

**VILLAGE OF BELLEROSE
REGULAR BOARD MEETING
50 Superior Road, Bellerose Village, NY 11001
October 17, 2016
7:30PM**

In Attendance:

Mayor Henry J. Schreiber
Deputy Mayor Joseph Juliano
Trustee Margaret Hagan
Trustee John Tweedy
Trustee Kenneth Moore
Village Attorney Richard Handler
Deputy Clerk Rosaleen Shea
Audience: 10

Mayor Schreiber opened the regular Board of Trustees Meeting at 7:34PM. He led all in the Pledge of Allegiance. He then asked for a moment of silence for the Armed Forces and First Responders who keep us safe every day.

Mayor Schreiber asked if there were any recording devices in the room. There were none.

On motion by Trustee Hagan seconded by Trustee Moore the Minutes of the September 19, 2016 Public Hearing/Regular Board Meeting of the Board of Trustees and the Minutes of the September 27, 2016 Special Board Meeting were unanimously approved.

Bills to be paid for the following period were reviewed and on motion by Deputy Mayor Juliano seconded by Trustee Tweedy, the bills were unanimously approved. These were:

General Fund Bills to be paid in the period

September 19-27, 2016	totaling	\$ 17,064.71
October 1-15, 2016	totaling	\$ 55,504.69

Treasurer's Report: September 2016:

General Fund:	\$ 1,417,608.26
Petty Cash:	\$ 500.00
Expenses:	\$ 182,897.88
Revenues:	\$ 32,973.60

Village Attorney's Report

Village Attorney Richard Handler reported the following:

- He is working on four tax certiorari cases on behalf of the Village and expects resolution of all four cases by the end of 2016.
- There are two small claims cases pending.

Mayor's Report

Mayor Schreiber discussed the following:

- The new owners of the property at One Huron Rd. have been identified. There is a fence issue among other jurisdictional issues related to the property and the Village and Building Inspector are investigating the matter.
- The Village of Bellerose will hold a Village Election on Tuesday, March 21, 2016 from Noon to 9PM at Village Hall, 50 Superior Road, for the election of officials for Mayor, two year term and two trustees, two year term(s). Election Resolution 16-10-17-1 on motion by Deputy Mayor Juliano seconded by Mayor Schreiber, the resolution was unanimously approved. See attached Resolution #16-10-17-1.
- Mayor Schreiber provided an update on the Bellerose Inn. The Mayor recently spoke to NYC Queens Council Member Barry Grodenchik regarding the status of the Section 8 housing at the Bellerose Inn on the Queens side of Jericho Turnpike. Councilman Grodenchik recently held a press conference to announce that the NYC Department of Homeless Services will phase out homeless families living in the Bellerose Inn by December 31, 2016. There were recent local news articles related to such and will stay very close to this issue and hopefully it is moving toward resolution. The Mayor has also been in contact with the Nassau County Third Precinct and asks all residents to call 911 if they witness any situations related to the Bellerose Inn. The Mayor has emailed the trustees and will keep the trustees and public informed as we move forward.
- The Mayor discussed the recent Public Hearing on September 19, 2016 related to the Hedge Law, BVC Chapter §124-1 (A)(3). Deputy Mayor Joseph Juliano stated that post public hearing he had circulated a proposal to the Board of Trustees to possibly amend the code to incorporate privacy and safety sight line issues. He is withdrawing the proposal after feedback from fellow trustees so there is no amendment proposed. The Mayor stated that after the public being heard, much discussion on the matter by and among the Board of Trustees and official statements from the Trustees being incorporated into the minutes from the September 19, 2016 Public Hearing on the matter, and allowing time since such hearing for the Board of Trustees to further comment; the Mayor motioned for the proposed Local Law # 2 of Year 2016:

A local law to amend Bellerose Village Code (BVC) Chapter 124 thereof by repealing §124-1 (A)(3) regarding the height of a hedge or bush where a driveway intersects a sidewalk. BE IT ENACTED by the Board of Trustees of the Inc. Village of Bellerose as follows:

- Section 1. Repeal BVC § 124-1 (A) (3)

Repealed.

- Section 2. Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State.

See attached Local Law # 2 of Year 2016. Deputy Mayor Juliano seconded the motion.

The Mayor stated that before roll call of the final vote, he asked for any statements from the trustees. Trustee Margaret Hagan stated that if the Board voted to repeal the law tonight that she intended to propose a Resolution that the Village incorporate in its record that the height requirements of a hedge or bush where a driveway intersects a sidewalk as stated in such repealed law serve as a guide or reference for properties as an alternative recommendation rather than a mandated law. After all trustees who wished to be heard, having been heard and there being no further discussion, on motion by Mayor Schreiber, seconded by Deputy Mayor Juliano, Local Law # 2 of Year 2016 was passed with the following vote:

Trustee Tweedy: Nay

Trustee Hagan: Aye

Deputy Mayor Juliano: Aye

Trustee Moore: Aye

Mayor Schreiber: Aye

Trustee Hagan proposed the following resolution.

RESOLUTION # 16-10-17-2.

WHEREAS, a motion was made at the July 18, 2016 Board of Trustee's meeting proposing the repeal of BVC 124-1(A)(3), which stated *"No hedge or bush shall be permitted to grow to a height greater than three feet above sidewalk grade within 10 feet of the point where a driveway intersects with a sidewalk"* and was tabled; and

WHEREAS, a nine month moratorium was placed on the enforcement of BVC 124-1(A)(3) at the Special Board Meeting of October 30, 2015; and

WHEREAS, a public hearing was held on September 19, 2016 to obtain input from the public regarding the proposed repeal of the BVC 124-1(A)(3); and

WHEREAS the motion to repeal BVC 124-1(A)(3) was raised again at the General Meeting of the Board of Trustees on October 17, 2016, and passed by a 4 to 1 vote in favor of repealing BVC 124-1(A)(3);

WHEREAS, a motion was made subsequent to the repeal of BVC 124-1(A)(3) at the General Meeting of the Board of Trustees on October 17, 2016 to maintain the required heights and bounds found in BVC 124-1(A)(3) as the RECOMMENDED heights and bounds through resolution rather than as law;

NOW THEREFORE BE IT RESOLVED, that in effort to support pedestrian safety, the heights and bounds previously found in BVC 124-1(A)(3), which required that no hedge or bush shall grow to a height greater than three feet above sidewalk grade within 10 feet of the point where a driveway intersects with a sidewalk, shall remain the RECOMMENDED height and bounds that Village residents should maintain in order to support pedestrian safety.

After all trustees who wished to be heard, having been heard and there being no further discussion, on motion by Trustee Hagan, seconded by Mayor Schreiber, Resolution # 16-10-17-2 of Year 2016 was passed with the following vote:

Trustee Tweedy: Aye	Trustee Hagan: Aye
Deputy Mayor Juliano: Aye	Trustee Moore: Nay
Mayor Schreiber: Aye	

Highway/Public Works Commissioner Report

Commissioner George Braun requested that residents be asked either by Mayor's Message and / or website to keep leaves away from the curbs and to keep catch basin gratings clear to facilitate rain water runoff.

Police Commissioner's Report

Commissioner Tamparo reported the following: September 2016

- 7 Parking violations issued
- 1 Moving violation issued
- 3 Accidents
- 1 Aided

Mayor Schreiber stated the following:

Parking tickets issued by Code Enforcement Officers

- September 2016 - 101 Tickets

Fire Department Report

Commissioner Christ read the following report:

- The BFD participated in the First Battalion Drill on September 23, 2016 at the Fire Academy.
- Former BF Firefighter Phil Ebel from Hudson Rd recently passed away and the BFD draped the purple bunting in his memory.
- BFD members are attending live burn training in Bethpage on Tuesdays in October.
- Firefighter Dalton Bascones is attending EMT training for seven hours every Saturday to attain EMT status with the achievement of 168 hours in total.
- There were two recent fire calls. On 9/20/16 at 11:20AM, there was a call to 75 Huron Rd for a stove fire, 10 members responded. On 9/21/16 at 02:56AM, there was a call to 7/11 on Jericho Turnpike. It was an auto alarm, alarm pulled, no issues found. 13 members responded.

Recreation Department Report

Mayor Schreiber extended his gratitude on behalf of the residents to Commissioner Morfessis (not present) for a great job on a successful Bellerose Village Day on September 17, 2016.

TRUSTEE REPORTS

Trustee Moore

- Trustee Moore reported that the Maintenance Department will begin fall leaf clean-up in a few weeks. The catch basins for homes that do not retain landscapers need to be addressed to avoid the catch basins filling up with leaves. Mayor Schreiber advised that the leaf dumping fees average \$6,000 annually. Both thanked Trustee Tweedy for the great job he does managing the Village Tree program and for the hard work of the Village Tree Board.
- Trustee Moore also reported that he heard a radio announcement on 10/10 WINS that hotel owner Khan reneged on his agreement in Maspeth regarding providing Section 8 housing to the homeless. He is concerned that Mr. Khan may renege on his agreement with NYC regarding the Bellerose Inn in the future. Trustee Moore is in support of use of the Bellerose Inn if domestically battered women and families living in Bellerose, Queens have a need for this temporary shelter, however bussing people in during the middle of the night from other boroughs is not a safe use. Mayor Schreiber commented that there had been a public hearing on a similar situation in the Rockaways. Trustee Hagan questioned why there had been no public hearing in Eastern Queens regarding the hotels on Jericho Turnpike.
- Mayor Schreiber reported that there had been some inquiries from a resident as to cars being parked on Boston Road recently. He has asked Code Enforcement to patrol the area and asked all residents to call 911 if they see someone suspicious or lost and in need of help.

Trustee Hagan – No report.

Deputy Mayor Juliano

Deputy Mayor Juliano reported that he met with the representative of Tri-State Window Factory who is the contractor for the replacement of 37 windows in Village Hall. The representative identified further sill water rot and damage to the vertical wood frames. A change order was approved and signed by the Board of Trustees for an additional \$1,400 for the sills and \$500 for the vertical frames. Installation is scheduled for mid-November due to the time it is taking for the special order of the brown color to match the Historical Register color of brown currently approved for Village Hall.

Trustee Tweedy

- Trustee Tweedy commented on the repeal of BVC § 124-1 (A) (3) as it relates to the hedge law. He noted that he was very disappointed in the vote to repeal BVC § 124-1 (A) (3). It was the first time he could remember that the Board has repealed a previously enacted law intended for the increased safety of pedestrians and children.
- Dreyer Tree Service has completed removal of the seven trees, including grinding stumps, that they were hired to take down.
- In late September with the help of Tree Board members, we generated a rather comprehensive tree trimming spreadsheet. This list of approximately 115 locations was created through personal observations walking throughout the village, observations of a professional arborist as well as residents' requests. The list also includes the removal of four large trees, and one small one hit by a truck.

Four tree pruning companies were contacted for proposals but only three responded. Dreyer Tree Service came in at \$12,610, Clearview Tree and Land proposed \$14,000 and Harder proposed \$23,500. Clearview works with a number of Villages and has gotten good recommendations from the Villages that Trustee Tweedy spoke with, including New Hyde Park.

Trustee Tweedy recommends that we continue with Dreyer for this autumn's tree trimming but Clearview could be a potential alternate vendor in the future. Usually, we find a few additional trees that need pruning as the tree cutter goes through the Village, so it is expected that the initial cost figure might go up slightly as we go through the process.

Tree expenditures are approximately \$10,000 to date, mostly on removals. Our current annual budget is \$27,000, so an expenditure of about \$13,000 for tree pruning would still leave \$4,000 remaining in the budget.

- The September 20th Tree Board meeting had to be cancelled due to a couple of members having to go to funerals. The next Tree Board meeting is scheduled for November 22, 2016.

Code Committee Report

Charles Puglisi reported on the progress of the Code Committee's review of the Village Code. See attached. Mayor Schreiber advised that the Code Committee is to be added to the monthly agenda going forward. See attachment in Board of Trustees 2016 Binder.

Announcements

Mayor Schreiber announced the following:

- COURT Session - Wednesday, October 19, 2016 at 6PM
- JWCB- Meeting - Thursday, October 27, 2016 at 7PM
- JBDDC Meeting - Tuesday, November 1, 2016 at 6:30PM
- Women's Club Meeting - Wednesday, November 9, 2016 at 1PM
- ARC Meeting - Wednesday, November 9, 2016 at 7PM
- Regular Board Meeting - Monday, November 21, 2016 at 7:30PM
- Tree Board Meeting - Tuesday, November 22, 2016 at 7:30PM

Announcements cont.

Village Hall to be closed on the following dates:

- **Tuesday, November 8, 2016 - Election Day**
- **Friday, November 11, 2016 - Veterans' Day**
- **Thursday, November 24, 2016 - Thanksgiving**
- **Friday, November 25, 2016 - Day after Thanksgiving**

The business meeting was adjourned at 8:25PM, on motion by Trustee Moore, seconded by Deputy Mayor Juliano and unanimously approved.

The meeting opened for public comment at 8:25PM.

Deanne Loos, 36 Ontario Rd., asked for clarification on the Village Code and its enforcement as it relates to burning outdoors. Mayor Schreiber responded that in the past that violations of the Village Code as it relates to noxious fumes are handled by the Justice Court. Ms. Loos also inquired as to how much the cost of the 37 Village Hall windows and is there a lifetime warranty? Deputy Mayor Juliano and Trustee Tweedy responded on both issues, \$27,700 total and yes, respectively.

Keri Perge, 69 Huron Rd., reported that she called 911 to report a questionable person on her block. Another neighbor had also called 911 on another occasion regarding a questionable individual. Ms. Perge reported that the Nassau County Police Department responded promptly to both calls. Ms. Perge also questioned why garbage on Jericho Turnpike is allowed to be placed on the sidewalk and not in receptacles. What can be done about this? The Mayor responded that he would look into this matter.

Trustee Hagan requested that she would like more reports from the Building Inspector regarding permit activity, especially in the commercial district on Jericho Turnpike. Mayor Schreiber responded that he would follow up with the Building Inspector regarding the waste disposal requirements of the new restaurant and the Code. He also advised that the Building Department will follow up to establish a channel of information reporting to the Board of Trustees.

Patricia Tweedy, 26 Huron Rd., reported that there has been garbage overflowing from Village receptacles on Jericho Turnpike. Mayor Schreiber advised that this is a recurring problem, which is difficult to control. Midland Carting picks up garbage there on Tuesday and Fridays and the weekend is a problem. He will follow up with Midland and the Maintenance Department on this matter.

Doug Christ, 88 Huron Rd., announced that the cable TV Series, "Falling Waters" debuted on the USA Channel this past week. Part of it was filmed on Hudson Rd and the BFD assisted in the explosion scene.

After all those who wished to be heard, having been heard and there being no further discussion, Trustee Tweedy motioned to close the public meeting. Deputy Mayor Juliano seconded the motion which passed unanimously. The meeting closed at 8:40PM.

Respectfully submitted,

Rosaleen Shea
Deputy Clerk