

MINUTES OF SEA CLIFF VILLAGE BOARD
April 11, 2011

The meeting of the Incorporated Village of Sea Cliff was held on Monday, April 11, 2011 at 7:30p.m. at Village Hall to discuss various Village matters.

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

Jonathan Bunce led the Assembly in the Pledge of Allegiance.

A Public Hearing was held on the 2011-2012 Tentative Budget

Public Hearing was opened for public comment.

On a motion by Trustee Vogt, seconded by Trustee Hayes and unanimously approved, the Public Hearing was closed.

8:00 p.m.

Welcome to the Board Meeting of April 11, 2011 of the Incorporated Village of Sea Cliff.

On a motion by Trustee Vogt, seconded by Trustee Hayes, the minutes of the meeting of April 4, 2011 were unanimously approved by those present.

Mayor Kennedy

Saturday was Opening Day for Sea Cliff Jr. Baseball/Softball. The program is bigger than ever and I urge all residents, whether or not you have children in the program, to attend the games. It's a lot of fun to watch the kids play and learn the game.

On March 8, heavy rains contributed to a release into Long Island Sound of thousands of small, white plastic disks, about the size of quarters, from the Westchester County Wastewater Treatment Plant in Mamaroneck. The disks, used to help clean wastewater, are made of HDPE (high density polyethylene), a non-toxic plastic that is used in everyday storage of food items. Since their accidental release, thousands have washed up on Glen Cove and Sea Cliff beaches. Last Thursday, we had Public Works employees collecting them down at the beach. We are keeping track of the time and cost of this operation and we expect to be reimbursed through Westchester County. Also, this past Saturday, volunteers from the Coalition to Save Hempstead Harbor and the Sea Cliff Beach Committee pitched-in to help clean-up these disks. We thank these volunteers for their community spirit and hard work.

Mayor Kennedy offered the following resolutions for adoption:

RESOLUTION 34A, YEAR 2011

RESOLVED, that the Board hereby finds and concludes:
the proposed bid for alterations at the Sea Cliff Beach Pavilion

- a. is an Unlisted action under the State Environmental Quality Review Act and its regulations;
- b. the Board is the lead agency with respect to environmental review of this proposed action;
- c. the Board has considered the following factors in respect to its review of the environmental impacts of the proposed action:

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- i. whether the proposed action would result in any substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels, or any substantial increase in solid waste production, or create a substantial increase in the potential for erosion, flooding, leaching or drainage problems;
 - ii. whether the proposed action would result in the removal or destruction of large quantities of vegetation or fauna, substantial interference with the movement of any resident or migratory fish or wildlife species, impacts on a significant habitat area, substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species, or other significant adverse impacts to natural resources;
 - iii. whether the proposed action would impair the environmental characteristics of any Critical Environmental Area;
 - iv. whether the proposed action would conflict with the community's current plans or goals as officially approved or adopted;
 - v. whether the proposed action would impair the character or quality of important historical, archeological, architectural or aesthetic resources or of existing community or neighborhood character;
 - vi. whether the proposed action would result in a major change in the use of either the quantity or type of energy;
 - vii. whether the proposed action would create a hazard to human health;
 - viii. whether the proposed action would create a substantial change in the use, or intensity of use, of land, including agricultural, open space or recreational resources, or its capacity to support existing uses;
 - ix. whether the proposed action would encourage or attract large numbers of persons to any place for more than a few days, compared to the number who would come to such place without such action;
 - x. whether the proposed action would create changes in two or more elements of the environment, no one of which would have a significant impact on the environment, but when considered together would result in a substantial adverse impact on the environment;
 - xi. whether the proposed action would create substantial adverse impacts when considered cumulatively with any other actions, proposed or in process;
 - xii. whether the proposed action would result in substantial adverse impact with respect to any relevant environmental consideration, including noise, aesthetics, traffic, air quality, water quality or adequacy of water supply, drainage, soil conditions, or quality of life in the community in general and the immediate neighborhood in particular;
- d. the proposed action would not have a significant adverse environmental impact; and
- e. no further environmental review is required with respect to the proposed action.

Mayor Kennedy moved the adoption of the foregoing resolution and seconded by Trustee Hayes. All present voted in favor of the motion and the Resolution was duly adopted.

RESOLUTION NO. 41, YEAR 2011

WHEREAS, the Board of Trustees of the Incorporated Village of Sea Cliff, has met at the time and place specified in the Notice of Public Hearing on April 11, 2011 on The Tentative Budget, and heard all persons desiring to be heard thereon, now therefore be it,

RESOLVED, that the Tentative Budget, as hereinafter set forth, is hereby adopted, and that the several amounts stated be, and they hereby are, appropriated for the objects and purposes specified and the salaries and wages, as provided for in said budget, shall be and are hereby fixed at the amounts shown therein, effective June 1, 2011, and be it,

FURTHER RESOLVED, that this resolution shall become effective at the expiration of the time required for filing with the State Comptroller of the State of New York of the statement of the estimated amount of real estate taxes to be levied on account of such budget as required by the State Finance law.

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Mayor Kennedy moved the adoption of the foregoing resolution and seconded by Trustee Hayes.

The vote on the question of the adoption of the foregoing resolution was taken by ayes and noes and was as follows:

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

The resolution was declared duly adopted.

RESOLUTION NO. 41, YEAR 2011

WHEREAS, the Board of Trustees of the Incorporated Village of Sea Cliff, Nassau County, New York has prepared, after public hearing pursuant to notice duly posted and published according to law, has completed and adopted its annual budget for the 2011-2012 fiscal year;

NOW, THEREFORE, BE IT RESOLVED, that the taxes of the Incorporated Village of Sea Cliff, Nassau County, New York, for the 2011-2012 year be levied in the sum of \$4,660,405.00 (four million, six hundred and sixty thousand, four hundred and five dollars and zero cents) to be split between Homestead, **at a rate of \$3.6683 on each one thousand dollars of assessed valuation**; and Non-Homestead, **at a rate of \$10.4660 on each one thousand dollars of assessed valuation**, and that the assessment roll be completed accordingly; and be it further

RESOLVED, that the Mayor be and he hereby is authorized and directed to sign the proper warrant directed to the Collector of Taxes commanding said Collector to collect said taxes, and to attest same with proper seal of the Village of Sea Cliff and deliver said warrant to the Clerk of the Village; and be it further

RESOLVED, that the Village Clerk be and she hereby is directed to publish notice of the collection of taxes in the official paper of the Village in the issues of April 28, 2011 and May 4, 2011 and cause the required number of said notices to be posted in at least six conspicuous places in the Village pursuant to law; such notices shall state that such tax roll and warrant have been left with said Collector of Taxes for collection; designate the Village Hall as the place where the Collector of Taxes will receive taxes from one o'clock in the afternoon until eight o'clock in the evening on Mondays except on such days or times that the Village Hall Offices may be closed, and from nine o'clock in the morning until four o'clock in the afternoon on Tuesdays through Fridays except on holidays or such other days or times that the Village Hall Offices may be closed; that one-half of all taxes on real estate shall be due and payable on the first day of June 2011 and the remaining and final half shall be due and payable on the first day of December 2011; that taxes due June 1, if paid on or before July 1, no penalty will be added; if paid after July 1, a penalty of 5% shall be payable for the month of June, and thereafter interest will be added monthly or for any fraction thereof from July 2, until paid at the current rate in effect as set by the State Commissioner of Taxation and Finance as prescribed in subdivision 2 of Section 924-a of the New York State Real Property Tax Law; and that taxes due on December 1, if paid on or before January 3, 2012 no penalty will be added; if paid after January 3, 2012, a penalty of 5% shall be payable for the month of December, and thereafter interest will be added monthly or for any fraction thereof from January 4, 2012 until paid at the current rate in effect as set by the State Commissioner of Taxation and Finance as prescribed in subdivision 2 of Section 924-a of the New York Real Property Tax law; and it is

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FURTHER RESOLVED, that the Collector of Taxes mail to all persons whose property appears on the tax roll, at their last known post office address, a statement of the tax rate, the assessment and the amount of tax due on the property described in such notice and the time and place at which the same may be paid.

Mayor Kennedy moved the adoption of the foregoing resolution and seconded by Trustee Hayes.

The question of the foregoing resolution was duly put to vote on roll call, which resulted as follows:

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

The resolution was declared duly adopted.

Trustee Carol Vogt

Trustee Vogt offered the following resolution for adoption:

RESOLUTION NO. 34, YEAR 2011

RESOLVED, that the Village Clerk be and she hereby is authorized and directed to advertise for bids for alterations at the Sea Cliff Beach Pavilion. Bid packages will be available on Friday, April 15, 2011 at the Office of the Village Clerk, located at the Incorporated Village of Sea Cliff, 300 Sea Cliff Avenue (P.O. Box 340), Sea Cliff, New York 11579, to be returned on or before Friday April 29, 2011 at 3:00pm. at which time all bids will be publicly opened and read.

Trustee Vogt moved the adoption of the foregoing resolution seconded by Trustee Hayes.

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

The Beach Parking Lot will now require an annual Permit to park there. The new fee for a permit will be \$35.00 and may be obtained at Village Hall, or at the beach, once it is opened. You will be able to download a copy of the application on our website. The permit is available to both residents and non-residents. Parking will be permitted in the lot from 6:00 am until 11:30 pm.

Congratulations to the Sea Cliff Beach Committee Chair, Michelle Capobianco and all of the members of the committee! They raised \$1,200 at the annual Pub Crawl of February 25, which will be used in the upgrading of our beach facilities. I'd like to thank them for all their hard work. And speaking of hard work, they are looking for volunteers to help them at the annual Beach Clean Up scheduled for Saturday morning, May 14th. Bring a rake, some garbage bags and some work gloves...refreshments will be served.

The Senior Action Committee has asked me to announce the date of this year's Senior Picnic. It will be held on Saturday, June 11th, from 12 noon to 3:00 pm on the grounds of the Methodist Church on Downing and Carpenter Avenues, and all the seniors in the North Shore School District are invited as guests of the Committee.

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Trustee Tom Murphy

It's my great pleasure to announce three new members of the Sea Cliff Fire Department's Hook and Ladder Company:

Andrew Lehmann
Christopher Schuessler
Patrick McCann

Trustee Murphy offered the following resolutions for adoption:

RESOLUTION NO. 35, YEAR 2011

RESOLVED, that the Board approve the following members who have been elected to the following Chief Engineer position at the Annual Department Convention held on Thursday, April 7, 2011:

Chief	Andrew Davies
1 st Assistant Chief	Daniel Whittimore
2 nd Assistant Chief	Ernest A. Longobucco

Trustee Murphy moved the adoption of the foregoing resolution seconded by Trustee Vogt.

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

RESOLUTION NO. 36, YEAR 2011

RESOLVED, that the Mayor is authorized to sign an agreement with Michael Haberman Associates, Inc. for assessment services to commence effective June 1, 2011 at an annual fee of \$15,000.00.

Trustee Murphy moved the adoption of the foregoing resolution seconded by Trustee Hayes.

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

The Fire Department report for March shows that there were 16 fire calls and 28 rescue/ambulance calls.

Trustee Peter Hayes

Trustee Hayes offered the following resolution for adoption:

RESOLUTION NO. 37, YEAR 2011

RESOLVED, that the Board of Trustees of the Incorporated Village of Sea Cliff hold a public hearing upon the application of NFRP Catering, Inc. d/b/a Sans Souci Catering, for a Cabaret License pursuant to the provisions of Chapter 50 of the Code of the Incorporated Village of Sea Cliff to conduct, maintain or operate, or engage in the business of conducting, maintaining or operating, a cabaret, at the premises situate in "Residence B" District known as and by the street No. 395 Prospect Avenue, and described on the Village Assessment Roll as Section 21, Block 193, Lot 1, 2 & 14 and, be it

FURTHER RESOLVED, that such hearing be held on the 9th day of May, 2011, at 8:00 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.

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Trustee Hayes moved the adoption of the foregoing resolution seconded by Trustee Vogt. All present voted in favor of the motion and the resolution was unanimously adopted.

Public Works will be closed on Good Friday, April 22nd . Village Hall office will be open.

Friday's pick up moves to Thursday and Thursday's pick up moves to Wednesday. There will be no recycling that week. The recycling center will be open Wednesday and Thursday of that week, as well as the usual Saturday.

Trustee Tom Powell

Trustee Powell offered the following resolutions for adoption:

RESOLUTION NO. 38, YEAR 2011

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

Bill No. 1, Year 2011. A local law amending Chapter 14 of the Village Code of the Village of Sea Cliff, to provide for the establishment and maintenance of a publicity fund for purposes authorized by New York State Village Law.

Bill No. 2, Year 2011. A local law amending Chapter 23 of the Village Code of the Village of Sea Cliff to provide for residency requirements for Village officers.

FURTHER RESOLVED, that such hearings be held on the 9th day of May, 2011, at 8:00 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.

Trustee Powell moved the adoption of the foregoing resolution seconded by Trustee Hayes.

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

RESOLUTION NO. 39, YEAR 2011

RESOLVED, that Bruce Kennedy, as Mayor of the Incorporated Village of Sea Cliff, is hereby authorized to make a grant application and file for funds from the New York State Department of Transportation FFY 2011 Section 5310 80/20 grant program, in an amount not to exceed \$60,000 and upon approval of said application to enter into and execute a project agreement with the DOT for such grant assistance to the Village of Sea Cliff.

Trustee Powell moved the adoption of the foregoing resolution seconded by Trustee Vogt.

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

The next meeting of the Hempstead Harbor Protection Committee is April 20, 2011 at 7:00 p.m. at Village Hall.

Public Works Report – John Mirando

During the month of March 2011 DPW disposed of the following MSW:

251.54 tons of MSW
39.92 tons of Commingled Cans & Glass
15.25 tons of Newspaper & Cardboard
270 yards of C & D

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On March 19th as per our agreement with the Village of Roslyn Harbor and requirement of our grant for the street sweeper, DPW staff did an extensive street sweeping of Roslyn Harbor.

Clerk's Report – Marianne Lennon – No report

Counsel's Report - Brian Stolar - No report

Public Comment:

- resident asked for an extension of a zoning decision in 2009
- resident complaints regarding noise and parking in the beach parking lot after designated time
- resident complaints regarding extended hours at the beach parking lot; lack of notification to the surrounding neighbors
- resident support of the extended hours at the beach parking lot
- request to increase security at the beach and Bathway Steps; put up chains at 11:30pm at the parking lot each day
- excess signage at the beach parking lot, none for idling
- complaints of late music and noise at the Sea Cliff Yacht Club

On a motion by the Mayor, seconded by Peter Hayes, the Public Comment period was closed.

Trustee Vogt offered the following resolution for adoption:

RESOLUTION NO. 42, YEAR 2011

WHEREAS, The Incorporated Village of Sea Cliff solicited bids for Park Maintenance in the Village of Sea Cliff; and

WHEREAS, upon opening the bids, five were received;

NOW THEREFORE BE IT RESOLVED, that the bid is awarded to Grennan Brothers Inc, and that the Mayor be, and he is hereby authorized to execute a contract in form and content approved by the Village Attorney and the Board of Trustees, with Grennan Brothers Inc, PO Box 757, Glenwood Landing, New York, pursuant to specifications prepared by the Village.

Trustee Vogt moved the adoption of the resolution, seconded by Trustee Hayes.

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

Meeting adjourned at 10:30 p.m.

Marianne Lennon
Village Clerk