

MINUTES OF SEA CLIFF VILLAGE BOARD
July 30, 2012

The meeting of the Incorporated Village of Sea Cliff was held on Monday, July 30, 2012 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
Peter Hayes, Village Trustee
Marianne Lennon, Village Clerk
Brian Stolar, Village Attorney
John Mirando, Village Administrator
Drew Lawrence, Superintendent of Buildings

Absent: Thomas Murphy, Village Trustee

Trustee Vogt moved Abstract No. 2309 in the amount of \$47,409.09 and Abstract No. 2310 in the amount of \$138,876.09. Seconded by Trustee Hayes and unanimously approved by those present.

On a motion by Trustee Vogt, seconded by Trustee Hayes and unanimously approved by those present, the minutes of July 2, 2012 and July 9, 2012 were approved.

On a motion by Mayor Kennedy, seconded by Trustees Hayes and unanimously approved by those present, the Board went into Executive Session at 7:45 p.m. to discuss pending litigation.

On a motion by Trustee Hayes, seconded by Trustee Vogt and unanimously approved by those present, the Board came out of Executive Session at 8:15.

Trustee Vogt offered the following resolutions for adoption:

RESOLUTION NO. 48, YEAR 2012

RESOLVED, that the parking of vehicles be prohibited on both sides of Glenlawn Avenue between the intersections of Ransom Avenue and Downing Avenue and both sides of Downing Avenue between Carpenter Ave. and Glenlawn Avenue between the hours of 8:00am to 12 noon for the Peter Speranza Sea Cliff 5K Race to take place on Saturday, September 1, 2012; and be it

FURTHER RESOLVED, that the Foreman of Public Works or his designee be and he hereby is authorized and directed to place appropriate signs to effectuate the above restriction; and be it

FURTHER RESOLVED, that the clerk be and she hereby is authorized and directed to publish the Resolution in the Gold Coast Gazette, the official newspaper of the Incorporated Village of Sea Cliff, and be it

FURTHER RESOLVED, that this prohibition take effect immediately upon the placement of appropriate signs.

Seconded by Trustee Powell and unanimously approved by those present.

RESOLUTION No. 49 , YEAR 2012

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 7, 2012, from 10:00a.m. to 6:00 p.m.; and

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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 7, 2012, 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;
 - 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 from the hours of 6:00 a.m. to 6:00 p.m. on the date of the Mini-Mart on the South side of Glen Avenue between Main Avenue and 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,

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- (2) Twelfth Avenue from Prospect Avenue to Main Avenue,
 - (3) Central Avenue from Summit Avenue to Twelfth 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 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,
- (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

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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 Hayes and unanimously approved by those present.

RESOLUTION No. 50 , YEAR 2012

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 7, 2012, 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

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. 51, YEAR 2012

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 7, 2012, from 10:00 am to 6:00 pm, permission for which was heretofore granted; and

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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 7th 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 Hayes and unanimously approved by those present.

On a motion by Trustee Hayes, seconded by Mayor Kennedy and unanimously approved by those present, the Board denied the request by the Mini Mart Committee to use Clifton Park for parking the day of the mini-mart event.

On a motion by Trustee Hayes, 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.

Trustee Powell offered the following resolution for adoption:

RESOLUTION NO. 52, YEAR 2012

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

Proposed Bill No. 6, Year 2012: A local law amending Chapter 121 of the Village Code of the Village of Sea Cliff to amend definitions to clarify trees subject to the provisions of Chapter 121.

FURTHER RESOLVED, that such hearings be held on the 13th day of August, 2012, 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.

Seconded by Trustee Hayes and unanimously carried by those present.

Meeting adjourned at 9:50 p.m.

Marianne Lennon
Village Clerk