

**MINUTES OF THE
BOARD OF TRUSTEES MEETING OF THE
INC. VILLAGE OF RUSSELL GARDENS
NOVEMBER 5, 2020**

PRESENT David Miller, Mayor, Larry Chaleff, Deputy Mayor, Martin Adickman, Jane Krakauer, Matt Ellis, Trustees, Christine Blumberg, Village Clerk, Danielle Pennise, Secretary to Board of Trustees

ABSENT NONE

The Mayor opened the meeting at 8:00PM and read the following statement regarding procedures for this meeting:

Due to public health and safety concerns related to COVID-19, and pursuant to Governor's Executive Orders, including, without limitation Order 202.1 and 202.10 this meeting of the Village of Russell Gardens Board of Trustees is not being held in person. The Board is meeting by teleconferencing. The meeting will be recorded and a transcript will be provided at a later date. The public has the opportunity to observe the meeting live online and to submit comments, pursuant to instructions given on the Village website and in the meeting notice. The meeting Agenda is posted on the Village website at www.russellgardens.com.

The Village Clerk will now call the roll for attendance at this meeting by members of the Board and relevant village staff.

The Village Clerk called the roll.

MINUTES The minutes of the meeting held on October 1,2020 were received as recorded.

TREASURER REPORT Treasurer's report for the month of September, 2020 was distributed to the board for review.

**BUILDING
INSPECTOR**

PERMITS ISSUED

- (2) 14 Linford – Interior and Exterior alterations, plumbing
- 425 Northern Blvd. - Elevator replacement
- 58 Tain - Roof Replacement
- 27 Linford Rd. – tree removal
- 243 Northern – Sign
- (2) 237 Clent Rd. – kitchen renovation, plumbing
- 30 Wensley Dr. – dead tree removal
- 37 Tain Dr. – roof replacement
- 7 Dodford Rd. – rear yard tree removal
- 59 Tain Dr. – Replace oil boiler
- (2) 44 Wensley Dr. - Generator, gas connection
- 27 Tain Dr. – fence replacement
- 16 Dunster Rd. – Asphalt driveway replacement
- 235 Clent rd. – dead tree removals
- (2) 67 Tain Dr. – Generator, gas connection
- 2 Darley Rd. – replace CAC
- 18 Carlton Rd. – tree removal
- 14 Merrivale Rd. – Dumpster, replace damaged drywall & moldings
- (2) 180 S. Middle Neck Rd. #2M, Plumbing, bath renovations

C/C ISSUED

- 1 Darley Rd. – CAC, Interior Renovations, Plumbing

MAINT. REPORT

Ten Octagon Cedar poles ordered from Ryther and Purdy have been received. The poles have been treated with roof cement at the part of the base that is buried and Clear Wood Finish applied to the exposed portion of the poles to prolong the wood life. There will be additional pole change outs due to severe wood decay. The backhoe attachment to the Gehl 3640 had a main piston seal leak on the main lift boom. The crew removed 2 pistons to get to the bad one and had it sent out to Deer Park Hydraulics for rebuilding. This backhoe will be used to excavate holes to plant (6) new tree. The cost of the rebuilt piston was ½ the cost to have a new one manufactured. The village crew is in progress of removing tons of earth for regrading of the front of Village Hall landscaping. The crew relocated the flag pole to south west corner of the property, installed new low voltage lighting for the flag pole. The crew planted new evergreens on the south side of the new steps and added new low voltage floodlights for these plantings. New sprinkler heads and lines were installed for this side along with grass seed and fertilizer. A temporary handrail will be installed until spring for the new steps. The north side of the property is undergoing excavation at this time with proposed new shrubs and irrigation system with the addition of lighting for both walkways and plantings. The crew re-cemented the cobble stone curbing where trees fell from the last hurricane. They also poured new sidewalk slabs on Wensley near Tain and on Darley where trees that fell uplifted the sidewalk. The crew used the Village tow behind mixer to complete these jobs. The Village streets are swept almost daily as the fall season arrives. Minor sweeper maintenance is performed such as broom change outs due to wear.

Mayor Miller made the following comments:

- The following law allows the village to increase taxes more than state minimum
- This year state minimum is 1.5%
- Budget has not been done
- The goal is to keep tax increases very low

NEW BUSINESS

PUBLIC HEARINGS:

On motion by Larry Chaleff and seconded by Jane Krakauer it was:

RESOLVED to hold Public Hearing on December 3, 2020 at 8:00 PM on proposed Bill 2-2020, entitled "Tax Levy Limit Override"

VOTE OF THE BOARD OF TRUSTEES

AYE: MILLER, CHALEFF, ADICKMAN, KRAKAUER, ELLIS,

NAY: NONE

AWARD OF BID FOR 250XP BRUSH BANDIT (12" STYLE)

Mayor Miller made the following comments:

- A Brush Bandit is a Chipper
- 2 bids for the Chipper were received
- Have gotten other quotes
- Purchasing a chipper will allow the village crew to clean up after a storm quicker
- The village will pay for the Chipper and be reimbursed by CHIPS.

On motion by Larry Chaleff and seconded by Jane Krakauer it was:

RESOLVED, that the Board accepts the bid from Maltese Equipment Co, in the amount of \$41,440.00 for the village purchase of a **250 XP BRUSH BANDIT CHIPPER (12" DISC STYLE)** and it is further **RESOLVED**, that the Village Clerk is authorized to issue a purchase order for a **250 XP BRUSH BANDIT CHIPPER (12" DISC STYLE)** in accordance with this resolution.

VOTE OF THE BOARD OF TRUSTEES

AYE: MILLER, CHALEFF, ADICKMAN, KRAKAUER, ELLIS,

NAY: NONE

Request for Extension of Design Review Board Decision made on March 18, 2020 as it relates to Application of Caiying Liu - Premises located at 207 Clent Road, Great Neck NY

Mayor Miller made the following comments:

- There was an application for modification of 207 Clent
- Application to Design Review was made on March 18,2020
- It was approved on March 18,2020
- That was a 2nd revision
- Application was made for a building permit
- Building permit fee was not paid
- The Design Review Board approval expired after 3 months
- Five months after the original date the village received an extension request

On Motion by Larry Chaleff and seconded by Martin Adickman and unanimously approved the following resolution was adopted:

WHEREAS, Caiying Liu ("Applicant") is the owner of a parcel of real property situated on the west side of Clent Road (#207), and designated on the Nassau County Land and Tax Map as Section 2, Block 237, Lot 6 ("Premises"); and

WHEREAS, the Premises is situated in the Residence A District in the Incorporated Village of Russell Gardens ("Village"); and

WHEREAS, the Premises is improved with a single-family dwelling; and

WHEREAS, the Applicant applied to the Village Design Review Board ("DRB") to obtain design review approval for a proposed rear extension, changes to the exterior façade of the house and landscaping; and

WHEREAS, by resolution dated January 28, 2020, the DRB granted the application as depicted on the plans prepared by New Practice Group, dated November 11, 2019. The DRB also approved the landscape plan prepared by New Practice Group, dated November 11, 2019. The decision approving the application was filed in the Village Clerk's Office on January 28, 2020; and

WHEREAS, by resolution dated March 18, 2020, the DRB granted an amended plan which changed the windows at the rear extension from small pane windows to full pane windows as depicted on the plans prepared by New Practice Group, dated March 3, 2020. The decision was filed in the Village Clerk's Office on March 18, 2020; and

WHEREAS, pursuant to *Village Code* §16A-10, the applicant was required to obtain her permit within 90 days of the date of the decision being filed in the Village Clerk's Office. Therefore, the deadline to obtain the permit or request an extension of the DRB approval was June 16, 2020; and

WHEREAS, the Applicant did not obtain her permit and pay the requisite filing fees and also did not request an extension within said 90 days of the decision being filed in the Village Clerk's Office. Accordingly, the DRB approval expired on June 17, 2020; and

WHEREAS, by letter dated October 1, 2020, the Applicant's attorney submitted a late request for an extension of the DRB's approval; and

WHEREAS, the Board of Trustees conducted a meeting on November 5, 2020 to consider the Applicant's late request for an extension of the DRB approval; and

WHEREAS, the Applicant explained at the meeting that re-applying to the DRB would be a financial hardship, but conceded that her request for an extension was untimely.

NOW, THEREFORE, BE IT RESOLVED that the Applicant's request is hereby denied and the Applicant is required to file a new application with the DRB.

B/T11/05/20

VOTE OF THE BOARD OF TRUSTEES

**AYE: MILLER, CHALEFF, ADICKMAN, KRAKAUER, ELLIS,
NAY: NONE**

VOUCHERS

On motion by Larry Chaleff and seconded by Jane Krakauer it was

RESOLVED to approve disbursements from the checking account for the month of September, 2020 Check #'s 21272-21322; including Electronic transfers, Paychex Payroll, Direct Deposit; Total Disbursements \$105,461.92.

VOTE OF THE BOARD OF TRUSTEES

**AYE: MILLER, CHALEFF, ADICKMAN, KRAKAUER, ELLIS,
NAY: NONE**

2020-2021 Budget Modifications

On motion by Larry Chaleff and seconded by Martin Adickman it was:

RESOLVED to approve the attached 2020/2021 Budget Modifications as of 10/31/2020.

VOTE OF THE BOARD OF TRUSTEES

**AYE: MILLER, CHALEFF, ADICKMAN, KRAKAUER, ELLIS,
NAY: NONE**

LANDSCAPING AT VILLAGE HALL

On motion by Larry Chaleff and seconded by Jane Krakauer it was:

RESOLVED to approve re-grading and landscaping in front of the Russell Gardens Village Hall in an amount not to exceed \$5500.00.

VOTE OF THE BOARD OF TRUSTEES

**AYE: MILLER, CHALEFF, ADICKMAN, KRAKAUER, ELLIS,
NAY: NONE**

On motion by Larry Chaleff and seconded by Jane Krakauer it was:

RESOLVED to approve the installation of Wrought Iron railing at the steps in front of Village Hall in an amount not to exceed \$5200.00.

VOTE OF THE BOARD OF TRUSTEES

**AYE: MILLER, CHALEFF, ADICKMAN, KRAKAUER, ELLIS,
NAY: NONE**

On motion by Larry Chaleff and seconded by Jane Krakauer it was:

RESOLVED that notwithstanding any other provision of law to the contrary, with the consent of the Board of Trustees, the Secretary to the Board of Trustees shall not be required to be a resident of the Village of Russell Gardens, but shall be a resident of the County of Nassau or a county which adjoins the County of Nassau.

VOTE OF THE BOARD OF TRUSTEES

**AYE: MILLER, CHALEFF, ADICKMAN, KRAKAUER, ELLIS,
NAY: NONE**

B/T11/05/20

On motion by Larry Chaleff and seconded by Jane Krakauer it was:

RESOLVED to authorize the Mayor to settle and approve the refund of real property taxes for tax years 2013/14 through 2020/21 for (505 Northern Blvd) sec 2, Blk 359, Lot 16 with a lump sum refund of \$7000.00 and an assessment reduction of the subject property to \$1,850,000.

VOTE OF THE BOARD OF TRUSTEES

AYE: MILLER, CHALEFF, ADICKMAN, KRAKAUER, ELLIS,

NAY: NONE

APPOINTMENT TO DESIGN REVIEW BOARD

On motion by Larry Chaleff and seconded by Jane Krakauer it was:

RESOLVED to appoint Lydia Baklajian as a member of Design Review Board.

VOTE OF THE BOARD OF TRUSTEES

AYE: MILLER, CHALEFF, ADICKMAN, KRAKAUER, ELLIS,

NAY: NONE

On motion by Larry Chaleff and seconded by Jane Krakauer it was:

RESOLVED that Wensley Lane East is owned by the Village of Russell Gardens, is open to the traveling public without restriction, is the legal responsibility of the Village of Russell Gardens, and the Village of Russell Gardens accepts responsibility for the maintenance and repair of said road and **RESOLVED** to restore Wensley Lane East located in the Village of Russell Gardens to the New York State Department of Transportation 2020 Local Highway Inventory update and certification.

VOTE OF THE BOARD OF TRUSTEES

AYE: MILLER, CHALEFF, ADICKMAN, KRAKAUER, ELLIS

NAY: NONE

Respectfully submitted,

Christine Blumberg
Russell Gardens Village Clerk