

INCORPORATED VILLAGE OF FLORAL PARK
Board of Trustees Minutes
Tuesday, September 7, 2021 8PM
IN -PERSON ATTENDANCE IS PERMITTED - Village Hall Courtroom
If Unvaccinated, Masks are Required

<https://us02web.zoom.us/j/89988788342?pwd=LzY4ZlAyenI1UHFXcnRIYUdHYXFVUT09>

Meeting ID: 899 8878 8342; Passcode: 957812; Dial-in: +1 646 558 8656 US (New York);

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The Mayor opened the meeting at 8PM and led all in the Pledge of Allegiance. The Mayor asked all for a moment of silence to remember Floral Park native, US Army Pfc. Arthur Kearney, who perished in a Chinook helicopter crash in Pegnitz, Germany on August 18, 1971. On the 50th Anniversary, the officials of Pegnitz held a memorial service in honor of those who died with members of Arthur's family in attendance.

Present were Mayor Kevin M. Fitzgerald, Trustees Lynn Pombonyo, Archie Cheng, and Jennifer Stewart, Village Administrator Gerard M. Bambrick, Village Clerk Susan Walsh, Deputy Village Clerk Rosaleen Shea, Superintendent of Public Works Kevin Ginnane, Deputy Superintendent of Public Works Joseph O'Grady, Superintendent of Buildings Renee Marcus, Police Commissioner Stephen McAllister and Village Attorney John Ryan. Trustee Frank J. Chiara was excused with notice.

Trustee Pombonyo was honored to offer Resolution No. 2021-168 to authorize the hiring of Thomas J. Fallon as a police officer in the Floral Park Police Department at the contractual rate of \$66,082.00 effective September 8, 2021 with a probationary period of 18 months.

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

Trustee Pombonyo	- Aye
Trustee Cheng	- Aye
Trustee Chiara	- Excused
Trustee Stewart	- Aye
Mayor Fitzgerald	- Aye

The Mayor then opened the Special Use Permit Public Hearing regarding the application of 139 Jericho Turnpike. Minutes attached hereto.

At 9:03PM immediately following the Public Hearing, the Regular Meeting of the Board of Trustees began.

On motion by Trustee Cheng, seconded by Trustee Stewart, and carried, the Board approved the Minutes held on August 10, 2021 for the Public Hearing – Local Law #2 of 2021; Public Hearing – Local Law #3 of 2021, and the Regular Board of Trustees Meeting; and on August 11, 2021 - Work Session.

Trustee Stewart offered Resolution No. 2021-169 approving the Schedule of Accounts Payable:

As of 8/30/2021:

General Fund	\$2,236,570.70
Pool Fund	\$ 167,487.64
Capital Fund	<u>\$ 156,480.60</u>
Total:	\$2,560,538.94

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

Trustee Pombonyo	- Aye
Trustee Cheng	- Aye
Trustee Chiara	- Excused

Trustee Stewart - Aye
 Mayor Fitzgerald - Aye

On motion by Trustee Pombonyo, seconded by Trustee Cheng, and carried, the Board approved the use of public facilities as follows:

- Mary Quinn’s Mark Foundation to use the Recreation Center on Fridays beginning October 1st through June 2022 from 12:00 pm to 2:00 pm subject to receipt of certificate of insurance, CDC and Dept. of Health guidelines; and

-Wednesday Mothers’ Club to use the parking lot opposite the Recreation Center and barricades to hold a ‘Trunk or Treat’ event on Sunday, October 24, 2021 from 11 am to 4 pm subject to receipt of certificate of insurance, CDC and Dept. of Health guidelines.

On motion by Trustee Cheng, seconded by Trustee Stewart, and carried, the Board approved and/or ratified the below-listed block parties subject to CDC and Dept. of Health guidelines:

Date	Rain date	Block Location	Time
9/18/2021	9/19/2021	Oak Street (Between East Poplar St & Birch St)	11:00 AM-11:00 PM
10/2/2021	10/9/2021	Aspen Street (Between Birch St & East Poplar St)	11:00 AM-11:00 PM
9/18/2021	9/25/2021	Oak Street (Between Raff Ave & Landau Ave)	11:00 AM-11:00 PM
10/2/2021	10/16/2021	Hill Street (Between Tulip Ave & Marshall Ave)	11:00 AM -11:00 PM
9/18/2021	9/19/2021	Stewart Street (Between Plainfield & Pool & Garage Rd)	11:00 AM-11:00 PM

Trustee Stewart offered Resolution No. 2021-170:

WHEREAS, there are writs of certiorari pending in the Supreme Court of Nassau County against the Village of Floral Park (“the Village”), with respect to real property located at 176-178 Jericho Turnpike, Floral Park, (William Schuchman and Sally Schuchman, Trustees) identified as Section 32, Block 60, Lots 260-61 for tax years 2015/16 through 2021/22; and

WHEREAS, RYAN, BRENNAN & DONNELLY LLP, Village Attorneys, have negotiated a settlement of subject case; and

WHEREAS, the Village believes it is in the best interests to settle the outstanding writs upon the terms and conditions negotiated by the Village Attorneys to the Village.

NOW, THEREFORE, BE IT RESOLVED, that RYAN, BRENNAN & DONNELLY LLP, Village Attorneys, be and hereby are authorized to settle subject case for a lump sum of \$18,000.00 payable within ninety (90) days of service of the Notice of Entry of Judgment. Under this settlement, Petitioner agrees to discontinue all pending proceedings for tax years 2015/16 through 2021/22 inclusive.

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

Trustee Pombonyo - Aye
 Trustee Cheng - Aye
 Trustee Chiara - Excused
 Trustee Stewart - Aye
 Mayor Fitzgerald - Aye

Trustee Pombonyo offered Resolution No. 2021-171 accepting the letter of resignation from Domenick M. Cangemi, an Auto Mechanic Aide in the Public Works Department, effective August 27, 2021 and authorizing the payment of earned accruals in accordance with the CSEA contract as follows:

$$17.50 \text{ sick days @ } 60\% = 10.50 \text{ days x daily rate of } \$196.48 = \$2,063.04.$$

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

Trustee Pombonyo - Aye
 Trustee Cheng - Aye
 Trustee Chiara - Excused
 Trustee Stewart - Aye
 Mayor Fitzgerald - Aye

Trustee Cheng offered Resolution No. 2021-172 to award the Disposal of Yard Waste Bid contract to Westbury Paper Stock Corp, 173 School Street, Westbury, NY and to authorize the Village Administrator or Mayor to sign said contract.

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

Trustee Pombonyo - Aye
 Trustee Cheng - Aye
 Trustee Chiara - Excused
 Trustee Stewart - Aye
 Mayor Fitzgerald - Aye

Trustee Cheng offered Resolution No. 2021-173 to approve the standard work day for elected officials and appointed officials pursuant to Regulation 315.4 of the New York Codes, Rules and Regulations (NYCRR):

TITLE	NAME	Registration Number	Standard Work Day Hrs/Day	Term Begins/ Ends	Participates in Employer's time-keeping system (Y/N)	Days/ Month (based on Record of Activities)
Mayor	Kevin M. Fitzgerald		6	4/2021-4/2023	N	17.17 days
Trustee	Jennifer Stewart		6	4/2021-4/2022	N	4.2 days
Village Admin/Treas/Tax Collector	Gerard M. Bambrick		7	4/2021-4/2023	Y	20
Village Clerk	Susan Walsh		7	4/2021-4/2023	Y	20
Deputy Village Clerk	Rosaleen Shea		7	4/2021-4/2022	Y	20
Deputy Village Treas	Steven Arnone		7	4/2021-4/2022	Y	20
Deputy Assessor & Deputy Tax Collector	Michael Derby		7	4/2021-4/2022	Y	20
Clerk to Vil Justice	Joan McAllister		7	4/2021 – 4/2022	Y	20
Supt of Buildings	Renee Marcus		7	4/2021-4/2022	Y	20
Supt of Public Works	Kevin Ginnane		7	4/2021-4/2022	Y	20
Deputy Supt of Public Works	Joseph O'Grady		7	4/2021-4/2022	Y	20
Pool Director	Tom Dillon		8	4/2021-4/2022	Y	20

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

Trustee Pombonyo - Aye
 Trustee Cheng - Aye
 Trustee Chiara - Excused
 Trustee Stewart - Aye
 Mayor Fitzgerald - Aye

Trustee Pombonyo offered Resolution No. 2021-174 to ratify and approve the salary increases for Recreation Department employees effective 8/11/2021 as follows:

- William Wichart increase to \$20.00 hourly
- Brian Dunn increase to \$20.00 hourly
- John Kane increase to \$20.00 hourly

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

- | | |
|------------------|-----------|
| Trustee Pombonyo | - Aye |
| Trustee Cheng | - Aye |
| Trustee Chiara | - Excused |
| Trustee Stewart | - Aye |
| Mayor Fitzgerald | - Aye |

Trustee Cheng offered Resolution No. 2021-175 to authorize the payment of retirement pay of William Lauria effective 8/27/21 (subject to review) in accordance with the PBA contract.

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

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| Trustee Pombonyo | - Aye |
| Trustee Cheng | - Aye |
| Trustee Chiara | - Excused |
| Trustee Stewart | - Aye |
| Mayor Fitzgerald | - Aye |

Trustee Stewart offered Resolution No. 2021-176 to determine that the Inter-Municipal Agreement between the County of Nassau and the Village of Floral Park relating to the acquisition of license plate readers is a Type II action as that term is defined in SEQRA and will not have a significant effect on the environment, and to authorize the Village Administrator or Mayor to sign said Agreement.

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

- | | |
|------------------|-----------|
| Trustee Pombonyo | - Aye |
| Trustee Cheng | - Aye |
| Trustee Chiara | - Excused |
| Trustee Stewart | - Aye |
| Mayor Fitzgerald | - Aye |

Trustee Pombonyo offered Resolution No. 2021-177 to introduce Local Law #4 of 2021 amending Section 99-24.F of the Code regarding the placement of heating and cooling equipment on building facades.

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

- | | |
|------------------|-----------|
| Trustee Pombonyo | - Aye |
| Trustee Cheng | - Aye |
| Trustee Chiara | - Excused |
| Trustee Stewart | - Aye |
| Mayor Fitzgerald | - Aye |

Trustee Cheng offered Resolution No. 2021-178 to introduce Local Law #5 of 2021 to adopt Chapter 66-B of the Code of the Incorporated Village of Floral Park entitled 'Vacant Storefronts'.

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

- | | |
|------------------|-----------|
| Trustee Pombonyo | - Aye |
| Trustee Cheng | - Aye |
| Trustee Chiara | - Excused |
| Trustee Stewart | - Aye |

Trustee Stewart offered Resolution No. 2021-179 to determine that Local Law #4 of 2021 to amend Section 99-24.F of the Code of the Incorporated Village of Floral Park regarding the placement of heating and cooling equipment is a Type II action as that term is defined in SEQRA and will not have a significant effect on the environment.

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

Trustee Pombonyo	- Aye
Trustee Cheng	- Aye
Trustee Chiara	- Excused
Trustee Stewart	- Aye
Mayor Fitzgerald	- Aye

Trustee Pombonyo offered Resolution No. 2021-180 to determine that Local Law #5 of 2021 to adopt Chapter 66-B of the Code of the Inc. Village of Floral Park, entitled ‘Vacant Storefronts’ is a Type II action as that term is defined in SEQRA and will not have a significant effect on the environment.

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

Trustee Pombonyo	- Aye
Trustee Cheng	- Aye
Trustee Chiara	- Excused
Trustee Stewart	- Aye
Mayor Fitzgerald	- Aye

Trustee Cheng offered Resolution No. 2021-181 to authorize Village Administrator G. Bambrick to attend NYCOM’s Fall Training School from September 20th – September 24th with the registration fee of \$355.00 plus lodging and travel costs.

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

Trustee Pombonyo	- Aye
Trustee Cheng	- Aye
Trustee Chiara	- Excused
Trustee Stewart	- Aye
Mayor Fitzgerald	- Aye

Trustee Stewart offered Resolution No. 2021-182 to authorize Village Administrator to sign stipulation of agreement awarding employee, M. Kuehnlentz a stipend increase of \$6,021.00 as per terms and conditions of stipulation.

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

Trustee Pombonyo	- Aye
Trustee Cheng	- Aye
Trustee Chiara	- Excused
Trustee Stewart	- Aye
Mayor Fitzgerald	- Aye

Trustee Pombonyo offered Resolution No. 2021-183 to authorize the refund request of E. Rand for pool membership in the amount of \$95.00.

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

Trustee Pombonyo	- Aye
Trustee Cheng	- Aye
Trustee Chiara	- Excused
Trustee Stewart	- Aye

Trustee Pombonyo offered Resolution No. 2021-184 to grant the application for the Special Use Permit of Shane Moynagh, Owner, BJD Corp. for the property located at 6-8 Verbena Avenue known as Swing the Teapot subject to the terms and conditions set forth in the Decision and Resolution and signed, sworn affidavit of Mr. Shane Moynagh, a copy of which is attached hereto.

Trustee Cheng motioned to table Resolution 2021-184 to grant the Special Use Permit application for Swing the Teapot. Trustee Cheng explained the purpose for the motion was founded upon his concern that the applicant failed to follow Village rules in the past related to violations of the use the party room and amplification of sound for music.

There was no second motion to Trustee Cheng’s motion so the motion failed.

Trustee Pombonyo stated that she respected Trustee Cheng’s concerns but believes that the applicant will comply with the terms and conditions set forth in the Decision, Resolution and affidavit. She also stated that the Building Department is responsible to ensure enforcement. Mayor Fitzgerald also stated that the Police Department can assist with enforcement in the evenings and on weekends.

Resolution 2021-184 was seconded by Trustee Stewart and adopted on roll call as follows:

Trustee Pombonyo	- Aye
Trustee Cheng	- Abstain
Trustee Chiara	- Excused
Trustee Stewart	- Aye
Mayor Fitzgerald	- Aye

Conservation Society - Trustee Lynn Pombonyo

It's been a glorious summer at Centennial Gardens. But on Wednesday night, September 1st, both lower basins of the Gardens (right and left sides) flooded with about six feet of water. The water receded by Friday, leaving sediment, leaves, soil and some debris covering almost everything.

The Gardens were immediately closed to all but Village staff for now as we investigate and begin the clean-up process. Village Administrator Gerry Bambrick and Building Superintendent Renee Marcus received informative flooding clean-up guidelines from the NYS Department of Health. The Village will follow these guidelines to first do the necessary clean-up, then will work closely with the Conservation Society to begin to reopen it, first to our FPCS volunteers to care for and rebuild as needed. When it's safe and necessary repairs are completed, it will reopen for the public. We all hope this will be one day soon and we'll keep everyone posted.

Department of Public Works - Trustee Lynn Pombonyo

Thanks go to Department of Public Works Superintendent Kevin Ginnane, Deputy Superintendent Joe O'Grady, the supervisors and staff for their tremendous efforts and work in preparing for Storms Henri and Ida and working during those storms, including overnight, to clear and reclear storm drains, cut limbs from damaged trees and remove them, and assist residents with flooded basements and garages to cart away their damaged possessions immediately. Our 4 Village Studio weather station tells us we received 4.56 inches of rain and is a very useful source of information.

In addition to keeping our Village safe and clean following these two severe storms, DPW keeps our Village beautiful. Please take a moment to admire the eye-catching flowers and bushes that adorn our streets' islands, pocket parks and larger parks, and DPW's meticulous care of them. DPW will also continue to keep the outer gardens and lawns at Centennial Gardens looking beautiful, in cooperation with the FPCS volunteers, so that our residents may continue to enjoy walks along the outer brick path.

Chambers of Commerce and Our Businesses - Trustee Lynn Pombonyo

Our Building Department Superintendent, Renee Marcus sent out an informative August 27th fire reconstruction update which is posted on the fpvillage.org website and the Hillcrest Civic

Association facebook page. Ms. Marcus is awaiting the engineer's report on the viability of the remaining walls, expected this week.

SHOP AND DINE LOCAL continues to be our theme, and we thank all in the Villages of Floral Park and Stewart Manor for your generous support.

Recreation Department - Trustee Lynn Pombonyo

As summer in the park comes to an end, we thank Recreation Superintendent Kurt Meyfohr, Pool Director Tom Dillon, their supervisors and staffs for a mostly bright and sunny summer filled with individual and team park and pool activities, all designed for fitness and fun. The season ended today with a delicious luncheon and music for 150 enthusiastic seniors.

Our Floral Park Little League for four to sixteen year olds will celebrate a busy season with Awards Night at the park on Friday, September 17th at 7pm. Our Little Leaguers will all be honored for their softball and baseball achievements on the diamond. Special awards will go to both our 10U softball and baseball teams (that's 10 years old and under) for winning their District 29 championships; to this year's pitch-hit-and-run champions; to the MVP Mentor Volunteer Program leaders; and to those receiving Players Choice honors. A highlight of the evening will be the celebration of baseball pioneers Mrs. Jane DeMasi and Mrs. Anne Groshans, Floral Park's first female baseball managers. Congratulations to all!

Fall sports at the park promise more excitement with more Little League baseball and softball on Saturday mornings, Titans football, Youth Council touch football, Indians soccer, pickle ball, and tennis. Come to cheer for your favorite sports and teams!

Back To School - Trustee Lynn Pombonyo

As our Floral Park and Bellerose students of all ages return to school during these two weeks, we remind all of the importance of safe driving throughout our neighborhoods, and near our schools and school buses. Remember, traffic moving in both directions must stop for school buses with stop arms displayed and red lights flashing. Be especially aware of students who are crossing the street in front of stopped buses and those who are riding bicycles.

And, to our students and school staffs, we wish you all a happy, healthy, safe and very successful school year. Here's to you!

Third Track Project – Trustee Archie Cheng

Last week, the Village and 3TC entered into an agreement concerning the remaining heavy work at Tunnel Street. 3TC had been given access to Tunnel Street for the purposes of demobilizing their access area on the north side of the Hempstead Branch. That permission was given for 4 days and was to end today. I have attempted to communicate with them as to their progress but have not received a response. Considering we had the remnants of Ida last week, I would not be surprised if they did not need a little more time. As partial compensation, 3TC will either repave Tunnel Street and install approximately 75 feet of curbing and sidewalks or will reimburse the Village for the cost of same. The Village has also received reports from residents along the Hempstead Branch about different and louder noise from the trains and tracks. 3TC has explained that it is because the tracks need to be welded and adjusted which is not part of their responsibilities. That work has to be done by the MTA/LIRR. We are attempting to get a time table for the repairs from the MTA.

There will be a double track outage on the Main Line of the LIRR during the next 2 weekends. This will be the start of the actual Third Track installation in our Village and placement of supporting ballast.

Floral Park Fire Department – Trustee Archie Cheng

On Saturday, September 11, 2021 at 8:30AM, we will commemorate the 20th anniversary of the horrific attacks on our Nation with its annual remembrance. Please come to Village Hall for an hour of reflection, prayer and resolve as we pay tribute to all who fell that day and for those who continue to die, suffer and mourn.

At 6:30PM, please join us again at the Reliance Firehouse, as we conclude this day of remembrance.

Fire calls for August: Rescue 79, Rest of Department 24, Total 103.

Floral Park Library – Trustee Jennifer Stewart

I am happy to report that our Best Public Library of Nassau County banner has been delivered and installed. In person programming will be back to near pre pandemic levels this fall. One new

addition to the fall line up is an English as a Second Language literacy course taught by volunteers. This required registrants to take a proficiency test prior to the class at an alternative location. Please see the library's website or visit the library for more information. This fall is sure to be the best season yet for our wonderful library.

Pool Department – Trustee Jennifer Stewart

The 2021 summer season ended yesterday with the final jump attended by hundreds of residents. This summer was a fun and safe one for all. Our lifeguards were ever vigilant making **14** saves, none requiring emergency intervention.

The grounds were beautifully maintained by our staff and many members commented on the beautiful landscaping. Planning for the 2022 season will begin in the coming weeks. Thanks to all the members who attended all the many events at the pool this summer and we look forward to seeing you next summer.

Mayor Kevin Fitzgerald

Mayor Fitzgerald acknowledged the Floral Park Library being voted as Best Library in Nassau County coming as no surprise. The Library has done a tremendous job and he is happy that they were recognized. The Library always finds new ways to reinvent itself and is never resting on its laurels. It is always coming up with innovative and creative programs for the residents of Floral Park. Congratulations again to all of the staff at the Library.

The Mayor thanked the Floral Park Police Department for its terrific job during the recent storm in the marking out of the streets and dangerous conditions that motorists should not drive through. The members of the Police Department were “the eyes and ears on the ground” and coordinated with DPW Superintendent Ginnane and his staff to target remedial response to mitigate dangerous situations throughout the Village. Thanks again for the tremendous effort.

All are invited to attend the 9/11 Ceremony planned at Village Hall on Saturday 9/11/21 to honor the 20th anniversary. It is one hour long and I hope that many of our residents will attend.

Thank you to all of the members of the media here this evening. Thank you to Felix Procaccia of ‘Just the Facts Media’ and to Blank Slate Media.

At 9:42 pm on motion by Trustee Pombonyo, seconded by Trustee Cheng, and carried, the Board closed the business meeting and opened to the public.

At 9:56 pm Trustee Pombonyo motioned to go into Executive Session, seconded by Trustee Cheng and carried unanimously, the Board went into Executive Session.

Present were Mayor Kevin M. Fitzgerald, Trustees Lynn Pombonyo, Archie Cheng and Jennifer Stewart, Village Administrator Gerry Bambrick, Village Attorney John Ryan, Superintendent of Buildings Renee Marcus, Police Commissioner Steve McAllister, and Superintendent of Public Works Kevin Ginnane.

The Board discussed public works, police, pool and fire department personnel matters and litigation updates. Trustee Stewart motioned to come out of Executive Session, seconded by Trustee Pombonyo and carried unanimously. No action was taken.

The meeting ended at 11:40 pm.

Susan Walsh
Village Clerk