

MINUTES OF SEA CLIFF VILLAGE BOARD
September 4, 2012

The meeting of the Incorporated Village of Sea Cliff was held on Tuesday, September 4, 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
 Thomas Murphy, Village Trustee
 Marianne Lennon, Village Clerk
 Brian Stolar, Village Attorney
 John Mirando, Village Administrator
 Drew Lawrence, Superintendent of Buildings

Trustee Vogt moved Abstract No. 2313 in the amount of \$181,115.80 and Abstract No. 2314 in the amount of \$ 53,403.39. Seconded by Trustee Murphy 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 30, 2012 and August 13, 2012 were approved.

On a motion by Mayor Kennedy, seconded by Trustee Powell and unanimously approved by those present, a request was granted to the homeowner at 4 Irving Place, to place a POD in the street at either Altamont Avenue or Irving Place for a period of 6 days, that the POD would have reflective signage as well as insurance.

Mayor Kennedy offered the following resolutions for adoption

RESOLUTION NO. 54, YEAR 2012

RESOLVED, that parking at the location described herein shall be restricted to vehicles operated by handicapped persons only, and be it further

RESOLVED, that Section 125-66 (Schedule T) of the Village Code be amended to add the following:

Name of Street	Side	Location
Bregel Avenue	East	From a point 15 feet south of the intersection of Franklin Avenue for a distance of 20 feet

RESOLVED, that the Village Foreman be and he hereby is directed and authorized to post suitable signs to reflect the regulation contained; and be it further

RESOLVED, that the regulation contained herein shall take effect immediately upon the posting of suitable signs.

Mayor Kennedy moved the resolution, seconded by Trustee Hayes and approved by Trustee Vogt and Trustee Powell. Trustee Murphy voted nay.

RESOLUTION NO. 55, YEAR 2012

RESOLVED, that in accordance with the provisions of Section 125-10 of the Code of the Incorporated Village of Sea Cliff, Section 125-52, Schedule F, be amended to add stop signs:

on the east side of Tanglewood Avenue for vehicular traffic moving in a northerly direction at the intersection of Tanglewood Lane, Littleworth Lane and Downing Avenue; and

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on the west side of Littleworth Lane for vehicular traffic moving in a southerly direction at the intersection of Tanglewood Lane, Littleworth Lane and Downing Avenue; and be it further

RESOLVED, that the Director of Public Works or his designee be and he hereby is directed and authorized to place a stop sign as described herein; and be it further

RESOLVED, that the traffic regulation created by this resolution shall take effect immediately upon the placement of the appropriate sign.

Mayor Kennedy moved the resolution, seconded by Trustee Hayes and unanimously approved by those present.

Trustee Hayes offered the following resolution for adoption:

RESOLUTION NO. 56, YEAR 2012

WHEREAS, the Board of Trustees is considering the adoption of Bill No. 5, Year 2012:

A local law amending Chapter 138 of the Village Code of the Village of Sea Cliff to amend definitions to clarify floor area calculations and the height/setback ratio plane.

NOW, THEREFORE, BE IT RESOLVED, that the following Local Law, introduced as Bill No. 5, Year 2012, be adopted as follows:

TEXT OF BILL
Incorporated Village of Sea Cliff
Local Law No. 5, Year 2012

A local law amending Chapter 138 of the Village Code of the Village of Sea Cliff to amend definitions to clarify floor area calculations and the height/setback ratio plane.

Section 1. Section 138-201 of Chapter 138 (“Zoning”) of the Village Code of the Village of Sea Cliff, entitled “Definitions”, is amended as follows:

- a. The term “**CELLAR**” is hereby removed.
- b. Section B of the term “**FLOOR AREA**” is hereby amended to read:

“One-half of the floor area of a basement”.
- c. The term “**HEIGHT/SETBACK RATIO PLANE**” is hereby amended to read:

“An inclined plane beginning at the point on the lot line nearest the building and rising toward the building at a ratio corresponding to the applicable height/setback ratio set forth in the district regulations. The beginning point of the inclined plane at the lot line shall be measured from a point at a height even with the elevation of the average ground level of the foundation of the closest wall of the building.”

Section 2. This local law shall take effect in accordance with Section 27 of the Municipal Home Rule Law.

BE IT FURTHER RESOLVED, that the Village Clerk be and she hereby is authorized and directed to file four (4) certified copies (including the original or first copy) of the foregoing Local Law containing the text thereof with the Secretary of State

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of the State of New York; one (1) certified copy in the Office of the Clerk of the Village of Sea Cliff, in a separate file appropriately indexed by said Village Clerk, in accordance with Section 27 of the Municipal Home Rule Law; and to publish a Notice of Adoption of said Local Law in the Gold Coast Gazette, the official newspaper of the Village of Sea Cliff, and to post said Notice of Adoption as required by law.

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

Trustee Vogt offered the following resolution for adoption:

RESOLUTION NO. 57, YEAR 2012

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 September 4, 2012, which is affixed to the Minutes of this meeting, for a total amount of \$302,834.89; 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 Vogt moved the resolution, seconded by Trustee Hayes.

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

Trustee Vogt	voting	aye
Trustee Powell	voting	aye
Trustee Hayes	voting	aye
Trustee Murphy	voting	aye
Mayor Kennedy	voting	aye

The resolution was thereupon declared duly adopted.

Mayor Kennedy offered the following resolution for adoption:

RESOLUTION NO. 58, YEAR 2012

RESOLVED, that the resolution adopted May 5, 1986 designating The Boulevard as a One-Way street in an easterly direction from Cliff Way to Carpenter Avenue, is hereby extended through September 30, 2012.

Mayor Kennedy moved the resolution, seconded by Trustee Vogt and unanimously approved by those present.

Trustee Vogt offered the following resolution for adoption:

RESOLUTION NO. 59, YEAR 2012

RESOLVED, that the Village be given authorization to retain a landscape architect/arborist in connection with the site plan application at 90-17th Avenue for a sum not to exceed \$750.00.

Trustee Vogt moved the resolution, seconded by Trustee Hayes and unanimously approved by those present.

On a motion by Trustee Hayes, seconded by Trustee Vogt and unanimously approved by those present, the Board went into Executive Session to discuss pending litigation issues at 10:00 p.m.

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On a motion by Mayor Kennedy, seconded by Trustee Murphy and unanimously approved by those present, the Board came out of Executive Session at 10:25 p.m.

Mayor Kennedy offered the following resolution for adoption:

RESOLUTION NO. 60, YEAR 2012

RESOLVED, that the appraisal on the Paper Road south of 113 Carpenter Avenue, prepared by Frank Ciotta and Assoc, Jericho, NY, be accepted.

Mayor Kennedy moved the resolution, seconded by Trustee Hayes and approved by Trustee Vogt and Trustee Murphy. Trustee Powell abstained.

Trustee Hayes offered the following resolution for adoption:

RESOLUTION NO. 61, YEAR 2012

RESOLVED, that the Paper Road south of 113 Carpenter Avenue be declared as surplus property which is not needed for any municipal purposes, including roadway purposes.

Trustee Hayes moved the resolution, seconded by Trustee Vogt and approved by Trustee Murphy and Mayor Kennedy. Trustee Powell abstained.

Meeting adjourned at 10:35 pm.

Marianne Lennon
Village Clerk