

MINUTES OF SEA CLIFF VILLAGE BOARD
August 1, 2011

The meeting of the Incorporated Village of Sea Cliff was held on Monday, August 1, 2011 at 7:30 p.m. at Village Hall to discuss various Village matters.

Present: Bruce Kennedy, Mayor
 Carol Vogt, Village Trustee
 Thomas Powell, Village Trustee
 Tom Murphy, Village Trustee
 Peter Hayes, Village Trustee
 Brian Stolar, Village Attorney
 Marianne Lennon, Village Clerk

The Board met with residents from The Boulevard with regard to the easement agreement with Sea Isle.

Trustee Vogt moved Abstract No. 2271 in the amount of \$ 212,029.86. Seconded by Trustee Murphy and unanimously approved by those present

On a motion by Trustee Vogt, seconded by Trustee Powell, the Board Minutes of July 11, 2011 were unanimously approved by those present.

Trustee Hayes offered the following resolutions for adoption:

RESOLUTION No. 60 , YEAR 2011

WHEREAS, the Sea Cliff Mini-Mart Incorporated has requested permission from the Board of Trustees of the Incorporated Village of Sea Cliff to hold a Mini-Mart festival in the Village on Sunday, October 2, 2011, from 10:00a.m. to 6:00 p.m.; and

WHEREAS, the provisions of Chapter 34 of the Code of the Incorporated Village of Sea Cliff permit the applied-for activity where a license has been issued in accordance with that Chapter; and

WHEREAS, it is deemed in the best interest of the Village to regulate and control all pedestrian and vehicular traffic, to regulate parking, to require adequate sanitary facilities and to provide as much supervision as possible during the hours of the Mini-Mart as above set forth; and

WHEREAS, it is necessary to close sections of certain streets within the Village to vehicular traffic for use as fire and emergency roads in order to permit the immediate and unobstructed deployment of Village fire and emergency apparatus to protect, rescue, and transport the person and property of Village residents,

NOW, THEREFORE, BE IT RESOLVED that the Sea Cliff Mini-Mart Incorporated is hereby licensed, in pursuance of the Village Law of the State of New York and the Code of the Incorporated Village of Sea Cliff, to conduct, operate and supervise a "Mini-Mart" festival in said Village on Sunday, October 2, 2011, subject to the requirement and conditions determined by the Board of Trustees and which shall be set forth in the license; and be it further

RESOLVED, that parking shall be prohibited from the hours of 6:00 a.m. to 6:00 p.m. on the date of the Mini-Mart at the following locations:

- 1) Both sides of Fourteenth Avenue from Prospect Avenue to Main Avenue;
- 2) Both sides of Fifteenth Avenue from Prospect Avenue to Main Avenue;

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- 3) Both sides of Sixteenth Avenue from Central Avenue to Roslyn Avenue;
 - 4) Both sides of Seventeenth Avenue from Glen Avenue to Central Avenue;
 - 5) Both sides of Maple Avenue from Prospect Avenue to Main Avenue,
 - 6) Both sides of Prospect Avenue from Laurel Avenue to Carpenter Avenue Extension;
 - 7) Both sides of Sea Cliff Avenue from Locust Avenue to Carpenter Avenue;
 - 8) Both sides of Ninth Avenue from Summit Avenue to Main Avenue
- and be it further

RESOLVED, that parking shall be prohibited from the hours of 6:00 a.m. to 6:00 p.m. on the date of the Mini-Mart on both sides of Sea Cliff Avenue from Dubois Avenue to Prospect Avenue; and be it further

RESOLVED, that parking shall be prohibited between the hours of 12:00 noon and 3:30 p.m. on the date of the Mini-Mart on the east side of Glenlawn Avenue from Glen Avenue to Littleworth Lane, and on the south side of Glen Avenue from Elm Place to Main Avenue; and be it further

RESOLVED, that parking shall be prohibited from the hours of 9:00 a.m. to 6:00 p.m. on the date of the Mini-Mart on both sides of the following sections of Tenth Avenue, Summit Avenue, Central Avenue, Roslyn Avenue and Twelfth Avenue:

- (1) Tenth Avenue from Summit Avenue to Main Avenue,
 - (2) Twelfth Avenue from Prospect Avenue to Main Avenue,
 - (3) Central Avenue from Sea Cliff Avenue to Summit Avenue,
 - (4) Roslyn Avenue from Tenth Avenue to Fourteenth Avenue;
- and be it further

RESOLVED, that because of the need to keep the portions of the streets enumerated in the preceding paragraph open and unobstructed for the deployment of fire apparatus and other emergency vehicles in the event of an emergency, the areas of said streets are hereby designated as tow away zones, and any vehicle parked on any of the designated portions of these streets during the times indicated shall constitute a safety hazard and a public nuisance; and be it further

RESOLVED, that any vehicle parked in a tow away zone in violation of this Resolution and upon which a parking ticket for such violation has been affixed shall be removed by towing by the Director of Public Works of the Village or his designee in accordance with the provisions of Chapter 125, Article VI of the Village Code; and be it further

RESOLVED, that in order to redeem any vehicle towed away pursuant to this Resolution a fee must first be paid by the owner or person in charge of the vehicle to the towing company in the amount of \$125.00 plus sales tax, said amount to be paid in cash or by credit card, and in addition thereto, in the event any vehicle is left for more than 24 hours, storage charges shall be payable at the rate of \$10.00 per day or any part thereof, for the first 3 days, then \$20.00 per day thereafter plus sales tax for each day, of storage; and be it further

RESOLVED, that the following sections of Tenth Avenue, Summit Avenue, Central Avenue, Roslyn Avenue, and Twelfth Avenue shall be closed to vehicular traffic and designated as a tow away zone, between the hours of 6:00 a.m. and 6:00 p.m. on the date of the Mini-Mart;

- (1) Tenth Avenue from Summit Avenue to Main Avenue,
- (2) Twelfth Avenue from Prospect Avenue to Main Avenue,

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- (3) Central Avenue from Summit Avenue to 12th Avenue,
- (4) Roslyn Avenue from Tenth Avenue to Fourteenth Avenue; and be it further

RESOLVED, that the following section of Sea Cliff Avenue shall be closed to vehicular traffic between the hours indicated on the date of the Mini-Mart:

- (1) Sea Cliff Avenue from Carpenter Avenue to Prospect Avenue between the hours of 10:00 a.m. and 6:00 p.m.; and be it further

RESOLVED, that in the event any local law, ordinance, rule or regulation heretofore enacted by the Village of Sea Cliff and prohibiting parking shall be in conflict with the prohibitions as contained herein, the more restrictive provisions prohibiting parking shall apply; and it is further

RESOLVED, that during the hours of operation of the Mini-Mart bicycle riding, skateboards, roller blades, roller skates, operation of Mopeds and similar vehicles shall be prohibited on Sea Cliff Avenue between Locust Avenue and Prospect Avenue; and be it further

RESOLVED, that any person violating any provision of this Resolution shall, upon conviction, be liable for and shall pay a fine not to exceed Twenty-Five and 00/100 (\$25.00) Dollars for each and every violation; and be it further

RESOLVED, that the Foreman of Public Works of the Village or his designee be, and he hereby is, authorized to post appropriate signs regarding the parking regulations contained herein, and to place appropriate barricades or other obstructions and appropriate signs to effectuate the closing of sections of Sea Cliff Avenue, Tenth Avenue, Summit Avenue, Central Avenue, Roslyn Avenue, and Twelfth Avenue as provided herein; and be it further

RESOLVED, that the provisions of Sections 90-15 of Chapter 90 of the Code of the Incorporated Village of Sea Cliff are hereby suspended during the hours of operation of the Mini-Mart in the areas within the Village where the festival is conducted except to the extent that all alcoholic beverages carried or consumed in such areas shall be contained in paper or similar type cups and not in cans or bottles; and be it further

RESOLVED, that the Village Clerk be, and she hereby is authorized and directed to cause this Resolution to be published in the official newspaper of the Incorporated Village of Sea Cliff and to post this Resolution.

Seconded by Trustee Powell and unanimously approved by those present.

RESOLUTION No. 61 , YEAR 2011

WHEREAS, the Sea Cliff Mini-Mart, Incorporated, has requested permission from the Board of Trustees of the Incorporated Village of Sea Cliff to hold a Mini-Mart in the Village on October 2, 2011, from 10:00 am to 6:00 pm, permission for which was heretofore granted; and

WHEREAS, the Board of Trustees has approved the blocking off of certain streets in the Village from vehicular traffic during the hours of the Mini-Mart; and

WHEREAS, it is anticipated that considerable congestion could occur in the streets of the Village if the movement of persons and vehicles is not supervised, which such congestion might prevent and impede the proper and immediate deployment of Village fire fighting and emergency apparatus in the event of emergency; and

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WHEREAS, it is deemed in the best interest of the Village to regulate and control all pedestrian and vehicular traffic during the hours of the Mini-Mart as above set forth;

NOW, THEREFORE, BE IT RESOLVED, that the Sea Cliff Fire Department is hereby authorized to supervise the pedestrian and vehicular traffic in the Village, to assist in maintaining the closing of sections of designated streets within the Village to unobstructed deployment of Village Fire Department trucks, equipment and personnel, and to deploy as many of the Fire Department vehicles as the Department deems necessary during the hours of the Mini-Mart to prevent congestion in the streets, to permit the operation and use of the Fire Department ambulance, to protect and preserve the Village property, to prevent danger from fires, and to protect the residents and the property of the residents of the Village from the danger of destruction of injury by fire.

Seconded by Trustee Powell and unanimously approved by those present.

RESOLUTION NO. 62, YEAR 2011

WHEREAS, the Sea Cliff Mini-Mart, Incorporated, has requested permission from the Board of Trustees of the Incorporated Village of Sea Cliff to hold a Mini-Mart in the Village on October 2, 2011, from 10:00 am to 6:00 pm, permission for which was heretofore granted; and

WHEREAS, Sea Cliff Mini-Mart, Incorporated, has requested that handicapped parking be made available during this period; and

WHEREAS, it is deemed in the best interest of the Village to grant this temporary parking restriction during the hours of the Mini-Mart as above set forth;

RESOLVED, that the south side of Sea Cliff Avenue from the southeast corner of the intersection of Carpenter Avenue and Sea Cliff Avenue, thence easterly to the southwest corner of the intersection of Dubois Avenue and Sea Cliff Avenue, on Sunday, October 2nd from the hours of 6:00 am to 6:00 pm, is hereby designated as a parking area for vehicles operated by handicapped persons only, and the stopping, standing, or parking of vehicles operated by any other person is hereby prohibited in such location; and be it further,

RESOLVED, that the Village General Supervisor be and he hereby is authorized and directed to post suitable signs indicating the restriction created by this resolution.

Seconded by Trustee Powell and unanimously approved by those present.

Request by the Kiwanis Club to use Clifton Park for parking of vehicles for the mini-mart on October 2nd was denied. On a motion by Mayor Kennedy, seconded by Trustee Vogt and unanimously approved by those present, a flat fee of \$500.00 for Department of Public Works personnel to work on the day of the mini-mart was set, to be paid by the Kiwanis Club.

On a motion by Trustee Hayes, seconded by Trustee Murphy and unanimously approved by those present, the Board authorized the Mayor to sign an agreement with Pixellence, Inc. for the design, development and project management of the Village's website.

On a motion by Trustee Hayes, seconded by Trustee Powell and unanimously approved by those present, the Board authorized the Mayor to sign an agreement with Kaitsen Woo for grant services for Village Hall renovations in the amount of \$3,500.00.

On a motion by Trustee Vogt, seconded by Trustee Murphy and unanimously approved by those present, the Board authorized the Mayor to enter into an agreement with JC Green LLC for installation of surge capacitors at Village Hall and Department of Public Works.

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Trustee Hayes offered the following resolution for adoption:

RESOLUTION NO. 63, YEAR 2011

RESOLVED, that upon receipt of a Stipulation of Settlement from the attorneys for the following property owner confirming the settlement listed below, that the following tax certiorari proceeding be settled as indicated below, and that the Law Office of Richard Siegel, acting as Village Attorney in this proceeding, be and it hereby is authorized to execute a Stipulation of Settlement and other documents as required to effect the settlement in accordance with the following schedule:

Name	Years Settled	Total Refund Payment	Revised Years	Assessed Reduction in Assessed Value	Value New Assessed Value (Fair Market Value)
Otto Roemmelt 221 Glen Cove Ave Sec. 21, Blk. 99 Lot 234	2007/08 to 2011/12	\$3,500.00	2012/13 to 2014/15	Commercial portion 36,500 Residential Portion 36,000	332,500 316,000

and, be it further

RESOLVED, that the Village Treasurer be and she hereby is authorized and directed to pay the amount indicated in accordance with the Stipulation of Settlement and Court Order; **and, be it further**

RESOLVED, that upon receipt of an executed Stipulation of Settlement, the Village Assessor be and he hereby is authorized and directed to set the assessed value of the above property for the 2012/13 through 2014/15 Tax Years at 332,500 for the commercial portion of the property and at 316,000 for the residential portion of the property in accordance with the above schedule and the Stipulation of Settlement.

Seconded by Trustee Powell and unanimously approved by those present.

Mayor Kennedy offered the following resolution for adoption:

RESOLUTION NO. 64, YEAR 2011

RESOLVED, that the 2011-2012 Sea Cliff Village Budget, General Fund accounts be modified by debits or credits in those accounts and those amounts as listed on the schedule dated August 1, 2011, which is affixed to the Minutes of this meeting, for a total amount of \$115,581.00; and be it further,

RESOLVED, that the Village Treasurer be and she hereby is directed and authorized to make such modifications to the 2011-2012 Budget as effectuated by this resolution.

Trustee Hayes moved the resolution, seconded by Trustee Vogt.

Roll Call

Mayor Kennedy	vote	Aye
Trustee Vogt	vote	Aye
Trustee Murphy	vote	Aye
Trustee Powell	vote	Aye
Trustee Hayes	vote	Aye

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All present voted in favor of the motion and the resolution was unanimously adopted.

On a motion by Trustee Hayes, seconded by Trustee Vogt and unanimously approved by those present, the Board went into Executive Session for legal advice at 9:40 p.m.

On a motion by Trustee Vogt, seconded by Trustee Hayes and unanimously approved by those present, the Board came out of Executive Session at 10:30 p.m.

Trustee Hayes offered the following resolution for adoption:

RESOLUTION NO. 65, YEAR 2011

RESOLVED, that the Board of Trustees of the Incorporated Village of Sea Cliff hold a public hearing upon:

Bill No. 6, Year 2011 A local law amending Chapter A150 of the Village Code of the Village of Sea Cliff to clarify appointment authority for the Secretary to the Board of Appeals.

FURTHER RESOLVED, that such hearings be held on the 6th day of September, 2011, at 7:30 o'clock p.m. at the Community Center in the Village of Sea Cliff, New York, and that notice thereof in the form required by the Code of the Incorporated Village of Sea Cliff be published in The Gold Coast Gazette, the official newspaper of the Village of Sea Cliff, and posted as required by law.

Seconded by Trustee Vogt and unanimously carried by those present.

Meeting was adjourned at 10:45 p.m.

Marianne Lennon
Village Clerk

