

INCORPORATED VILLAGE OF FLORAL PARK
Board of Trustees Minutes
Regular Meeting - March 16, 2022 at 8:00 pm
Village Hall Courtroom: IN -PERSON ATTENDANCE IS PERMITTED

<https://us02web.zoom.us/j/87419083058?pwd=dmR1ZUIUTDFZVkJydit1VUcrbWnkUT09>
Meeting ID: 874 1908 3058; Passcode: 865434; Dial-in: +1 646 558 8656 US (New York);
Meeting ID: 874 1908 3058; Passcode: 865434.

The Mayor opened the meeting at 8PM and led all in the Pledge of Allegiance.

Present were Mayor Kevin Fitzgerald, Trustees Lynn Pombonyo, Archie Cheng, Frank Chiara and Jennifer Stewart, Village Clerk Susan Walsh, Deputy Village Clerk Rosaleen Shea, Superintendent of Public Works Kevin Ginnane, Superintendent of Buildings Renee Marcus, Police Commissioner Stephen McAllister, Deputy Superintendent of Public Works Joseph O’Grady, Deputy Treasurer Steven Arnone and Village Attorney John Ryan. Village Administrator Gerard Bambrick attended remotely.

On motion by Trustee Pombonyo, seconded by Trustee Cheng, and carried unanimously, the Board approved the Minutes of Regular Board of Trustees Meeting held on Tuesday, March 1, 2022.

Trustee Cheng offered Resolution No. 2022-040 to approve the Schedule of Accounts Payable as follows:

General Fund	\$ 863,851.94
Pool Fund	\$ 148.82
Capital Fund	<u>\$ 37,769.50</u>
Grand total	\$ 901,770.26

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

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

On motion by Trustee Chiara, seconded by Trustee Stewart, and carried unanimously, the Board approved/ratified the request to use public facilities subject to receipt of certificate of insurance and CDC and Department of Health Guidelines as follows:

- i. Bridge Community Church to use Memorial Park for an Easter Celebration on Easter Saturday, April 16, 2022 from 2 pm to 5 pm;
- ii. Floral Park Chamber of Commerce to close Tulip Avenue from Plainfield Avenue to Verbena Avenue to hold its traditional Belmont Stakes Street Fair on Sunday, June 5, 2022 from 2 pm to 6 pm, rain or shine;
- iii. Flowerview Gardens Owners, Inc. to use Firefighters’ Hall to hold its annual meeting on Tuesday, April 26, 2022 from 6 pm to 8:30 pm;
- iv. Floral Park Historical Society to use the Recreation Center on March 10, 2022 at 1 pm to hold a board meeting;
- v. CSEA to use Village Hall Courtroom on Thursday, March 31, 2022 from 4 pm to 5 pm and use Firefighters’ Hall on Thursday, April 7, 2022 from 6 am to 5 pm to hold meetings;
- vi. Hance Family Foundation to use the Recreation Center (indoors) for their fundraising event on Saturday, May 14, 2022 or Sunday, May 15, 2022 only in the event of rain;
- vii. Boy Scout Troop 4 to use the Courtroom and Firefighters’ Hall for an Eagle Scout Court of Honor ceremony for 2 scouts on Saturday, May 7, 2022 at 4 pm;
- viii. My First School to use the Recreation Center’s parking field to hold their annual Truck Day on Friday, May 6, 2022 (RD Monday, May 9, 2022) for two sessions from 10 am -11:30 am and 12:30pm - 2 pm;
- ix. My First School to use the fields at Recreation Center for their annual Family Field & Family Fun Day on Friday, June 3, 2022 from 1 pm -3 pm;
- x. OLV School to use the Village Hall Courtroom to hold a ‘Mock Trial’ on Thursday, May 5, 2022 and/or Thursday, May 12, 2022 from 3 pm - 4 pm; and
- xi. John Lewis Childs School to use a section of the Recreation Center to hold a class trip, ‘Spring Fling’, on Tuesday, May 24, 2022 & Wednesday, May 25, 2022 from 8:30 am – 2:30 pm with rain dates on May 26, 2022 and May 27, 2022.

Trustee Stewart offered Resolution No. 2022-041 to certify the 2022/23 Final Assessment Roll in accordance with the Real Property Tax Law, Section 1410.

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

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

Trustee Pombonyo offered Resolution No. 2022-042 to introduce proposed Local Law #1 of 2022 to authorize the Village Board, if necessary, to override the tax cap imposed by the State of New York, which is presently 2.55% for Floral Park.

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

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

Trustee Cheng offered Resolution No. 2022-043 to determine that proposed Local Law #1 of 2022 authorizing the Village Board, if necessary, to override the tax cap imposed by the State of New York, which is presently 2.55% for Floral Park, is an unlisted action and will not have a significant effect on the environment as that term is defined in SEQRA.

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

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

Trustee Chiara offered Resolution No. 2022-044 to approve the proposal of D&B Engineers & Architects which amends the current design of Clayton Avenue and to be a part of the reconstruction projects for Hinsdale Ave, Spooner Street and Spooner parking lot in the amount of \$15,045 and authorize the Mayor or Village Administrator to sign same.

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

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

Trustee Stewart offered Resolution No. 2022-045 to grant the application for the Special Use Permit of Myrtelle Joseph for the property located at 170 Jericho Turnpike subject to the terms and conditions set forth in the Decision and Resolution.

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

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

Trustee Pombonyo offered Resolution No. 2022-046 to authorize the following refunds to:

- S. Goddard in the amount of \$60.00 for winter fitness program; and
- D. Dunne in the amount of \$50.00 for youth tiny tots class.

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

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

Board Reports/Farewell Tributes to Trustee Archie Cheng

Mayor's Report – Mayor Kevin Fitzgerald

There are two things I'd like to report on this evening.

First, I would like to congratulate Trustee Jennifer Stewart on her election as Trustee yesterday. I also would like to congratulate Mike Longobardi on his election as the newest Trustee (who we can now call "baby" Trustee) – welcome aboard.

Second, as Trustee Archie Cheng stated it was his last motion serving as Trustee tonight. Arch, thank you for everything you have done for this Board and for this Village. In December 2015, we lost Trustee Rhatigan and the Village was going through a lot with the Casino and the Third Track Project. Archie, you came in and hit the ground running and haven't stopped. I will always remember the time that we spent together. I thank you for all of your advice, counsel and friendship. Finally on behalf of my family, thank you for the decades, not years, the decades of service to our Village. Your impact on this Village has been amazing. For the thousands of lives that you have touched in Floral Park – thank you for that and best wishes!

Trustee Lynn Pombonyo

Good evening,

Archie, you have created the future for our children in your eighteen years of service as a Board member and president of the Floral Park-Bellerose School District Board of Education, while simultaneously serving as a Board member and president of the Sewanhaka Central High School District Board of Education for fifteen years. You welcomed our children to elementary school and, years later, shook many of their same hands as they walked across the stage and received their diplomas at the Floral Park Memorial High School graduation. You sent each one off to a future that you worked passionately and endlessly to create. That will surely be your greatest gift and legacy forever. From the bottom of our hearts, we thank you Archie, the love of your life Denise who is here with us tonight, and your extraordinary family also here tonight. May God bless you always.

And Archie, personally, during your decades of School Board service, thank you for bringing me to Floral Park and creating my future here as well.

- Deputy Mayor Lynn Pombonyo

Trustee Frank Chiara

Archie, since you moved into our community back in 1978, you've shown your commitment and concern to our Village. Your willingness to volunteer your time and be involved has been overwhelming. You volunteer as a sports coach, a member of the Fire Department & Rescue Company, a School Board trustee and now here with us a trustee on the Village Board – we cannot thank you enough for all that you have done for our Village. Thank you to your wife and to your family for being such a vibrant part of the Floral Park community. Personally, I would like to thank you for being such a knowledgeable mentor and a good friend to me. You have always been there to answer any questions or address any concerns I may have. All of your efforts have made the Village of Floral Park a great place to live and raise a family. I wish you all the best for your future. Once again, THANK YOU for all your years of service and dedication to our Village.

Trustee Jennifer Stewart

I'd like to start by thanking Archie for his many years of service to our community. Long before we met, you were volunteering your time and talents to the residents of Floral Park, coaching, the fire department, school board, thanks for always answering my questions when I attended those meetings years ago. I have been fortunate to have you next to me as I started on the Village Board, answering more questions, offering advice, my shoulder buddy. Thank you, Archie, you will be missed.

Trustee Archie Cheng

Tonight, will be the last time that I address the residents of our Village in any sort of official capacity and to thank them for the trust they have placed in me. For the past 44 years Denise and I have been extremely blessed to have lived in this Village, made a living, met and made so many dear friends and to have raised our children. Whether it was being a Coach, Board member of youth sports leagues, volunteer firefighter, School Board Trustee, Village Prosecutor and finally a Village Board Trustee, I truly have loved every moment spent trying to contribute in whatever small way I could so that Floral Park remains a GREAT PLACE TO LIVE AND RAISE A FAMILY.

I have had the privilege to have worked and served with so many pillars of our community; names like Hayden, Corbett, Powers, Herbst, McDonald, Minogue come to mind; who instilled in me the desire to serve, to be a leader and most importantly, to remain steadfast in your beliefs and opinions while at the same time agreeing to compromise for the good of all (not so easy when you are a hard head).

I encourage everyone of our residents to get involved in and participate in whatever way you can to preserve our way of life. Everyone of us have talents, skills and passions and those traits, if utilized, will make for a better future for our Village.

In my opinion, the past six years on the Village Board may have been the hardest in the history of our Village. We faced the possibility of a Belmont casino, went through the environmental assessments and construction of the Third Track Project and redevelopment of Belmont Park and to top off everything, the COVID pandemic. We faced issues that could have disrupted our way of life, caused hardships we never could have imagined and that could have completely changed our beloved Village. I firmly believe that we did the best that we could as these disruptions were forced on us by forces much more powerful than us. While we were not always as successful as we wanted to be, we took every step in our power to mitigate the impacts.

I want to thank Mayors Fitzgerald and Longobardi, Trustees Pombonyo, Chiara and Stewart for all that they have done for me and for all of our residents. I want to thank our department heads, Justice Hayden, Renee Marcus, Kevin Ginnane, Kurt Meyfohrt, Pat Eren, Mike Derby, Jim Green, Steve McAllister, Mike Saville, our Village Administrator Gerry Bambrick, Village Clerk Susan Walsh, and all of our Village Office workers and employees for all of their assistance. Your efforts might appear to go unnoticed, but this Board sees your hard work, dedication, and commitment to this Village, every day.

My final expression of thanks goes to my wife, Denise, our three boys, Mike, Tim and Steve, their wives Cathy, Denelle and Genevieve, and our three grandchildren, Lyla, Margot and Connor. Without their support, encouragement and understanding I could not have done what I have loved to do for the past 44 years. I love you all and for better or worse, I will be around more.

At 8:15 pm on motion by Trustee Pombonyo, seconded by Trustee Cheng, and carried, the Board closed the business meeting and opened to the public.

Susan Walsh,
Village Clerk

**2022/2023
FINAL ASSESSMENT ROLL**

	Tax Roll 2021 Total Assessment		208,018,578				Changes
	2021 Special Franchise	6.74	(2,569,593)			Sp. Franchises	87,357
	2022 Special Franchise	5.99	2,656,950			Small Claims	-114,120
	2021 Changes in Assessment		<u>212,900</u>			Certiorari	-59,800
						Assessment	386,820
	2022 Total Assessment Value		208,318,835				212,900
	LESS EXEMPTIONS						
CODE	Exemption	#	Exemption Total	Prior Year			Change
13100	County Owned Property	7	1,120,600				
13650	Village Owned Property	38	3,705,810				
13800	School Owned Property	6	5,571,850				
11410	US Post Office	1	415,800				
18130	Industrial Development Co/PILOT	0	0				
21600	Parsonages	3	127,200				
25110	Church Owned Property	19	2,878,975				
25307	Non-Profit Public Corps	5	220,600				
26100	Veterans Organization	1	33,350				
27200	Railroad Property	4	1,455,700				
41103	Veterans Eligible Funds	94	291,700	306,100			-14,400
41123	Veterans Basic Non-Combat	206	270,826	281,626			-10,800
41133	Veterans Combat	119	263,940	278,640			-14,700
41143	Veterans Disabled	40	178,627	175,485			3,142
41163	Veterans Cold War	27	26,190	26,190			0
41173	Veterans Cold War Disability	3	9,414	9,414			0
41400	Clergy Owned Homes	7	10,500	9,000			1,500
41687	Volunteer Fire Dept.	87	22,446	22,446			0
41807	Senior Citizens	75	1,081,179	1,267,161			-185,982
41907	Handicapped Improvement	5	18,310	18,310			0
47760	Tel Street Equip/Utility Property	1	942,300	942,300			0
							0
						Total Changes	-221,240
	Total Exemptions		18,645,317				
							0
	Taxable Value 2022		189,673,518				
	Taxable Value 2021		189,152,021				
			521,497				

INCORPORATED VILLAGE OF FLORAL PARK
BOARD OF TRUSTEES

-----X

In Re Application of

MYRTELLE JOSEPH, d/b/a
MON REVE EVENTS VENUE, TENANT,

**DECISION
AND RESOLUTION**

For a Special Use Permit to Allow a Proposed
Change of Use in an Existing Building from
bank/office to a catering hall in a B-2 District.

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This application is made under Article IX, Section 99.60 of the Code for a Special Use Permit to allow a change of use in an existing building from a bank/office to a catering hall in a B-2 District. The Applicant has submitted an affidavit from Eshagh Malekan, sworn to December 9, 2021, verifying the statements set forth in the application. The Applicant also submitted plans, dated November 29, 2021, prepared and sealed by Reza Khamcy, Professional Engineer, and a survey, dated May 7, 1994, from Boro Land Surveying, P.C., licensed surveyor. 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 change in use to a catering hall may only be authorized by the Board of Trustees as a Special Use after a public hearing. This application for a Special Permit is made under Article IX, Section 99-11(B)(3) of the Zoning Code. The property which is the subject of the application is located on the southeast corner of Jericho Turnpike and South Tyson Avenue and is known as 166-170 Jericho Turnpike, Section 32, Block 60, Lots 263-266 on the Land and Tax Map of Nassau County (the "Premises").

Trustee Stewart offered the following resolution and moved its adoption.

WHEREAS, a public hearing was held on this application on February 1, 2022, at which time the Applicant made a sworn presentation to the Village Board of Trustees; and

WHEREAS, following the public hearing, the Applicant provided the Village Board of Trustees with a copy of the Lease Agreement, dated October 5, 2021, for the subject premises, which has been made a part of the record;

WHEREAS, by letter, dated January 12, 2022, the Nassau County Planning Commission deferred the matter to the Village Board of Trustees; and

WHEREAS, by Resolution dated January 4, 2022 and filed January 5, 2022, the Village Board of Trustees determined the matter to be a Type II action under SEQRA and adopted a negative declaration; and

WHEREAS, Members of the Village 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 Village Board of Trustees makes the following findings:

1. The Nassau County Planning Commission recommended that the Village take whatever action it deems appropriate.
2. After the Village Board of Trustee's jurisdiction of the case was confirmed, Applicant and his engineer made a presentation to the Board.
3. According to the Applicant's husband, Garry Saintus, the catering hall will only operate on Fridays, Saturdays and Sundays for private parties, like weddings, christenings, bridal showers and baptisms. Proposed hours of operation will be from 8:00 a.m. to 11:00 p.m. Such events will be scheduled during the week at the office at the premises, at which times the customer will be shown the catering facility.
4. There will be no kitchen at the facility and no on-premises cooking. There is no provision for garbage storage at the premises. According to the Applicant, prior to it being placed for pick-up by Village sanitation, any garbage generated at catering events will be removed by pick-up truck.
5. Liquor will be served at the premises and the Applicant intends to secure a liquor license. There will be no live music at the premises, even though the plans depict a very large (20' x 10') stage area with a lounge area in the center of the main floor.
6. The Applicant has 18 parking spaces assigned to it under the lease. There will be three to four employees on site.
7. The premises has a total occupancy capacity of 137. The Applicant's plan depicts seating for 99 patrons; but parties could be booked as so to bring the number of guests and waitstaff at any given party up to 137 people.
8. Charles Celano, and Steve Tominey spoke in opposition to the application.
9. Subject to the conditions set forth below, this Special Use Permit is granted.
10. The proposed use will not create a hazard; nor is it conflicting or incongruous to the surroundings, neighborhood or village.
11. The proposed use will not discourage the appropriate use and development of existing uses in the area or impair their values.

12. The Board has considered the remaining standards set forth in Section 99-60 and finds that this application conforms with those standards.

NOW, THEREFORE, BE IT RESOLVED, that by reason of the foregoing, the Application of Myrtelle Joseph, d/b/a Mon Reve Events Venue, Tenant, for a Special Use Permit to allow a change of use of an existing building from a bank/office to a catering hall in a B-2 District is granted, subjected to the following conditions:

1. The premises will not be open to the general public. Only private parties and events, such as weddings, baptisms, christenings and bridal showers will be held at the premises.
2. The premises will only have private parties and events on Fridays, Saturdays and Sundays between the hours of 8 a.m. and 11 p.m.
3. Applicant shall obtain the appropriate license from the New York State Liquor Authority (“SLA”) and Applicant agrees to have the liquor license issued by the SLA incorporate the restriction on days and hours of operation set forth in Condition “2” above.
4. There shall be no cooking of food on the premises.
5. No music shall be generated or amplified at the premises so as to be heard outside the premises.
6. The exterior of the premises shall be kept clear and free of debris at all times. Refuse shall be stored in a cooled room within the premises and not placed outside for pick-up except in accordance with the Public Works Schedule for garbage pick-up.
7. There shall be on-premises security guards at all times the catering facility is in operation.
8. There shall be no indoor smoking or vaping, consumption of cannabis or illegal drugs or possession of drug or vape paraphernalia.
9. Deliveries shall not occur before 8:00 a.m.
10. There shall not be any catering service or loitering permitted outside the building.

11. There shall be no use of the basement other than for storage or restrooms.
12. The parking lot shall be used for patron parking only. There shall be no outdoor dining, food/beverage service, music, dancing, or any other type of activity in the parking lot.
13. There shall be no change in use, alterations or construction done at the premises without written approval from the Building Department.

The violation of any of these conditions shall be the basis to seek revocation of the Special Use Permit pursuant to Section 99-60F of the Village Code.

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

Kevin M. Fitzgerald, Mayor	-	Aye
Lynn Pombonyo, Trustee	-	Aye
Archie Cheng, Trustee	-	Aye
Frank Chiara, Trustee	-	Aye
Jennifer Stewart, Trustee	-	Aye

Dated: March 16, 2022
 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 March 17,
 2022.

Susan E. Walsh
 Village Clerk