

October 6, 2020

A Public Hearing for the Board of Trustees regarding Proposed Local Law No. 2 of 2020 was held on the above date at 8:08 pm. The hearing was conducted in person and via ZOOM video-conference: <https://us02web.zoom.us/j/89923586534?pwd=WU5LT0NrWkRRUm9YSXp0aWhQUUx3dz09>, Meeting ID: 899 2358 6534 - Passcode: 208080 and via dial-in: +1 646 558 8656, Meeting ID: 899 2358 6534, Passcode: 208080.

Present: Mayor Dominick A. Longobardi, Trustees Kevin M. Fitzgerald, Lynn Pombonyo, Archie T. Cheng and Frank J. Chiara, Village Administrator Gerard M. Bambrick, Village Clerk Susan E. Walsh, Deputy Village Clerk Rosaleen Shea, Superintendent of Public Works Kevin Ginnane, Superintendent of Buildings Renee Marcus, Police Commissioner Stephen McAllister and Village Attorney John E. Ryan

Purpose: To consider the enactment of a local law known as Local Law No. 2 of 2020, entitled: "A Local Law to amend Sections 99-24.F. and 99-24.G. of the Village Code regarding the location of air conditioning equipment and generators on residential properties within the Village".

Trustee Fitzgerald offered Resolution No. 2020-185 adopting Local Law No. 2 of 2020 and to close the public hearing.

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

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

The hearing was closed at 8:13 pm.

A copy of the transcript and a copy of the legal notice of public hearing is attached and made a part of these minutes.

Susan E. Walsh
Village Clerk

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M I N U T E S
OF THE MEETING
OF THE
PUBLIC HEARING
INCORPORATED VILLAGE OF FLORAL PARK
October 6, 2020
8:00 p.m.

P R E S E N T:

DOMINICK LONGOBARDI, MAYOR
KEVIN M. FITZGERALD, DEPUTY MAYOR/TRUSTEE
ARCHIE T. CHENG, TRUSTEE
DR. LYNN POMBONYO, TRUSTEE
FRANK J. CHIARA, TRUSTEE

ALSO PRESENT:

JOHN RYAN, ESQ. Village Attorney
GERARD M. BAMBRICK, Village Administrator
SUSAN E. WALSH, Village Clerk
RENEE MARCUS, Supt. Public Works & Bldgs.
STEPHEN MCALLISTER, Police Commissioner

Catherine P. Murphy
Court Reporter

- 10/6/2020 - FLORAL PARK LOCAL LAW #2 of 2020 -

1 MAYOR LONGOBARDI: With that, I will go
2 with our second local law and I ask Miss Walsh
3 to open that public hearing.

4 MS. WALSH: Legal notice. Notice of
5 Public Hearing of Incorporated Village of
6 Floral Park, Local Law number 2 of 2020.

7 Please Take Notice that pursuant to
8 Article 9 of the New York State Constitution,
9 the provisions of the Code of the Incorporated
10 Village of Floral Park (Village) and the
11 Municipal Home Rule Law of the State of New
12 York, as amended, a public hearing will be held
13 in the Village Hall, One Floral Boulevard,
14 Floral Park on the 6th day of October, 2020 at
15 8:00 in the evening of that day to consider
16 enactment of a local law entitled, "A Local Law
17 amending Sections 99-24.F. and 99-24.G. of the
18 Code of the Incorporated Village of Floral
19 Park; that the Village designate itself as lead
20 agency for purposes of the State Environmental
21 Quality Review Act of the Environmental
22 Conservation Law of the State of New York; and
23 that a public hearing be held in the Village
24 Hall, One Floral Boulevard, Floral Park 11002
25 on the 6th day of October, 2020 at 8:00 in the

- 10/6/2020 - FLORAL PARK LOCAL LAW #2 of 2020 -

1 evening of that day, at which time all
2 interested persons shall be heard on the
3 enactment of the proposed local law and that
4 the Village Clerk give notice of such hearing
5 by publication thereof in The Herald Courier
6 and by posting such notice on the bulletin
7 board maintained by her for such purpose for at
8 least five days prior to the date of the
9 hearing.

10 This Local Law shall take effect
11 immediately upon its filing with the Secretary
12 of State. Dated September 25, 2020, Floral
13 Park, New York. By Order of the Board of
14 Trustees, Village of Floral Park, New York,
15 Susan E. Walsh, Village Clerk.

16 And this legal notice has been published
17 in the official paper of the Incorporated
18 Village of Floral Park, New York and posted
19 according to law and sent to the Nassau County
20 Planning Commission who recommended taking
21 action as deemed appropriate.

22 MAYOR LONGOBARDI: Thank you, Miss Walsh.
23 I would like to announce that the Board had
24 previously adopted a negative declaration
25 meaning that the proposed local law has no

- 10/6/2020 - FLORAL PARK LOCAL LAW #2 of 2020 -

1 significant impact upon the environment.

2 I wish to read the intent of the local
3 law. This amends the section of the code,
4 location of air conditioning equipment and
5 generators on residential properties within the
6 Village.

7 I would like to comment that we found a
8 need to have to do this and I want to thank the
9 Building Superintendent of Public Works, Renee
10 Marcus, for her work on this. As you know, air
11 conditioners and placement of air conditioners
12 and generators on anybody's property is guided
13 by the rules and regulations with the advent of
14 new split units and much better, different
15 noise level air conditioners and things like
16 that. We have been able to modify our law to
17 adopt to the new type of equipment that is out
18 there. That's what this is doing.

19 With that, I ask the Board if they have
20 any comments on this local law they wish to
21 enter into the record?

22 TRUSTEE CHENG: I would like to.

23 MAYOR LONGOBARDI: Okay.

24 TRUSTEE CHENG: This is long overdue. As
25 a real estate attorney, I felt with this whole

- 10/6/2020 - FLORAL PARK LOCAL LAW #2 of 2020 -

1 issue of legalizing air-conditioning units in
2 my practice and generators, as we all know,
3 there's no such thing as climate change and
4 storms get worse and worse. So, the idea of
5 having a generator now makes sense to
6 incorporate at this time. When you weigh the
7 split units and some of the central units, as
8 far as noise, in comparison to having your
9 neighbor with a window air conditioner at 20
10 something thousand BTUs, these new units are so
11 much quieter and it just makes sense to move in
12 that direction.

13 So, I applaud our Superintendent, Renee
14 Marcus, to bringing this to us. I have been
15 mentioning it for years. I am glad to see,
16 hopefully, this passes tonight.

17 MAYOR LONGOBARDI: Thank you, Trustee
18 Cheng. Any other Board members wish to speak?

19 TRUSTEE POMBONYO: I just have a question.
20 How will this impact current homeowners who may
21 have been in compliance and who might not be
22 going forward? Would they have to get new
23 equipment?

24 MS. MARCUS: No. This is less stringent
25 then it was previously.

- 10/6/2020 - FLORAL PARK LOCAL LAW #2 of 2020 -

1 MR. RYAN: I was going to say this,
2 Trustee. This makes it less restrictive. So,
3 if they're in compliance, they will be more in
4 compliance with this.

5 TRUSTEE POMBONYO: Thank you.

6 MAYOR LONGOBARDI: Thank you. And anybody
7 else? With that, I'll open it to the public.
8 Anyone who wishes to comment on this local law?
9 Okay.

10 That being said, I will ask for a motion
11 to close the public hearing and adopt the local
12 law.

13 TRUSTEE FITZGERALD: Did you have a
14 question? Okay.

15 MAYOR LONGOBARDI: I'm sorry. I apologize
16 for all the people on Zoom. If you have a
17 question, please raise your hand and enter a
18 question into the chat room. No questions.
19 Thank you all.

20 With that now, I will ask for a motion to
21 close the public hearing and adopt the local
22 law.

23 TRUSTEE FITZGERALD: So moved.

24 TRUSTEE POMBONYO: Second.

25 MAYOR LONGOBARDI: Miss Walsh, will you

- 10/6/2020 - FLORAL PARK LOCAL LAW #2 of 2020 -

1 please poll the Board.

2 MS. WALSH: Trustee Fitzgerald?

3 TRUSTEE FITZGERALD: Aye.

4 MS. WALSH: Trustee Pombonyo?

5 TRUSTEE POMBONYO: Aye.

6 MS. WALSH: Trustee Cheng?

7 TRUSTEE CHENG: Aye.

8 MS. WALSH: Trustee Chiara?

9 TRUSTEE CHIARA: Aye.

10 MS. WALSH: Mayor Longobardi?

11 MAYOR LONGOBARDI: Aye. Again, thank you
12 so much Renee for all your work on this and
13 John as well. Thank you very much. With that,
14 we are done with the public hearing. I thank
15 you so much.

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Certified to be a true and
18 accurate transcript of the proceedings.

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CATHERINE P. MURPHY
Court Reporter

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LEGAL NOTICE

**NOTICE OF PUBLIC HEARING OF
INCORPORATED VILLAGE OF FLORAL PARK
LOCAL LAW NO. 2 OF 2020**

PLEASE TAKE NOTICE that pursuant to Article 9 of the New York State Constitution, the provisions of the Code of the Incorporated Village of Floral Park (“Village”) and the Municipal Home Rule Law of the State of New York, as amended, a public hearing will be held in the Village Hall, One Floral Boulevard, Floral Park on the 6th day of October 2020 at 8:00 o’clock in the evening of that day, to consider enactment of a local law entitled: “A Local Law amending Sections 99-24.F. and 99-24.G. of the Code of the Incorporated Village of Floral Park; that the Village designate itself as lead agency for purposes of the State Environmental Quality Review Act of the Environmental Conservation Law of the State of New York; and that a public hearing be held in the Village Hall, One Floral Boulevard, Floral Park 11002 on the 6th day of October, 2020 at 8:00 o’clock in the evening of that day, at which time all interested persons shall be heard on the enactment of the proposed local law, and that the Village Clerk give notice of such hearing by publication thereof in The Herald Courier and by posting such notice on the bulletin board maintained by her for such purpose for at least five days prior to the date of the hearing.

This Local Law shall take effect immediately upon its filing with the Secretary of State.

DATED: September 25, 2020
Floral Park, New York

BY ORDER OF THE BOARD OF TRUSTEES
VILLAGE OF FLORAL PARK, NEW YORK
SUSAN E. WALSH
VILLAGE CLERK