Regular Meeting

Approval of Minutes

On motion of Mayor Rosenbaum seconded by Deputy Mayor Herrington the minutes of the August 12, 2022 meeting was approved by all those who were in attendance.

Treasurer's Report

The monthly claims, were unanimously approved on motion of Mayor Rosenbaum, seconded by Deputy Mayor Herrington.

On motion of the Mayor, second by Trustee Collins, the Board authorized the Village Treasurer to move funds from the general fund to the investment account to take advantage of higher interest rates.

Building Inspector's Report

On motion of Mayor Rosenbaum, Trustee Frankel, second by Trustee Frankel, the Board approved the findings of the ARC.

Village Engineer's Report

Mr. Lawniczac reported that the 2022 Paving and Draining project has been completed with no issues. The work came in under budget. He is working with the contractor to complete the punch list. The survey of Middle Neck Road is being finalized and should be delivered shortly.

Public Works Superintendent's Report

Mr. Falcones advised the Board that his department would be changing their work hours. They will work 8 am to 4 pm on Monday and Wednesdays and 7 am to 3 pm on Tuesdays, Thursdays and Fridays.

Administrator's Report

Ms. Shatzkamer reported that the staff is continuing to work on the Municipality Building Dept. software transition. Ginny McNamara donated some flowering plants for the Village meeting area in honor of Mayor McNamara.

Attorney's Report

Mr. Blinkoff reported on the August 17, 2022 Zoning Board of Appeals hearings.

Mayor's Report

The Mayor met with the new 6th Precinct commander and will be meeting with Commissioner Ryder in the near future. He reported that Provident Bank at 1045 Northern will be having their grand opening this weekend. He announced that this is Nassau County Septic Smart Week. The Village is switching to T Mobile for its cell phone service, creating a savings to the Village of almost 50%. He is looking into back u-p internet service for the Village as well. He announced that the Court has started issuing civil judgements against defendants who do not pay their fines.

Trustee's Reports

Trustee Collins was part of a community advisory call with St. Francis Hospital and reported that they will be doing covid booster pop up clinics at the DeMatteis center. The Village will also be hosting a pop-up clinic at the end of the month. Trustee Dorfman met with the Vincent Smith School and they are interested in continuing their partnership with the Village.

New Business

On motion of Trustee Frankel, second by Trustee Collins, the Village approved the Manhasset Women's Coalition Against Breast Cancer's annual run through the Manhasset area including Flower Hill on October 2.

RESOLUTION NO. 049 – August 1, 2022**RESOLUTION INTRODUCING PROPOSED LOCAL LAWS AND AUTHORIZING PUBLIC HEARING**

The following resolution was offered by Mayor Rosenbaum, second by Trustee Lewandowski:

BE IT RESOLVED, that Proposed Local Law "O" of the Year 2022, "Reducing the Village Speed Limit to 25 MPH"; Local Law "P" of the Year 2022, "Amending Chapter 30'Records"; and Local Law "Q" of the Year 2022, "Prohibiting Tree Removal on Saturdays" have been introduced; and

BE IT FURTHER RESOLVED, that the Board of Trustees hold public hearings on said proposed Local Laws at 7:30 p.m. on Monday, October 3, 2022 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 Genese	Aye
Trustee Collins	Aye
Trustee Dorfman	Aye
Trustee Frankel	Aye
Deputy Mayor Herrington	Aye
Mayor Rosenbaum	Aye

Owners of Flower Hill Apartments, 24-36 Middle Neck Road, Dr. Pat and Mrs. Fran DeCarolis, requested that the Village eliminate one or two of the new parking spaces in front of their building to allow a space for delivery truck drop offs and school buses. The Board took their information into consideration.

Executive Session

On motion of Mayor Rosenbaum, second by Trustee Dorfman, the Board unanimously moved into Executive Session at 8:50 pm. Topics discussed were an ongoing lawsuit, a potential lawsuit and a personnel matter. No action was taken.

On motion of Trustee Genese, seconded by Deputy Mayor Herrington, the Board moved to closed the Executive Session at 9:45 pm.

On motion of Mayor Rosenbaum, second by Deputy Mayor Herrington, the Board unanimously moved to grant Highway Superintendent Rich Falcones, code enforcement powers.

On motion of Mayor Rosenbaum, seconded by Deputy Mayor Herrington, the Board moved to closed the meeting at 9:46 pm.

Respectfully submitted,
Ronnie Shatzkamer
Village Administrator

INC VILLAGE OF FLOWER HILL
TREASURER'S REPORT

BALANCE FOR OCTOBER 2022

DATE PREPARED BY TREASURER -09/30/2022

FNBLI-GENERAL FUND	CHECKING-1447	\$1,155,394.63
FNBLI-TRUST & AGENCY	CHECKING-1454	\$605,262.84
FNBLI - CAPITAL RESERVE	SAVINGS - 0288	\$100,001.92
FNBLI-GENERAL FUND INVESTMENT	INVESTMENT	\$1,260,255.71
FNBLI - JUSTICE	CHECKING	\$5,461.00
FNBLI - ACTING JUSTICE	CHECKING	\$3,118.00
MONTHLY RECEIPT DEPOSITS		\$42,817.85
MONTHLY TAX DEPOSITS		\$16,672.74
MONTHLY EXPENDITURES		\$780,256.11
NYCLASS INVESTMENT FUND		\$100,426.44

Monies for this account were taken from the General Fund Investment Account

ABSTRACT OF AUDITED VOUCHERS
VILLAGE OF FLOWER HILL, COUNTY OF NASSAU, NEW YORK
GENERAL FUND
OCTOBER 2022

ABSTRACT #5

Date of Audit - Monday, October 3, 2022

(Original to Village Treasurer - Duplicate to be retained by Village Clerk or Auditor)

<u>Name of Claimant</u>	<u>Description of Claim</u>	<u>Amount</u>
*Aero Operating, LLC	Monthly Trash Removal 09.22	\$69,737.09
*DeLage Landen Financial Services	Monthly Lease for Blueprint Copier 09.22	\$248.00
*Dynaire	Repair to A/C in Board/Conference Room 07.22	\$1,007.75
*EconoSigns	8' Channel Post (14) 09.22	\$631.69
*Emma's Garden Growers, Inc.	Plantings for PWB 09.22	\$420.00
*Exxon Mobil	Gas for Village Vehicles 08.22	\$527.62
*Richard Falcones	Opening for Primary Election 07.22	\$35.00
*Granite Telecommunications	Bundling of Phone Services 09.22	\$117.47
*Elmer Guzman	Opening for Primary Election 08.22	\$35.00
*Kevin Kothe	Closing for Primary Election 08.22	\$35.00
*National Grid	Gas Service 09.22	\$137.72
*Nassau County Magistrates Assoc	Village Law Night-Reisman to attend 09.22	\$80.00
*P3 Cost Analysts	Telecom Savings 09.22	\$27.47
*Pitney Bowes	Quarterly Lease for Postage Meter 07.18.22-10.17.22	\$240.45
*Staples Contract & Commercial	Office Supplies 09.22	\$102.78
*Trilon Graphics	Flower Hill Newsletter Mailing 09.22	\$1,137.00
*Verizon Wireless	Phone/Service for Village Employees 09.22	\$257.02
*Visa	Office Supplies 09.22	\$40.00
*Martin Velasquez	Closing for Primary Election/Reimbursement for License 07.22	\$60.00
*Windstream Enterprise	Phones/Service for Village 09.22	\$437.69
*Carla Byrne	Reimbursement of Medicare Part B 06.01.22-09.30.22	\$510.30
*J. Bruce Byrne	Reimbursement of Medicare Part B 06.01.22-09.30.22	\$510.30
*John Ciampi	Reimbursement of Medicare Part B 06.01.22-09.30.22	\$510.30
*Margaret Ciampi	Reimbursement of Medicare Part B 06.01.22-09.30.22	\$510.30
*Stanley Spielman	Reimbursement of Medicare Part B 06.01.22-09.30.22	\$714.30
*Carmine Vitale	Reimbursement of Medicare Part B 06.01.22-09.30.22	\$510.30
*Lucia Yakacki	Reimbursement of Medicare Part B 06.01.22-09.30.22	\$510.30
Alper's Hardware	Supplies for Highway Dept 09.22	\$149.36
CIT	Monthly Lease for Copier 09.22	\$221.55
Electronix Systems	Digital Monitoring Fee 10.01.22-12.31.22	\$78.00
Koeppel Martone & Leistman, LLC	Tax Certiorari Settlement for BP Products 2018/2019	\$705.11
Heather Lanci	Reimbursement for Expenses-NYCOM 09.12.22-09.15.22	\$1,241.46
Leventhal, Mullaney & Blinkoff	Monthly Retainer: BOT;BZA; Justice Court 10.22	\$6,875.00
Manhasset Lake Fire Department	Foreign Fire Tax Distribution 09.22	\$11,755.59
Brian Meyerson	Prof. Services-Village Prosecutor 9.28.22	\$250.00
Metropolitan Life Ins. Co.	Dental Insurance for Employees 10.22	\$736.70
Nelson & Poppe	VOFH Speed Limit Certifications 09.22	\$500.00
Northern Tool	Annual Membership renewal 10.22	\$39.99
NYSACVC	Annual Membership Renewal-Shatzkamer & Tangredi 10.22	\$100.00
Office of the State Comptroller	Justice Court Fines & Fees -08.22	\$226.00
PSEGLI	Electric for Park 09.22	\$36.39
Purchase Power	Addition of Monies to Postal Meter 09.22	\$352.00
PW Exempt Fireman's Benevolent As	Foreign Fire Tax Distribution 09.22	\$12,010.42
Ready Refresh	Water for Village 09.22	\$106.57
Ronnie Shatzkamer	Reimbursement for Expenses-NYCOM 09.13.22-09.15.22	\$943.29
Roslyn Fire Companies	Foreign Fire Tax Distribution 09.22	\$9,763.91

SHL Engineering, PC	2022 P&D Contract; 98 Cardinal Rd; MNR; Stonytown Rd; General 08.22	\$18,232.50
Skinnon & Faber	Audited Financial Statement Preparation FYE 05.31.22	\$2,875.00
Staples	Office Supplies 09.22	\$114.87
TGI Office Automation, Inc.	Quarterly Rate for Copies 06.15.22-09.14.22	\$132.96
The Art of Landscaping	Landscape Plan (3)/Tree Permit (16)/Tree Replant (3) Approval 09.22	\$1,175.00
Total Technology Solutions	Dell Notebook/Shipping 08.22	\$988.12
Verizon	High Speed Internet Service 10.22	\$98.99

***CHECKS TO BE ISSUED**

\$75,314.75

\$73,484.88

TOTAL ABSTRACT

\$148,799.63

To the Treasurer of the above Village:

The above listed claims have been presented to the Board of Trustees of the above-named Village, and having been duly audited and allowed in the amounts as shown on the above-mentioned date, you are hereby authorized and directed to pay each of the listed claimant the amount allowed upon his claim appearing opposite his name.

In Witness Whereof, I have hereunto set my hand as Mayor of the above Village this 3rd day of October, 2022.

Mayor Randall Rosenbaum