

A regular meeting of the Board of Trustees was held on February 7, 2017 at 8:00 pm.

The meeting opened with a Pledge to the Flag. Present were Mayor Thomas J. Tweedy, Trustees Kevin M. Fitzgerald, Dominick A. Longobardi, Lynn Pombonyo and Archie T. Cheng, Village Administrator Gerard M. Bambrick, Village Clerk Susan E. Walsh, Police Commissioner Stephen McAllister, Fire Chief John Florio and Village Attorney John E. Ryan

Superintendent of Public Works and Building Department Stephen Siwinski was excused from the meeting.

On motion by Trustee Fitzgerald, seconded by Trustee Longobardi, and carried unanimously, the Board approved the minutes of:

January 17, 2017 - Regular Board Meeting

Trustee Longobardi offered Resolution No. 2017-23 approving the Schedule of Accounts Payable consisting of the following:

General Fund	\$1,156,893.87
Swimming Pool	\$ 19,884.96
Community Development	\$ 0.00
Capital Fund	<u>\$ 17,765.00</u>
GRAND TOTAL	\$1,194,543.83

The Resolution was seconded by Trustee Pombonyo and adopted on roll call as follows:

Trustee Fitzgerald	- Aye
Trustee Longobardi	- Aye
Trustee Pombonyo	- Aye
Trustee Cheng	- Aye
Mayor Tweedy	- Aye

Trustee Cheng offered Resolution No. 2017-24:

**RESOLVED**, that the individuals on the list below be appointed Inspectors of Election to preside and act as Inspectors of Election, at and in their respective districts named, at all Village Elections, until their respective successors are appointed, compensation to be \$90.00 per diem for election day.

Election Inspectors  
Floral Park Village Election  
March 21, 2017

Bruce L. Behnke	Sylvia Hubschman
Ann Marie Brancella	Ulrich P. Jaenichen
Raul F. Calvo	Kariem Labett
Concetta (Tina) Cunnane	Jeannette Newman
Clifton Demecco	Donna Paoella
Fanny Fernandez	Dorothy M. Pellegrini
Angelo Ferrara	Daksha Sanghavi
Grace Ferrara	Gary S. Wargo

The Resolution was seconded by Trustee Fitzgerald and adopted on roll call as follows:

Trustee Fitzgerald	- Aye
Trustee Longobardi	- Aye
Trustee Pombonyo	- Aye
Trustee Cheng	- Aye
Mayor Tweedy	- Aye

On motion by Trustee Pombonyo, seconded by Trustee Cheng and carried unanimously, the Board approved the request of The Floral Park Historical Society to use the Recreation/Pool Building for their 2017 programs/meetings on Sundays from 1:00 pm to 4:00 pm as follows: February 12, March 5, April 2, May 7 (from 3:00 pm to 4:00 pm), September 17, October 1 and November 5, 2017.

On motion by Trustee Cheng, seconded by Trustee Fitzgerald, and carried unanimously, the Board approved the request of Pastor Gainus Sikes of The United Methodist Church to hold Easter morning Worship Service at Heritage Park on Sunday, April 16, 2017 from 8:00 am to 8:30 am.

Trustee Fitzgerald offered Resolution No. 2017-25 adopting Local Law No. 01 of 2017 amending Chapter 39 of the Code of the Incorporated Village of Floral Park which updates the Ethics Code.

The Resolution was seconded by Trustee Longobardi and adopted on roll call as follows:

Trustee Fitzgerald	- Aye
Trustee Longobardi	- Aye
Trustee Pombonyo	- Aye
Trustee Cheng	- Aye
Mayor Tweedy	- Aye

On motion by Trustee Pombonyo, seconded by Trustee Cheng, and carried unanimously, the Board granted Trinity Restaurant permission to erect a tent in the Spooner Street Parking Field directly behind the restaurant for the purpose of cutting hair on Saturday, April 29, 2017 from 2:00 pm to 9:00 pm in connection with the St. Baldrick's fundraiser as provided in Section 32-12.D. of the Village Code, pending the receipt of a certificate of insurance; and permission was also granted for a 'Parade of Heroes' march in relation to the St. Baldrick's fundraiser, on Saturday, April 29, 2017, with a 1:30 pm kick-off from Village Hall to the Spooner Street Parking Field with assistance from the Floral Park Police Department, pending the receipt of a certificate of insurance.

On motion by Trustee Longobardi, seconded by Trustee Pombonyo, and carried unanimously, the Board approved the request of the Floral Park Jr. Woman's Club to use Memorial Park on Sunday April 23, 2017 from 10:00 am to 3:00 pm (rain date Sunday, May 7) for a craft fair, pending the receipt of a certificate of liability insurance.

#### Village Website

Trustee Fitzgerald reported that a few weeks ago, the Village introduced a new look and feel to our website. Although the address is the same, our residents should find the new site easier to navigate with more information and new features. The site was built so additional features can be added as they are developed and, as a website, is one of the easiest means for our Village government to communicate and assist our residents. Suggestions for what you would like to see on the site are welcomed. Trustee Fitzgerald thanked Village Administrator Gerard Bambrick, Village Clerk Susan Walsh, Susan Kerner and Darlene Lanza for their efforts in launching the new site.

#### Fire Department

Trustee Fitzgerald thanked the women and men of the Floral Park Fire Department for the extraordinary job they did during the early morning hours of January 30<sup>th</sup>. As most of the residents now know, there was a significant house fire on Zinnia Street. The members of the Department were able to contain this fire to the one house even though the flames were coming out of all windows and at times the roof. Two of the many things that caught Trustee Fitzgerald while at the scene were the professionalism and calmness that the department exhibited as they went about their business. This certainly can be attributed to the countless hours that the members spend each month on training. In addition, Trustee Fitzgerald was impressed by their dedication that morning as he is sure that most, if not all of the members at the scene, then had to go to work after fighting the fire. Trustee Fitzgerald thanked the various Departments from our neighboring villages and their volunteers who came that morning to assist and support our

Department. Once again, our Village is extremely lucky to have such a dedicated group of volunteers that make up our Fire Department.

### Floral Park Public Library

Trustee Pombonyo reported, that to assist residents at tax time, the AARP Tax-Aide program will be at the Floral Park Library on Tuesdays from February 14<sup>th</sup> to April 18<sup>th</sup>, for 10:15 am, 11:45 am and 1:15 pm appointments. AARP tax preparers will be present to assist program participants with their income tax documents and filings. Those who wish to utilize this library service are asked to register at the reference desk. You may access the library's website at [www.floralparklibrary.org](http://www.floralparklibrary.org).

### Floral Park Conservation Society

Trustee Pombonyo reported that the annual bird count at Centennial Gardens will take place on Friday, February 17<sup>th</sup>, Saturday, February 18<sup>th</sup> and Sunday, February 19<sup>th</sup>. On these dates, Recreation Department staff member Don Haug will be on hand at the Gardens to help spot and count the extraordinary variety of birds that make Floral Park their home or roosting place. Interesting facts about these birds will be available at the Gardens from 3:00 pm to 4:00 pm on Friday, the 17<sup>th</sup>; noon to 1:00 pm on Saturday, the 18<sup>th</sup>; and 1:00 pm to 2:00 pm on Sunday, the 19<sup>th</sup>. See the Bird Count flyer link under Recent Posts on the Village of Floral Park homepage: [www.fpvillage.org](http://www.fpvillage.org).

### Department of Public Works

Trustee Cheng said that working from home has provided him with the opportunity to take a break every so often and drive around the Village and he has seen the Department of Public Works hard at work trimming trees and filling potholes.

With a snow storm expected on Thursday, February 9<sup>th</sup>, Trustee Cheng hopes everyone is prepared.

### Long Island Rail Road Third Track Expansion Project

Trustee Cheng thanked residents for attending the Draft Environmental Impact Statement (DEIS) Public Hearing held at the New Hyde Park Inn on January 19<sup>th</sup>. Residents spoke passionately and eloquently about the impact this project will have on the Village of Floral Park and surrounding areas. The commenting period will conclude on February 15<sup>th</sup>. Floral Park, along with the Villages of New Hyde Park and Garden City, retained the services of Beveridge & Diamond and Vertex to review and prepare technical review comments on the Draft Environmental Impact Statement (DEIS). Trustee Cheng said he has begun reviewing a draft of the document and said it appears that Beveridge & Diamond and Vertex, two very credible companies, have been able to touch on all of the Villages' concerns. They have been extraordinarily helpful in providing us with their expertise by dissecting the DEIS document in a way that we would not have been able to do.

### Mayor's Report

Mayor Tweedy made the following poignant statement:

‘My report tonight is simple, yet one the more difficult I have had to share. I wish to extend my deepest gratitude to my friends and colleagues on the Village Board, Kevin, Dom, Lynn and Archie - each of you have shown such kindness and gracious support in a difficult time, your generous support of my family and all the Tweedys these last weeks was a source of great comfort. I am honored to know you as friends and humbled by your compassion.

The support and understanding extended to me by the Village family, and those are not simply words tonight, that combination of words, ‘Village Family’, has greater meaning to me than ever before. So many of you visited my family and offered your heartfelt condolences and best wishes, notably our Village Attorney and my lifelong friend, John Ryan, every department head, members of Public Works, Police Department, our

Library Director Pat Eren and many of her staff, our entire Village Hall staff. I am privileged to know you all. I consider you as brothers and sisters of our family, the Village family. I am strengthened as you reached out to help me feel your warm and healing touch. The courtesies provided by the Floral Park Police Department and our Commissioner Stephen McAllister made a deep lasting impression on my family that will never be forgotten. The prayer service at Daltons was directed and attended by the entire Floral Park Fire Department Chiefs Staff, Department Chaplain Pastor Gainus Sikes and the many members. The Department's moving ceremony honored my father's memory as few can.

I am so very humbled by the many amazing people I have met because of my time in Village service. But two have become dear friends. The words 'thank you' hardly does justice to the loving, thoughtful response to my and my family's needs as those provided by Susan Walsh and Gerry Bambrick. You have my deepest and eternal gratitude - a debt I hope someday to repay.

Floral Park is quite a place – family and faith is the manifestation of the love we share together in the wonderful place we call Floral Park. Thank you for your many kindnesses and your caring understanding. Please keep us in your prayers as we keep you always in ours.'

On motion by Trustee Fitzgerald, seconded by Trustee Longobardi, and carried unanimously, Mayor Tweedy recessed the meeting at 8:25 pm.

The Mayor stated the Village Board Meeting would continue in his office with Department Heads after a brief recess and the public is invited to attend.

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On motion by Trustee Fitzgerald, seconded by Trustee Longobardi, and carried unanimously, Mayor Tweedy reconvened the meeting at 8:30 pm.

Trustee Pombonyo offered Resolution No. 2017-26 introducing proposed Local Law 02 of 2017 regarding Zombie Homes.

The Resolution was seconded by Trustee Longobardi and adopted on roll call as follows:

Trustee Fitzgerald	- Aye
Trustee Longobardi	- Aye
Trustee Pombonyo	- Aye
Trustee Cheng	- Aye
Mayor Tweedy	- Aye

Trustee Cheng offered Resolution No. 2017-27 determining that proposed Local Law No. 02 of 2017 is a Type II action as that term is defined in SEQRA.

The Resolution was seconded by Trustee Fitzgerald and adopted on roll call as follows:

Trustee Fitzgerald	- Aye
Trustee Longobardi	- Aye
Trustee Pombonyo	- Aye
Trustee Cheng	- Aye
Mayor Tweedy	- Aye

Trustee Pombonyo offered Resolution No. 2017-28 granting the application of Paul Capozziello of 47 Covert Avenue, subject to the terms and conditions set forth in the Decision and Resolution. (See attached at end of minutes.)

The Resolution was seconded by Trustee Longobardi and adopted on roll call as follows:

Trustee Fitzgerald	- Aye
Trustee Longobardi	- Aye

Trustee Pombonyo	- Aye
Trustee Cheng	- Aye
Mayor Tweedy	- Aye

Trustee Fitzgerald offered Resolution No. 2017-29 introducing proposed Local Law 03 of 2017 to override the tax levy limit established in General Municipal Law § 3-c.

The Resolution was seconded by Trustee Cheng and adopted on roll call as follows:

Trustee Fitzgerald	- Aye
Trustee Longobardi	- Aye
Trustee Pombonyo	- Aye
Trustee Cheng	- Aye
Mayor Tweedy	- Aye

Trustee Cheng offered Resolution No. 2017-30 determining that proposed Local Law No. 03 of 2017 is a Type II action as that term is defined in SEQRA.

The Resolution was seconded by Trustee Fitzgerald and adopted on roll call as follows:

Trustee Fitzgerald	- Aye
Trustee Longobardi	- Aye
Trustee Pombonyo	- Aye
Trustee Cheng	- Aye
Mayor Tweedy	- Aye

Trustee Fitzgerald offered Resolution 2017-31 authorizing settlement of certiorari petition made by ASTORIA BANK property known as Section 8, Block 55 & Lot Nos. 234, 41-42, 44, 110, 223, 225, 229-231, & 235 (99 Covert Avenue) wherein in consideration of the withdrawal of proceedings for tax years 2011/12 through 2016/17 it is agreed that a lump sum payment of \$21,000 be made; a 25,000 assessment value reduction for 2017/18 tax; and the petitioner will not file proceedings during tax years 2017/18 through 2019/20.

The Resolution was seconded by Trustee Longobardi and adopted on roll call as follows:

Trustee Fitzgerald	- Aye
Trustee Longobardi	- Aye
Trustee Pombonyo	- Aye
Trustee Cheng	- Aye
Mayor Tweedy	- Aye

Trustee Longobardi offered Resolution No. 2017-32 authorizing settlement of certiorari petition made by 40 CARNATION AVENUE CORP. property known as Section 32 Block 50 Lot Nos. 26-29 wherein it is agreed that upon the payment of lump sum of \$7,500 the proceedings for tax years 2011/12 through 2016/17 will be dismissed; a 10,000 assessment value reduction for 2017/18 tax year; and petitioner will not file proceedings during tax years 2017/18 through 2019/20.

The Resolution was seconded by Trustee Pombonyo and adopted on roll call as follows:

Trustee Fitzgerald	- Aye
Trustee Longobardi	- Aye
Trustee Pombonyo	- Aye
Trustee Cheng	- Aye
Mayor Tweedy	- Aye

Trustee Pombonyo offered Resolution No. 2017-33 authorizing settlement of certiorari petition made by 406 GROUP, LLC/406 Jericho Turnpike, LLC property known as Section 32 Block 82 Lot Nos. 1a-6a, 1b-6b and Section 32, Block 82 Lot Nos. 7-8 wherein it is agreed that upon the payment of lump sum of \$5,000; the assessment value be set at the reduced amount of 100,000 for the 2017/18 tax year; and petitioner will discontinue proceedings for tax years 2014/15 through 2016/17.

The Resolution was seconded by Trustee Cheng and adopted on roll call as follows:

Trustee Fitzgerald	- Aye
Trustee Longobardi	- Aye
Trustee Pombonyo	- Aye
Trustee Cheng	- Aye
Mayor Tweedy	- Aye

Trustee Cheng offered Resolution No. 2017-34 authorizing settlement of certiorari petition made by FLORAL PLAZA, LLC property known as Section 8, Block 64 Lot No. 424 (335 Jericho Turnpike) wherein it is agreed that upon the payment of lump sum of \$7,679.00 covering tax years 2010/11 through 2016/17; the assessment value be reduced at \$28,057 for tax years 2017/18 through 2019/20; and petitioner will not file proceedings during 2017/18 through 2019/20 tax years.

The Resolution was seconded by Trustee Fitzgerald and adopted on roll call as follows:

Trustee Fitzgerald	- Aye
Trustee Longobardi	- Aye
Trustee Pombonyo	- Aye
Trustee Cheng	- Aye
Mayor Tweedy	- Aye

Trustee Fitzgerald offered Resolution No. 2017-35 authorizing settlement of certiorari petition made by FLORAL APT. OWNERS CORP. (33 Floral Blvd.) property known as Section 32, Block 126 Lot 23 wherein it is agreed that upon the payment of lump sum of \$15,000 covering tax years 2010/11 through 2016/17; an 11,000 assessment value reduction for tax year 2017/18; and the petitioner will not file proceedings for tax years 2017/18 through 2019/20 if the assessment value is reduced to \$214,000.

The Resolution was seconded by Trustee Longobardi and adopted on roll call as follows:

Trustee Fitzgerald	- Aye
Trustee Longobardi	- Aye
Trustee Pombonyo	- Aye
Trustee Cheng	- Aye
Mayor Tweedy	- Aye

Trustee Longobardi offered Resolution No. 2017-36 authorizing settlement of certiorari petition made by CHRISTOPHER DAILY, EDMUND DAILY & CYNTHIA DAILY properties known as Section 32, Block 57 Lot Nos 473 & 475 and Section 32, Block 58 Lot Nos. 419 – 424 (130 Jericho Turnpike) wherein it is agreed that upon the payment of lump sum of \$6,750.00; the assessment value reduced at 105,000 for tax year 2017/18; and proceedings for tax years 2012/13 through 2016/17 will be discontinued.

The Resolution was seconded by Trustee Pombonyo and adopted on roll call as follows:

Trustee Fitzgerald	- Aye
Trustee Longobardi	- Aye
Trustee Pombonyo	- Aye
Trustee Cheng	- Aye
Mayor Tweedy	- Aye

Trustee Longobardi offered Resolution No. 2017-37 authorizing settlement of certiorari petition made by BFL REALTY, LLC property known as Section 32 Block 52 Lot Nos. 494-497 (100 Jericho Turnpike) wherein it is agreed that upon the payment of lump sum of \$13,000; the proceedings for tax years 2011/12 through 2016/17 be discontinued; the assessment value be reduced to 60,000 for tax years 2017/18 through 2019/20 and petitioner will not file proceedings for said years.

The Resolution was seconded by Trustee Cheng and adopted on roll call as follows:

Trustee Fitzgerald	- Aye
Trustee Longobardi	- Aye
Trustee Pombonyo	- Aye
Trustee Cheng	- Aye
Mayor Tweedy	- Aye

Trustee Cheng offered Resolution No. 2017-38 authorized settlement of certiorari petition made by JOHN & NORA O'DONNELL property known as Section 32 Block 50 Lot 280 (26 Carnation Avenue) wherein it is agreed that upon the payment of lump sum of \$17,000; the assessment value will be reduced by 18,000 for tax year 2016/17; petitioner will not file proceedings for tax years 2016/17 through 2018/19 if assessment value is reduced to 100,000 during said years; and proceedings for tax years 2009/10 through 2015/16 will be withdrawn upon correction of 2016/17 tax bill.

The Resolution was seconded by Trustee Fitzgerald and adopted on roll call as follows:

Trustee Fitzgerald	- Aye
Trustee Longobardi	- Aye
Trustee Pombonyo	- Aye
Trustee Cheng	- Aye
Mayor Tweedy	- Aye

Trustee Fitzgerald offered Resolution No. 2017-39 authorizing settlement of certiorari petition made by RUECK REALTY LP property known as Section 32 Block 47 Lots 18-21 (42 Jericho Turnpike) wherein it is agreed that upon payment of lump sum of \$5,000 the proceedings for tax years 2014/15 through 2015/16 will be discontinued.

The Resolution was seconded by Trustee Longobardi and adopted on roll call as follows:

Trustee Fitzgerald	- Aye
Trustee Longobardi	- Aye
Trustee Pombonyo	- Aye
Trustee Cheng	- Aye
Mayor Tweedy	- Aye

Trustee Longobardi offered Resolution No. 2017-40 authorized settlement of certiorari petition made by TYSON HOLDING, LLC properties known as Section 8 Block 56 Lots 31, 33 & 34 and Section 8 block 74 Lots 1-4 (35 & 17 N. Tyson Avenue) wherein it is agreed that upon payment of lump sum of \$5,300; that the assessment value for Block 56 Lots 31, 33 & 34 assessment value will be reduced by 1,370 to 25,980 for tax year 2017/18; and that the assessment value for block 74 Lots 1-4 will be reduced by 3,380 to 64,270 for tax year 2017/18; and that petitioner will not file proceedings for tax years 2017/18 through 2019/20 if aggregate assessment remains at 90,250; and that for both said properties proceedings will be discontinued for tax years 2008/09 through 2010/11 and that all proceedings for tax years 2011/12 through 2016/17 be withdrawn.

The Resolution was seconded by Trustee Pombonyo and adopted on roll call as follows:

Trustee Fitzgerald	- Aye
Trustee Longobardi	- Aye
Trustee Pombonyo	- Aye
Trustee Cheng	- Aye
Mayor Tweedy	- Aye

Trustee Longobardi offered Resolution No. 2017-41 authorizing settlement of certiorari petition made by 31 STEWART STREET, LLC properties known as Section 32 Block 116 Lots 40,42, 48, 49, & 453 wherein it is agreed that upon payment of lump sum of \$13,000; that assessment value will be reduced by 10,000 to 105,000; that petitioner will not file proceedings for tax years 2017/18 through 2019/20 if assessment remains at 105,000; and that proceedings for tax years 2009/10 through 2010/11 are discontinued and proceedings for tax years 2011/12 through 2016/17 are withdrawn without any costs.

The Resolution was seconded by Trustee Cheng and adopted on roll call as follows:

Trustee Fitzgerald	- Aye
Trustee Longobardi	- Aye
Trustee Pombonyo	- Aye
Trustee Cheng	- Aye
Mayor Tweedy	- Aye

Trustee Cheng offered Resolution No. 2017-42 authorizing settlement of certiorari petition made by 2 JERICHO TURNPIKE ASSOC., LLC property known as Section 32 Block 41 Lot 175A wherein it is agreed that upon payment of lump sum of \$14,000; that the assessment value will be reduced by 21,000 to 84,000; that petitioner will not file proceedings if assessment value remains at 84,000 for tax years 2017/18 through 2019/20; and that proceedings for tax years 2008/09 through 2010/11 are discontinued and proceedings for tax years 2011/12 through 2016/17 are withdrawn without any costs.

The Resolution was seconded by Trustee Fitzgerald and adopted on roll call as follows:

Trustee Fitzgerald	- Aye
Trustee Longobardi	- Aye
Trustee Pombonyo	- Aye
Trustee Cheng	- Aye
Mayor Tweedy	- Aye

Trustee Fitzgerald offered Resolution No. 2017-43 authorizing settlement of certiorari petition made by GRS LLC property known as Section 32 Block 68 Lot 4 (284 Jericho Turnpike) wherein it is agreed that upon payment of lump sum of \$9,000; that the assessment value be reduced by 8,200 to 23,000 for tax years 2017/18 through 2019/20 with petitioner not filing proceedings during these years; and that proceedings for tax years 2011/12 through 2016/17 will be discontinued.

The Resolution was seconded by Trustee Longobardi and adopted on roll call as follows:

Trustee Fitzgerald	- Aye
Trustee Longobardi	- Aye
Trustee Pombonyo	- Aye
Trustee Cheng	- Aye
Mayor Tweedy	- Aye

Trustee Longobardi offered Resolution No. 2017-44 authorizing settlement of certiorari petition made by JAMES R. KLEIN property known as Section 32 Block 68 Lot 8 wherein it is agreed that upon payment of lump sum of \$10,000; that the assessment value will be reduced by 13,300 to 21,000; that petitioner will not file proceedings for tax years 2016/17 through 2018/19 if assessment value remains at 23,000 for said tax years; and that proceedings for tax years 2009/10 through 2015/16 will be withdrawn.

The Resolution was seconded by Trustee Pombonyo and adopted on roll call as follows:

Trustee Fitzgerald	- Aye
Trustee Longobardi	- Aye
Trustee Pombonyo	- Aye
Trustee Cheng	- Aye
Mayor Tweedy	- Aye

Trustee Pombonyo offered Resolution No. 2017-45 approving the proposal submitted by Level G. Associates regarding the Parking Study for the Village of Floral and authorizing Village Administrator Gerard Bambrick to sign same.

The Resolution was seconded by Trustee Pombonyo and adopted on roll call as follows:

Trustee Fitzgerald	- Aye
Trustee Longobardi	- Aye
Trustee Pombonyo	- Aye
Trustee Cheng	- Aye
Mayor Tweedy	- Aye

Trustee Longobardi offered Resolution No. 2017-46 authorizing the use of the services of Munistat for SEC Filing of Annual Information Statement regarding the issuance of the Village's serial bonds for 2017/2018 in the amount of \$1,750.00 and for Village Administrator/Treasurer Gerard Bambrick to sign the contract.

The Resolution was seconded by Trustee Cheng and adopted on roll call as follows:

Trustee Fitzgerald	- Aye
Trustee Longobardi	- Aye
Trustee Pombonyo	- Aye
Trustee Cheng	- Aye
Mayor Tweedy	- Aye

Trustee Longobardi offered Resolution No. 2017-47 authorizing the payout of earned accrued time for John Daunt who retired as of January 28, 2017:

7 vacation days at daily rate of \$256.80 = \$1,797.60

The Resolution was seconded by Trustee Cheng and adopted on roll call as follows:

Trustee Fitzgerald	- Aye
Trustee Longobardi	- Aye
Trustee Pombonyo	- Aye
Trustee Cheng	- Aye
Mayor Tweedy	- Aye

Trustee Cheng offered Resolution No. 2017-48 authorizing the payout of earned accrued time for Matthew Kuehnlenz who resigned as of February 7, 2017:

24 sick days at daily rate of \$165.05	=	\$3,961.20
2 personal days at daily rate of \$165.05	=	330.10
1 floating holiday at daily rate of \$165.05	=	<u>165.05</u>
<b>TOTAL</b>		<b>\$4,456.35</b>

The Resolution was seconded by Trustee Fitzgerald and adopted on roll call as follows:

Trustee Fitzgerald	- Aye
Trustee Longobardi	- Aye
Trustee Pombonyo	- Aye
Trustee Cheng	- Aye
Mayor Tweedy	- Aye

Trustee Cheng offered Resolution No. 2017-49 authorizing the payout of earned accrued time for Robert Reilly who retired as of February 18, 2017:

83 sick days at daily rate of \$282.56	=	\$23,452.48
2 perfect attendance days at daily rate of \$282.56	=	565.12
1 floating holiday at daily rate of \$282.56	=	<u>282.56</u>
<b>TOTAL</b>		<b>\$24,300.16</b>

The Resolution was seconded by Trustee Longobardi and adopted on roll call as follows:

Trustee Fitzgerald	- Aye
Trustee Longobardi	- Aye

Trustee Pombonyo	- Aye
Trustee Cheng	- Aye
Mayor Tweedy	- Aye

Trustee Fitzgerald offered Resolution No. 2017-50 authorizing a salary increase to Police Commissioner Stephen McAllister to \$245,000.00.

The Resolution was seconded by Trustee Longobardi and adopted on roll call as follows:

Trustee Fitzgerald	- Aye
Trustee Longobardi	- Aye
Trustee Pombonyo	- Aye
Trustee Cheng	- Aye
Mayor Tweedy	- Aye

On motion by Trustee Fitzgerald, seconded by Trustee Longobardi, and carried unanimously, the Board approved the request of the Knights of Columbus to hold the James Rhatigan 5K Race on Saturday, October 28, 2017 at 9:00 am, with race route to be determined by the Police Commissioner and J. Fekert.

The Board of Trustees duly acknowledged that the 2017/2018 Tentative Assessment Role was filed with the Village Clerk on Tuesday, January 31, 2017 as follows:

**2017/2018 Tentative Assessment Role**

Tax Roll 2016 Total Assessment	205,717,513		Changes	
2016 Special Franchise	8.6	-2137235	Sp. Franchises	-53049
2017 Special Franchise	8.08	2084186	Small Claims	-18,926
2016 Changes in Assessment		<b>604374</b>	Certiorari	-73,300
			Assessment	696600
<b>2017 Total Assessment Value</b>		<b>206,268,838</b>		<b>604,374</b>

**LESS EXEMPTIONS**

Exemption	#	Exemption Total	Prior Year	Change
County Owned Property	7	1,120,600		
Village Owned Property	39	3,853,310		
School Owned Property	6	5,571,850		
US Post Office	1	415,800		
Industrial Development Co/PILOT	3	375,000		
Parsonages	3	127,200		
Church Owned Property	18	2,845,675	2843125	2550
Non-Profit Public Corps	5	220,600		
Veterans Organization	1	33,350		
Railroad Property	4	1,455,700		
Veterans Eligible Funds	159	464,175	498,125	-33,950
Veterans Basic Non Combat	251	319,556	329956	-10,400
Veterams Combat	151	313,025	340,782	-27,757
Veterans Disabled	34	167,190	163,638	3,552
Veterans Cold War	28	27,284	29,321	-2,037
Veterans Cold War Disability	3	7,238	7,238	0
Clergy Owned Homes	7	10,500	10,500	0
Volunteer Fire Dept	68	17,544	18,576	-1,032
Senior Citizens	112	1,685,111	1,712,618	-27,507
Handicapped Improvement	4	14,110	14,110	0
Tel Street Equip/Utility Property	1	942,300	942,300	0
				0
			<b>Total Changes</b>	<b>-96,581</b>
<b>Total Exemptions</b>		<b>19,987,118</b>		<b>0</b>

<b>Taxable Value 2017</b>	<b>186,281,720</b>
Taxable Value 2016	185,633,814
	<b>647906</b>

Trustee Cheng offered Resolution No. 2017-51 to amend Resolution No. 2016-287 authorizing Dvirka & Bartilucci Engineers, P.C. for design and engineering services for road improvements of Clayton Avenue for fiscal year 2017/2018; to include road reconstruction improvements on Locust Street and Mayflower Place as presented in Dvirka & Bartilucci's original proposal.

The Resolution was seconded by Trustee Longobardi and adopted on roll call as follows:

Trustee Fitzgerald	- Aye
Trustee Longobardi	- Aye
Trustee Pombonyo	- Aye
Trustee Cheng	- Aye
Mayor Tweedy	- Aye

There being no further business, Mayor Tweedy closed the meeting at 11:20 pm.

Susan E. Walsh  
Village Clerk

BOARD OF TRUSTEES

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X

In Re Application of

PAUL CAPOZIELLO,

**DECISION  
AND RESOLUTION**

For a Special Use Permit to Allow Alteration of  
an existing Restaurant Use.

This application is made under Section 99.10 of the Code for a Special Use Permit to allow the alteration of a building for restaurant use. The Applicants have submitted an affidavit from the owner of the subject premises, verifying the statements set forth in the application. The Applicants also submitted plans for the proposed alteration, which are on file with the Village. Applicant also delivered to the Board the mailing receipts and return cards of the notice sent to all owners of real property within a two hundred (200') foot radius of the subject premises.

Under the Zoning Code, a building may only be altered to allow a restaurant use following a public hearing and the grant of a Special Use Permit. This application for a Special Permit is made under Section 99-10.B. The property which is the subject of the application is located on the West side of Covert Avenue, 35.09 feet South of Beverly Avenue, known as 47 Covert Avenue, Floral Park, New York and identified as Section 32, Block 270 and Lots 160-170 on the Land and Tax Map of Nassau County.

Trustee Pombonyo offered the following resolution and moved its adoption:

**WHEREAS**, a public hearing was held on this application for November 1, 2016;

**WHEREAS**, by letter, dated November 3, 2016, the Nassau County Planning Commission deferred the matter to the Board of Trustees to take action as it deemed appropriate;

**WHEREAS**, a public hearing was held on this application on November 1, 2016, at which time the Applicant made a sworn presentation to the Board of Trustees;

**WHEREAS**, Members of the Board of Trustees have viewed and investigated the subject premises, its surroundings and other pertinent matters and circumstances in connection therewith;  
and

**WHEREAS**, the application and all testimony and exhibits presented at the hearing have been carefully considered and due deliberation given thereto.

**NOW, THEREFORE**, the Board of Trustees makes the following findings:

1. The subject property is in a B-1 District.
2. The Zoning Board of Appeals, as lead agency, has unanimously found that the application is a Type II action pursuant to SEQRA and has adopted a negative declaration.
3. The Nassau County Planning Commission recommended that the Village take whatever action it deems appropriate.
4. The adjoining property has been operated as a restaurant by the Applicant for several years.
5. The hours of operation have been 11:00 A.M. to 11:00 P.M. Sunday to Thursday. On Fridays and Saturdays it was 11:00 A.M. to 1:00 A.M.
6. At the outset of the hearing, it was confirmed that the Board of Trustees decision was contingent upon the grant of a variance by the Board of Zoning and Appeals for eleven (11) required parking spaces.
7. Subject to the condition set forth below, this Special Use Permit is granted.
8. The proposed use will not hinder or discourage the appropriate use and development of adjacent uses or impair their values.
9. The Board has considered the remaining standards set forth in Section 99-60 and finds that this application conforms with those standards.
10. This Decision and Resolution, as well as each and every condition set forth herein, may only be modified by the Board of Trustees following a public hearing.

**NOW, THEREFORE, BE IT RESOLVED**, that by reason of the foregoing, the Application of Paul Capozziello for a Special Use Permit to allow an existing building to be altered to a restaurant use is granted, subject to the conditions set forth below :

- A. Applicant shall obtain a parking variance for the Board from Zoning and Appeals.
- B. Refuse shall be collected by private carting company at the rear of the premises;
- C. The premises shall be consistent with the discussions and representations made at the public hearing;
- D. no amplified sounds or light shall interfere with any residential property.
- E. Employees of the Applicant shall not park at any metered parking spaces or

parking spaces to be used by customers, including those that are the subject of the variance before the Zoning Board of Appeals.

F. Hours of operation shall be 11:00 A.M. to 11:00 P.M. Sunday through Thursday; and 11:00 A.M. to 1:00 A.M. on Fridays and Saturdays. .

G. This Resolution shall become effective upon the granting of a full liquor license to the Applicant by the New York State Liquor Authority. Applicant shall consent to have said license limited to hours of operation as set forth in paragraph "F" above.

In the event of a violation of any of these conditions, this Special Use Permit shall be revoked.

The foregoing Resolution was seconded by Trustee Longobardi and adopted on a roll call as follows:

Mayor Thomas J. Tweedy	-	Aye
Trustee Dominick A. Longobardi	-	Aye
Trustee Kevin M. Fitzgerald	-	Aye
Trustee Lynn Pomponyo	-	Aye
Trustee Archie T. Cheng	-	Aye

Dated: February 7, 2017  
Floral Park, New York

Board of Trustees  
Incorporated Village of Floral Park

Final Decision and Resolution of Public Hearing officially filed in the Clerk's office of the Incorporated Village of Floral Park on November 8, 2017.

Susan E. Walsh  
Village Clerk