

**PUBLIC HEARING/REGULAR MEETING
OF THE BOARD OF TRUSTEES
Monday, August 1, 2022**

A public hearing and regular monthly meeting of the Board of Trustees was held on August 1, 2022. The meeting was called to order at 7:30 PM by Mayor Rosenbaum with the following in attendance:

Randall Rosenbaum	Mayor
Gary Lewandowski	Trustee
Frank Genese	Trustee
Mary Jo Collins	Trustee
Max Frankel	Trustee
Jeff Blinkoff	Village Attorney
Ronnie Shatzkamer	Village Administrator
Suzanne Tangredi	Village Treasurer
Peter Albinski	Building Superintendent
Heather Lanci	Building Specialist
Rich Falcones	Public Works Superintendent
Steve Lawniczac	Village Engineer

Mr. Albinski led the assembly in the Pledge of Allegiance. There were seven members of the public present.

Public Hearing

On motion of Mayor Rosenbaum, seconded by Trustee Collins, the Public Hearing portion of the meeting was opened at 7:30 PM 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. There were questions and answers from the Board and members of the public. On motion of Mayor Rosenbaum second by Trustee Genese, the Board unanimously adjourned the hearing to September 12, 2022 at 7:30 pm.

The second hearing was to consider Revised Proposed Local Law H-2022 "Add artificial turf to Sec. 240-1 definition of structure".

**Resolution No. 039 – August 1, 2022
RESOLUTION ENACTING LOCAL LAW 8 OF 2022**

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

WHEREAS, the Board of Trustees has determined that it is in the best interests of the Village to adopt Local Law H– 2022, Amending Chapter 240, Section 1 Definitions by adding artificial turf to the definition of a structure; this resolution hereby enacts proposed Local Law H– 2022 as Local Law 8– 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 8 of the year 2022; and

The Board was polled as follows:

Trustee Genese	Aye
Trustee Lewandowski	Aye
Trustee Collins	Aye
Trustee Frankel	Aye
Mayor Rosenbaum	Aye

Local Law 8 of the Year 2022

A Local Law amending Chapter 240 of the Village Code of the Village Code of the Incorporated Village of Flower Hill entitled "Zoning" as follows:

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

Section 1. Amending section 240-1 entitled "Definitions" to read as follows:

§ 240-1. Definitions.

STRUCTURE- Anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground. Structures shall include, but not be limited to, accessory buildings, buildings, decks, patios and terraces greater than 18 inches above grade, swimming pools, air-conditioning equipment, tennis courts, outdoor playsets, artificial turf, and similar objects. Structures shall not include basketball poles, decorative lampposts, mailboxes, flagpoles less than six inches in diameter and flat patios, however, flat patios must conform to the setback requirements of the zone in which they are located.

Section 2. Exercise of supersession authority. *The Village hereby exercises the power of supersession granted to it pursuant to Municipal Home Rule Law 10(1)(ii)(e)(3) to the extent notice with respect to the same is separately required other than has been made.*

Section 3. Effective Date. *This law shall take effect immediately.*

The next public hearing was to consider Proposed LL J- 2022 "Amend Sections 143-2 & 3 'Landmark Commission'".

Resolution No. 040 – August 1, 2022

RESOLUTION ENACTING LOCAL LAW 9 OF 2022

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

WHEREAS, the Board of Trustees has determined that it is in the best interests of the Village to adopt Local Law J- 2022, Amending Chapter 143 "Landmark Preservation Commission" by amending the provisions regarding membership and appointment of members, this resolution hereby enacts proposed Local Law J- 2022 as Local Law 9- 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 9 of the year 2022; and

The Board was polled as follows:

Trustee Genese	Aye
Trustee Lewandowski	Aye
Trustee Collins	Aye

Trustee Frankel Aye
Mayor Rosenbaum Aye

Local Law 9 of the Year 2022

A Local Law amending Chapter 143 of the Village Code of the Village Code of the Incorporated Village of Flower Hill entitled "Landmarks Preservation Commission" as follows:

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

Section 1. Amending section 143-2 and 143-3 to read as follows:

§ 143-2 Landmarks Preservation Commission.

The Landmarks Preservation Commission shall consist of three members, each of whom shall be a resident of the village.

§ 143-3 Appointment of Commission members.

Members of the Commission shall be appointed by the Board of Trustees to serve without compensation. The Board of Trustees, in its sole discretion, may require a member of the Commission to be reasonably versed in landmarks preservation and another to be a licensed architect. The term of appointment shall be one year. Vacancies shall be filled by the Board to serve for the balance of the unexpired term. The Mayor shall designate a Chair, a Vice Chair and a Secretary.

Section 2. Exercise of supersession authority. *The Village hereby exercises the power of supersession granted to it pursuant to Municipal Home Rule Law 10(1)(ii)(e)(3) to the extent notice with respect to the same is separately required other than has been made.*

Section 3. Effective Date. *This law shall take effect immediately.*

The next hearing was to consider Proposed LL K "Amend 144-2 & 227-1, Definition of holidays".

Resolution No. 041– August 1, 2022

RESOLUTION ENACTING LOCAL LAW 10 OF 2022

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

WHEREAS, the Board of Trustees has determined that it is in the best interests of the Village to adopt Local Law K- 2022, Amending Chapters 144 and 227 "Definition of a holiday" this resolution hereby enacts proposed Local Law K– 2022 as Local Law 10– 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 10 of the year 2022; and

The Board was polled as follows:

Trustee Genese Aye
Trustee Lewandowski Aye
Trustee Collins Aye
Trustee Frankel Aye
Mayor Rosenbaum Aye

Local Law 10 of the Year 2022

A Local Law amending Sections 144-2 and 227-1 of the Village Code of the Village Code of the Incorporated Village of Flower Hill entitled "Definitions" as follows:

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

Section 1. Amending section 144-2 & 227-1 to read as follows:

Chapter 144 Landscaping Equipment and Use

144-2 Definitions

HOLIDAY

All federally recognized holidays.

Chapter 227 Vehicles and Traffic

227-1 Definitions of words and phrases.

HOLIDAYS

All federally recognized holidays.

Section 2. Exercise of supersession authority. *The Village hereby exercises the power of supersession granted to it pursuant to Municipal Home Rule Law 10(1)(ii)(e)(3) to the extent notice with respect to the same is separately required other than has been made.*

Section 3. Effective Date. *This law shall take effect immediately.*

The final public hearing was to consider Proposed LL L – 2022 Amend 147-2 Peddling, Solicitation & Commercial Circularization. The Mayor explained the reasoning behind the amendments. On motion of Mayor Rosenbaum, second by Trustee Lewandowski, the Board unanimously moved to adjourn to hearing to September 12, 2022.

On motion of Mayor Rosenbaum, second by Trustee Frankel, the public hearing portion of the meeting was closed at 9:15 PM.

See the stenographic record for further detail

Regular Meeting

Approval of Minutes

On motion of Mayor Rosenbaum seconded by Trustee Collins, the minutes of the July 11, 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 Trustee Lewandowski.

Building Inspector's Report

Mr. Albinski reported on the Architectural Review Committee's meeting of July 19, 2022. The Committee recommended no action on the following application: 10 Brookside Drive for a reconstruction of the existing house and rear addition. The following applications were approved with conditions: 370 Manhasset Woods Road for a covered patio in the side yard, 27 Northwoods Road for a 112 Reni Road for an addition over the garage; 289 Crabapple Road for a portico, walkway and driveway modifications; 85 Drake Lane for a rear one-story addition and patio renovation. A new dwelling at 51 Pinewood Road was approved as submitted.

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

Village Engineer's Report

Mr. Lawniczac reported that the 2022 Paving and Draining project has begun and that the survey of Middle Neck Road is due later this week.

Public Works Superintendent's Report

Mr. Falcones reported that the Middle Neck Road parking striping was accomplished in one night instead of two, resulting in savings for the Village. New signage for the area is currently being installed. The Mayor thanked Mr. Falcones for working overnight during the striping project.

Administrator's Report

Ms. Shatzkamer reported that the staff is continuing to work on the Municipality Building Dept. software transition.

Attorney's Report

Mr. Blinkoff reported on the June 15 and July 20, 2022 Zoning Board of Appeals hearings. He also notified the Board that the Judge in the Extenet case granted the Village's motion for summary judgement. He will arrange to have Mr. Ed Ross, the Village's litigator for the case, report to the Board.

Mayor's Report

The Mayor made the following appointments to the Landmark Preservation Commission:

Rhoda Becker, Chair

Mitchell Schwartz

Barbara Goldman

The Board unanimously approved these appointments.

Resolution No. 042– August 1, 2022 RESOLUTION ADOPTING A POLICY

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

WHEREAS it is in the best interests of the Village to establish procedures regarding communications with Village officials and employees, that the following policy be adopted by the Village:

WHEREAS, the Village Board of Trustees (Board) believes it is important to maintain open communication with Village residents and others concerned with Village matters, and

WHEREAS, in order to best facilitate communication in meetings the Village previously established procedures relative to the conduct of meetings and the participation of those who are in attendance, and

WHEREAS, the Board has determined that establishing certain procedures relative to communication by residents and others concerned with Village matters with the Board and Village employees outside of formal meetings,

IT IS HEREBY RESOLVED:

Upon receipt of a written communication by a resident or other individual concerned with Village matters, arrangements will be made to respond within a reasonable period of time following

receipt so long as the communication bears upon matters related to the workings of the Village, and

IT IS HEREBY FURTHER RESOLVED:

That the Village Board and its employees will not respond to any communication to the Board or Village employees that either in part, or in its entirety, relates to non-Village matters, and/or includes disparaging language about individuals or groups of individuals including but not limited to Village officials and employees.

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

The Board of Trustees was polled as follows:

Trustee Genese	Aye
Trustee Lewandowski	Aye
Trustee Collins	Aye
Trustee Frankel	Aye
Mayor Rosenbaum	Aye

Trustee's Reports

Trustee Lewandowski met with Sara Brown of Sea Grant to discuss ways of improving water quality. He would like to invite her to a future Board meeting.

Old Business

Resolution No. 043– August 1, 2022

RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT

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

WHEREAS the Port Washington Water District (District) owns a well at the corner of Port Washington Blvd. and Stonytown Road, adjacent to Flower Hill Park; and

WHEREAS the District has submitted a plan to upgrade the well building which has been agreed to by the Village, and

WHEREAS, the District has asked the Village for permission to temporarily use a portion of Flower Hill Park adjacent to the well site as a staging area for the construction of the upgraded well facility which will then be restored as parkland upon completion of the well upgrade,

IT IS HEREBY RESOLVED that the Board of Trustees hereby authorizes Mayor Rosenbaum to enter into an agreement for such temporary use upon the approval of the Village insurer as to the adequacy of the insurance provisions in the agreement.

The Board of Trustees was polled as follows:

Trustee Genese	Aye
Trustee Lewandowski	Aye
Trustee Collins	Aye
Trustee Frankel	Aye
Mayor Rosenbaum	Aye

New Business

RESOLUTION NO. 044 – 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 “M” of the Year 2022, “Authorizing the use of Videoconferencing for Village Meetings” has been introduced; and

BE IT RESOLVED, that Local Law “N” of the Year 2022, “Implementing a Moratorium on small-cell wireless facilities”, has 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, September 12, 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 Lewandowski	Aye
Trustee Collins	Aye
Trustee Frankel	Aye
Mayor Rosenbaum	Aye

Executive Session

On motion of Mayor Rosenbaum, second by Trustee Collins the Board went into Executive Session at 9 :10 pm to discuss a potential law suit.

On motion of Mayor Rosenbaum, second by Trustee Lewandowski, the Boards unanimously resolved to reach out to American Paving and offer them a final chance to repair the collapsed roadway on Country Club Drive that they constructed as part of the 2021 Pavement and Drainage Project. If no repair is forthcoming, the Village will seek compensation from ttheir performance bond.

On motion of Mayor Rosenbaum, seconded by Trustee Genese I, the Board moved to closed the Executive Session and the meeting at 9:26 pm.

Respectfully submitted,
Ronnie Shatzkamer
Village Administrator