

MINUTES OF SEPTEMBER 5, 2024
THE BOARD OF TRUSTEES
REGULAR MEETING AND PUBLIC HEARING
FOR THE
INC. VILLAGE OF RUSSELL GARDENS

PRESENT: Mayor David M. Miller, Deputy Mayor Larry Chaleff, Trustee Martin Adickman, Trustee Matt Ellis, Trustee Jane Krakauer, Village Clerk Treasurer Danielle Pennise

Mayor David M. Miller opened the meeting at 8:00 P.M. in Village Hall and Mayor Miller introduced two laws. The first law, **Local Law 4-2024** entitled “**Rental Registry**”, is to control rentals in our village, to limit short stay rentals.

If you rent, the owner must register with the village. Only rentals greater than a year are permitted.

Mayor Miller invited questions from the public.

Questions from the public were answered by Mayor Miller.

Mayor Miller closed the public hearing at 8:10 p.m.

Upon motion by **Larry Chaleff** and seconded by **Jane Krakauer**, and unanimously approved, **Local Law 4-2024** was adopted.

The second Law, **Local Law 5-2024**, to amend Russell Gardens Code Chapter 60, entitled “**Zoning**” was introduced by **Deputy Mayor Larry Chaleff**, which modifies zoning rules to allow for accessory structures. He highlighted what was permissible in the rear yard of the owner’s property and gave examples such as a gazebo, air conditioner, fire pit, pizza oven and hot tub as permissible structures.

These structures are allowed in the rear yard if they do not violate the side yard setbacks. In most properties in district A and AA, it requires a 10 ft. set back from the rear property line and for the B District, it requires a 3 ft. set back from the rear property line.

The local law provides height restrictions and defines detached garages as an accessory to the village. The law is structured with the intent for new construction to be built with an attached garage. As a result of this law, the owner does not have to go before the Zoning Board.

Deputy Mayor Chaleff invited questions from the public.

Questions from the public were answered by the Deputy Mayor.

Deputy Mayor Chaleff closed the public hearing for **Local Law 5-2024** at 8:15 p.m.

Mayor Miller proceeded with presenting the village's reports to the Board.

A motion was made by **Larry Chaleff** and seconded by **Jane Krakauer**, to accept the minutes of the Board of Trustees Meeting on July 11, 2024, Treasurers Report Ending June 30, 2024, and July 31, 2024, the Building Inspector's Report and Maintenance Report for the month of July 2024 and Aug. 2024.

Rachel Marfoglio, Partner at Skinnon & Faber CPA, P.C. presented an overview of the Draft of the Financial Statement and Audit Report for the Fiscal Year ending 2/29/2024.

The firm was hired by the Board to audit the period March 2023 to February 2024. The purpose of the audit is to express an opinion on whether the village is compliant with all audit pronouncements. The firm attests that the village financial statements are compliant with the required audit principles. In review of actual financial results compared to budget, for the Fiscal Year. It was noted, that \$125,000 in Fund Balance was budgeted to use and generated a Surplus of \$860,000 which brought the ending Fund Balance to \$3 Million. In the Management and Discussion Analysis, major variances are explained. Revenue was \$125,000 more than anticipated, which was contributed to a significant increase in interest rates in NYCLASS, which is held by the Village. This has been seen across all villages who hold NYCLASS. There was an increase of \$200,000 in licenses and permits, which was contributed to one large commercial permit. The largest expenditure variance was in Transportation for road work which the village did not begin. Lastly, a decrease in cost to the village was due to a change in personnel and the village switched health plans for retirees.

The Balance Sheet is extremely healthy. Total Fund Balance is just over \$3 Million of which the village has earmarked for future spending. \$1.5 Million is assigned for roadwork and equipment in this Year's Budget 2024/2025. The remaining assignments, the village has earmarked to spend funds for the village but not necessarily for this fiscal year. Lastly, The Government Wide Statements show all the activity on the fund statement with the addition of long-term activity, which includes capital assets and long-term liabilities. Other Post Employment Benefits, OPEBs is the village's liability for a future health benefit to retirees. The Village is required to hire an actuarial to prepare the calculation.

Questions were answered from the public by Rachel Marfoglio and Mayor David Miller.

Mayor Miller made several general comments about the Village. We are in good shape financially. We did not anticipate the major construction project at 277 Northern Blvd., which resulted in an increase in permit fees last year. Lastly, paving of the Village roads will take time, the village is currently undergoing road curbing, but the road project will proceed to next year.

Curbing has been completed on Wensley Dr., Melbourne Rd., most of Darley Rd., and Dunster Rd., and the contractor is scheduled to work on Clent Rd. followed by the cross streets.

The following resolutions were read by Mayor David Miller:

RESOLVED, that the Draft of the Inc. Village of Russell Gardens Financial Statements and Audit Report for the Fiscal Year Ending 2/29/24 prepared by Skinnon & Faber CPA, P.C. are accepted as presented.

A motion was made by Larry Chaleff and seconded by Jane Krakauer.

VOTE OF THE BOARD OF TRUSTEES:

AYE: DAVID MILLER, LARRY CHALEFF, MARTIN ADICKMAN, MATT ELLIS, AND JANE KRAKAUER

NAY: NONE

RESOLVED, to authorize the Mayor to enter into an agreement with Skinnon & Faber CPAs, P.C to perform an examination and audit of the financial statements of the Inc. Village of Russell Gardens, including preparation and filing of the Annual Financial Report (AFR), issuance of an auditor's report, and financial statements in conformity with GAAP for the year ended February 28, 2025 at a fee of \$13,900.

A motion was made by Larry Chaleff and seconded by Jane Krakauer.

VOTE OF THE BOARD OF TRUSTEES:

AYE: DAVID MILLER, LARRY CHALEFF, MARTIN ADICKMAN, MATT ELLIS, AND JANE KRAKAUER

NAY: NONE

Mayor Miller Commented, we have to provide a separate audit report for the court, monies that come into the court are relatively small in comparison to the village.

RESOLVED, to adopt the audit report prepared by Skinnon & Faber CPAs, P.C. for the Village Justice Court accounts of the Inc. Village of Russell Gardens for the Fiscal Year Ended 2/29/2024.

A motion was made by Larry Chaleff and seconded by Jane Krakauer.

VOTE OF THE BOARD OF TRUSTEES:

AYE: DAVID MILLER, LARRY CHALEFF, MARTIN ADICKMAN, MATT ELLIS, AND JANE KRAKAUER

NAY: NONE

RESOLVED, to authorize the Mayor to enter into an agreement with Skinnon & Faber CPAs, P.C to perform an annual examination of the court records and dockets of the Justice Court of the Inc. Village of Russell Gardens for the period March 2024 through February 2025 at a fee of \$950.

A motion was made by Larry Chaleff and seconded by Jane Krakauer.

VOTE OF THE BOARD OF TRUSTEES:

AYE: DAVID MILLER, LARRY CHALEFF, MARTIN ADICKMAN, MATT ELLIS, AND JANE KRAKAUER

NAY: NONE

RESOLVED, to approve \$195,145.76 total disbursements from the village's General Fund Checking Account at First National Bank of Long Island, for invoices paid in the amount of \$140,727.47 in July 2024, Check # 1000 to 1065 and electronic funds transfers in the amount of \$3,238.74 and Payroll disbursements of \$51,179.55 for three payrolls in July.

A motion was made by Larry Chaleff and seconded by Jane Krakauer.

VOTE OF THE BOARD OF TRUSTEES:

AYE: DAVID MILLER, LARRY CHALEFF, MARTIN ADICKMAN, MATT ELLIS, AND JANE KRAKAUER

NAY: NONE

RESOLVED, to approve \$155,803.02 total disbursements from the village's General Fund Checking Account at First National Bank of Long Island for invoices paid in the amount of \$121,772.79 in August 2024, Check # 1066 to 1089 and electronic funds transfers in the amount of \$308.23 and Payroll disbursements of \$33,722.00 for payrolls in August.

A motion was made by Larry Chaleff and seconded by Jane Krakauer.

VOTE OF THE BOARD OF TRUSTEES:

AYE: DAVID MILLER, LARRY CHALEFF, MARTIN ADICKMAN, MATT ELLIS, AND JANE KRAKAUER

NAY: NONE

RESOLVED, to authorize the Mayor to renew the Village Municipal Insurance Policy with Salerno Brokerage Corp. – Policy Dates 7/22/2024-7/22/2025 in the amount of \$41,558.25, total annual cost includes renewal of cyber coverage from Cowbell Cyber for Liability Insurance of \$1,722.

RESOLVED, to authorize the Mayor to enter into an agreement with James Antonelli, P.E. of West Side Engineering, PC (26 West End Ave., Massapequa, NY 11758) to assist the village to comply with the requirements of the New York State Dept. of Environmental Conservation (NYSDEC) General Permit for stormwater discharges from municipal storm systems at a fee of \$6,000.

Mayor Miller commented, this cost is extremely reasonable. The state changed required reporting requirements, and the Village has applied for a grant. James Antonelli is also the engineer that is overseeing the contractor for road curbing.

RESOLVED, to authorize the Mayor to sign an agreement with Share Builder Corp. (53 Stevens St., Roosevelt, NY 11575) to approve \$11,000, one of three agreements of which the board adopted on 6/6/24 and 7/11/24, to repair curbing on both sides of Wensley Dr. and approximately 400 ft. of Melbourne Rd. which includes resetting of Belgium blocks and repair of concrete curb as necessary. **RESOLVED**, to approve three separate contracts with Share Builder Corp., Total \$33,000, to repair the balance of Melbourne Rd., Dunster Rd. and Darley Rd., except the remaining 100 ft. of each street on both sides adjacent to Middle Neck Rd.

A motion was made by Larry Chaleff to accept the above resolutions as presented and seconded by Jane Krakauer.

VOTE OF THE BOARD OF TRUSTEES:

AYE: DAVID MILLER, LARRY CHALEFF, MARTIN ADICKMAN, MATT ELLIS, AND JANE KRAKAUER

NAY: NONE

Mayor Miller commented, The Village spent approximately \$66,000 on road curb repair which began in the summer, weather permitted.

RESOLVED, to authorize the Inc. Village of Russell Gardens Justice Court to apply for a Grant from the Justice Court Assistance Program (JCAP) of up to \$30,0000 for the Year 2024-2025.

A motion was made by Larry Chaleff and seconded by Jane Krakauer.

VOTE OF THE BOARD OF TRUSTEES:

AYE: DAVID MILLER, LARRY CHALEFF, MARTIN ADICKMAN, MATT ELLIS, AND JANE KRAKAUER

NAY: NONE

Mayor Miller commented, for all practical purposes, we wanted to shorten the term for the Clerk Treasurer to one year and a resolution was passed on Jan. 4, 2024. The law states the term should be for two years, Danielle Pennise was appointed for a term of two years, which she was appointed a two-year term on July 13, 2023. This resolution cannot be altered.

Therefore, the original resolution of July 13, 2023 stands as resolved, and the prior resolution dated Jan. 4, 2024 is hereby rescinded, and thereby, the term of the Clerk Treasurer is still standing on the original term.

RESOLVED, that **Danielle Pennise** appointed Village Clerk Treasurer on July 13, 2023 will continue her two-year appointed term expiring July 10, 2025.

A motion was made by Larry Chaleff and seconded by Jane Krakauer.

VOTE OF THE BOARD OF TRUSTEES:

AYE: DAVID MILLER, LARRY CHALEFF, MARTIN ADICKMAN, MATT ELLIS, AND JANE KRAKAUER

NAY: NONE

In response to a question from a resident, **Mayor Miller** commented, the Auditor raised the cost of next year's audit fee in July 2024. The Village Clerk Treasurer confirmed that this was not a misprint, but a timing lag, when notified by the Auditor for the increase in next year's audit cost.

RESOLVED, to appoint George Schuman to the Zoning Board of Appeals of the Inc. Village of Russell Gardens for five years, expiring July 12, 2029.

A motion was made by Larry Chaleff and seconded by Jane Krakauer.

VOTE OF THE BOARD OF TRUSTEES:

AYE: DAVID MILLER, LARRY CHALEFF, MARTIN ADICKMAN, MATT ELLIS, AND JANE KRAKAUER

NAY: NONE

Mayor Miller asked to schedule a Public Hearing on October 10, 2024. To schedule a public hearing on this date for Import Masters, who are seeking a renewal for a special use permit at the location 275 Northern Blvd., Great Neck, NY, Section 2, Block 241, and Lot 20.

Mayor Miller asked to set the next Board of Trustees meeting on Thursday, October 10, 2024, in observance of a religious holiday.

Mayor David Miller provided several village updates.

- Village Roads-Potholes have been filled and cracks have been sealed throughout the village by our Dept. of Public Works. In addition, joint repair and concrete curbs have been repaired by Share Builder Corp. and are ongoing until all curbing has been completed.
- A reminder from the village code, Landscaping should be done from 8:00 a.m. to 6:00 p.m. Monday-Friday and on Saturday, between the hours of 9:00 a.m. to 6:00 p.m. No work is permitted on Sundays. Gas-powered leaf blowers are prohibited from July 1st to September 15th-Monday-Friday and no gas-powered blowers are allowed on weekends throughout the year.

A motion was made by Larry Chaleff and seconded by Jane Krakauer, to adjourn the meeting at 9:14 p.m.

VOTE OF THE BOARD OF TRUSTEES:

AYE: DAVID MILLER, LARRY CHALEFF, MARTIN ADICKMAN, MATT ELLIS, AND JANE KRAKAUER

NAY: NONE

Respectfully Submitted,

Danielle Pennise, Village Clerk Treasurer

Inc. Village of Russell Garden