

BOARD OF TRUSTEES
INC. VILLAGE OF EAST WILLISTON
REGULAR MEETING
MONDAY, OCTOBER 19, 2015

Regular Meeting of the Board of Trustees of the Incorporated Village of East Williston was held on Monday, October 19, 2015 at 7:30 p.m. at the Village Hall, 2 Prospect Street, East Williston, New York.

There were present: Mayor David E. Tanner, Deputy Mayor/Trustee Bonnie L.S. Parente, Trustees Christopher Siciliano, Robert M. Vella, Jr., James L. Iannone, Village Attorney Jeffrey L. Blinkoff, Marie L. Hausner, Village Clerk, Michael Delury, Treasurer.

Also present: Caroline DeBenedittis, Joseph Fabrizio, Patrick Theodore, Joseph Masters, Elise Campagna, Barbara Seixas, Carla Strauss, Mildred Clinton, Carol Battali, Mr. & Mrs. Philip Chappo, Paul Pattaca, Katheen Rittel, Rita Cappi, Dan McGill.

The Board commenced the meeting with three public hearings regarding driveways, solar panel legislation and zoning on Sagamore Avenue.

A verbatim transcript of said hearings is on file in the office of the Village Clerk.

RESOLUTION NO. 32-2015 – A RESOLUTION APPROVING A LOCAL LAW 3-2015 AMENDING THE VILLAGE CODE PERTAINING TO DRIVEWAYS.

On the motion of Trustee Vella, seconded by Trustee Parente and with Mayor Tanner and Trustees Parente, Siciliano, Vella and Iannone all voting "aye", the Board approved the following local law:

A Local Law amending the Village Code of the Incorporated Village of East Williston pertaining to driveways as follows:

Be it enacted by the Board of Trustees of the Incorporated Village of East Williston, New York as follows:

Section 1. Amending the Village Code pertaining to driveways to read as follows:

- D. Driveways.
 - (1) In all residence districts
 - (a) On a property with a detached garage, the section of the driveway running from the street line must be no more than 10 feet in width for a distance of at least 10 feet in length as measured from the street line. The actual curb cut shall not exceed 10 feet as measured along the street inclusive of any flaring or angling of the curb cut. The section of the driveway running from the garage

may be permitted to be 20 feet in width, provided that said section shall be no more than 20 feet in length, exclusive of flaring to the narrower driveway width, as may be required to provide for adequate access of vehicles.

(b) On a property with an attached garage, the driveway and curb cut are permitted to be a maximum of 18 feet in width

(c) All driveways in districts other than Residence B must be at least five feet from any side yard. All driveways in Residence B must be at least two feet from any side yard.

(d) Any permeable or impermeable surface immediately adjacent to any driveway shall be included in the driveway measurement, unless it is set a minimum of 4" above the driveway.

(2) In each residence district, a driveway may be located within a required yard.

(3) Existing driveways and curb cuts, whether conforming or nonconforming, may be replaced in kind. However, if the existing driveway in any residence district other than the Residence B District is to be relocated or altered in any shape or form, the new driveway shall conform to all provisions of the within section, notwithstanding any other provisions of the within Code.

(4) With the exception of circular driveways and as provided with respect to the Residence B District, no portion of any driveway shall extend into that portion of the front yard between the sidelines of the principal building. There shall be only one driveway permitted on any lot in the Village. Further, on corner lots, the driveway shall also not extend between the front and rear lines of the building.

Section 2. Exercise of supersession authority. The Village hereby exercises the power of supersession granted to it pursuant to Municipal Home Rule Law 10(1)(ii)(e)(3) with respect to the within local law and hereby supersedes Village Law section 7-706(2) to the extent it requires notice for publication other than has been, or will be, provided as to the within local law.

Section 3. Effective Date. This law shall take effect immediately.

RESOLUTION NO. 33-2015 – A RESOLUTION VACATING THE EXISTING MORATORIUM ON THE INSTALLATION OF SOLAR PANEL EQUIPMENT.

On the motion of Trustee Parente, seconded by Trustee Iannone and with Mayor Tanner and Trustees Parente, Siciliano, Vella and Iannone all voting “aye”, the Board authorized to vacate the moratorium on the installation of solar panel equipment adopted July 13, 2015.

RESOLUTION NO. 34-2015 – A RESOLUTION APPROVING A LOCAL LAW 4-2015 AMENDING THE VILLAGE CODE BY ADDING A NEW ARTICLE PERTAINING TO SOLAR PANEL COLLECTION EQUIPMENT INSTALLATION .

On the motion of Trustee Siciliano, seconded by Trustee Iannone and with Mayor Tanner and Trustees Parente, Siciliano, Vella and Iannone all voting “aye”, the Board approved the following local law:

A Local Law adding a new Article to the Village Code of the Incorporated Village of East Williston pertaining to Solar Collection Equipment Installation as follows:

Be it enacted by the Board of Trustees of the Incorporated Village of East Williston, New York as follows:

Section 1. Adding a new Article entitled “Solar Collection Equipment Installation as follows:

A.Purpose. No solar energy system shall be erected or installed unless the system is designed to be aesthetically appropriate for the intended location and meets all standards of Village and New York State Building Code.

B. Installation

1. Residential Districts.

a. Placement shall be flush or flat mounted as close as practicable on a sloped roof with no extension above the roof surface except for the actual thickness of the panel. The panel shall not extend beyond the highest point of the roof.

b. On a flat roof, no solar collection panel shall be visible from street level, or from an adjoining property.

c. All panels shall be solid in color. All panels, tiles or slates are to appear like and are to match the color of the roof to which they are attached.

d. With the exception of southerly facing homes solar energy collectors shall be located in an area of the roof that is not visible from an abutting or nearby street.

e. Solar energy collectors shall be permitted only to provide power for use by owners, residents, or other occupants of the premises on which they are erected, but nothing contained in this provision shall be construed to prohibit the sale of excess power through a “net billing” or similar program in accordance with New York Public Service Law 66-j or similar state or federal statute.

f. The entire installed area of solar energy collectors shall not exceed 33% of the entire roof area of the primary structure which shall include an attached garage of more than one story. g. Solar energy collectors shall only be permitted on the primary structure on a lot.

2. Other Districts. Installation shall be permitted atop commercial buildings. It shall not interfere with the architectural or other aesthetic features of the building, neighborhood or area. Appropriate and adequate screening and shielding measures shall be as required by the Building Inspector.

3. General

a. Any equipment proposed as part of a new building or alteration to a building shall be installed as integrated equipment.

b. On existing buildings with flat roofs where tilted frames are necessary to install primary equipment, such equipment shall not be visible from an abutting street or property. If necessary, the equipment shall be screened with appropriate material as recommended by the Building Inspector.

c. All secondary equipment associated with any solar energy system installation shall not be exposed on the outside of any structure unless required by applicable codes and standards.

d. Ground mounted solar energy systems shall not be permitted.

e. No trees shall be removed to accommodate installation of any solar collection equipment. The trimming of trees to accommodate installation of any solar collection equipment shall only be conducted in accord with the discretion of the Building Inspector.

f. Trimming of any Village or neighbor’s trees shall be prohibited.

C. Submission Requirements.

1. All installations for the utilization of solar energy shall require an application for a building permit to be submitted to the Building Inspector, accompanied by the following:

a. Scaled and dimensioned drawings, site plan, photographs, documents and materials, including but not limited to, location, layout plans, elevations, sections, details, manufacturers specifications and catalogue cuts, material types, colors, finishes, arrangement, size, design, general site

compatibility, structural support methods, zoning information and a fee of \$250.00.

2. Applications shall be accompanied by a signed, sealed certification from a New York State licensed Professional Engineer or licensed Architect stating that the roof structure is strong enough to support the additional weight of the solar units, the mounting brackets and hardware meet or exceed NYS Code requirements and the actual in field attachment to the roof meets or exceed NYS Code Residential Code requirements.

D. Installation. All solar collector installations must be performed by a qualified solar installer. Prior to operation the electrical connections must be inspected by a licensed electrical inspector or other appropriate electrical inspection agency as determined by the Village. Any connection to the public utility grid must be inspected by the appropriate public utility. An electrical certificate shall be provided to the Village prior to issuance of a certificate of completion.

Section 2. Exercise of supersession authority. The Village hereby exercises the power of supersession granted to it pursuant to Municipal Home Rule Law 10(1)(ii)(e)(3) with respect to the within local law and hereby supersedes Village Law section 7-706(2) to the extent it requires notice for publication other than has been, or will be, provided as to the within local law.

Section 3. Effective Date. This law shall take effect immediately.

RESOLUTION NO. 35-2015 – A RESOLUTION APPROVING A LOCAL LAW 2-2015 AMENDING THE VILLAGE CODE SECTION 160-23 ENTITLED BUSINESS DISTRICT.

On the motion of Trustee Siciliano, seconded by Trustee Iannone and with Mayor Tanner and Trustees Parente, Siciliano, Vella and Iannone all voting “aye”, the Board approved the following local law:

A Local Law amending section 160 – 23 of the Village Code of the Incorporated Village of East Williston pertaining to Article VII of the Village Code entitled Business District as follows:

Be it enacted by the Board of Trustees of the Incorporated Village of East Williston, New York as follows:

Section 1. Amending section 160 – 23 of the Village Code to include an additional subparagraph I as follows:

- I. Existing business and professional offices fronting only on Sagamore Avenue as referenced in subparagraph B above may also be permitted to be used to include on the first floor an office facing on Sagamore Avenue and an apartment.

Section 2. Exercise of supersession authority. The Village hereby exercises the power of supersession granted to it pursuant to Municipal Home Rule Law 10(1)(ii)(e)(3) with respect to the within local law and hereby supersedes Village Law section 7-706(2) to the extent it requires notice for publication other than has been, or will be, provided as to the within local law.

Section 3. Effective Date. This law shall take effect immediately.

On the motion of Trustee Siciliano, seconded by Trustee Parente, and with Mayor Tanner and Trustees Parente, Siciliano, Vella and Iannone all voting "aye", the Board approved the minutes of the regular meeting of September 21, 2015.

On the motion of Trustee Vella, and seconded by Trustee Iannone, and with Mayor Tanner and Trustees Parente, Siciliano, Vella and Iannone all voting "aye", the Board approved the minutes from the agenda meeting of September 28, 2015.

On the motion of Trustee Siciliano, by Trustee Parente, and with Mayor Tanner and Trustees Parente, Siciliano, Vella and Iannone all voting "aye", the Board unanimously approved the abstracts of claims for September 2015 as follows: 20150123 – 20150173.

Chief Joseph Fabrizio presented the report of the East Williston Fire Department for September 2015. The Department responded to a total of 11 calls during the month: nine rescue calls, and two general alarms.

The Fire Department hosted first grade students from the North Side School for fire prevention week recently. The Department will also be participating in the Ragamuffin Parade on Halloween and the Veterans Day ceremony on November 11th. He added that the annual inspection will take place on October 24th.

TRUSTEE REPORTS

DEPUTY MAYOR/TRUSTEE BONNIE PARENTE

Trustee Parente stated that she spoke at the recent Senior's Group meeting on October 15th regarding legal issues for senior citizens. The event was well attended. In November, it was hoped to have a program of a historical nature.

TRUSTEE CHRISTOPHER A. SICILIANO

Trustee Siciliano stated that the Department of Public Works has placed fall plantings on the Village Green and around the outside of the Village Hall. The sweeper continues to go throughout the Village on a regular basis. Leaf bags are available at the Village office. Lastly, please report street light outages to the Village office so they may be repaired.

Trustee Siciliano presented the Library report in the absence of Library Director Susan Corsello:

Library Book Clubs

Our "Day Time Book Club" met this month to discuss "Station Eleven", by Emily St. John Mandel. Our "Evening Book Club" met to discuss "The Boys on the Boat", by Daniel James Brown.

East Williston Senior Group

The senior group met this month for a pizza and a presentation on "Legal Issues for Seniors" with Bonnie Parente.

Upcoming Events

- "*E-Books and Audiobooks Online*", presented by Sharper Training Solutions – October 24th from 11:00 am -1:00 pm
- Carol Alt will discuss her new book, "*A Healthy You*" – October 27th at 7:30 pm

Library Friends Display Cabinet

October is Fire Prevention Month. To mark the occasion, the East Williston Library Friends are honoring our dedicated East Williston Volunteer Fire Department with a display in the lobby of the Village Hall.

TRUSTEE ROBERT M. VELLA, JR.

Trustee Vella reported that the Justice Court collected a total of \$3750.00 in fines from 63 parking violations, 10 moving violations and one Village ordinance violation in September 2015. There was \$75.00 in New York State surcharges for the month.

Trustee Vella yielded the floor to former Trustee Caroline DeBenedittis who presented the Recreation Committee report.

Mrs. DeBenedittis stated that the Recreation Committee will hold game night on Friday, October 23rd (bingo) and movie night on October 30th ("Big Hero"). Children participating must be pre-registered. A beginners sewing class will take place on October 24th from 3-5pm with an introduction to the use of a sewing machine.

Also, the sewing of pillow cases for Ryan's Case (formerly ConKerr Cancer) will take place on October 24th. Volunteers are needed and no experience is necessary.

Trustee Vella informed those present that yoga classes continue on Monday and Wednesday mornings from 9:30-11:15am, and gentle yoga takes place on Wednesday evenings from 5:45-7:15pm. Children's dance classes take place on Mondays with Miss Nicole. The "Come Play with Me" program takes place on Mondays between 10 and 11am. Fall tennis classes began on September 8th.

TRUSTEE JAMES L. IANNONE

Trustee Iannone stated that he had nothing to add to Chief Fabrizio's report. He did want to add that he encourages anyone interested in joining the Fire Department should inquire on Thursday evenings. The Department is always looking for new members. He stated it is wonderful to meet new young members who join, go off to college and then return. It is like an extended family.

MAYOR DAVID TANNER

Mayor Tanner stated that he met with representatives from the Nassau County Department of Public works regarding the planting of trees along County roads East Williston Avenue (east/west) and Roslyn Road (north/south).

The Mayor has not yet heard back from the Nassau County Traffic Division regarding traffic calming along East Williston Avenue. Another look at a possible crosswalk near the Village Green was again suggested to the County. It is hoped to maintain the character of the area, along taking safety of commuters into account.

Nassau County is replacing signage along East Williston Avenue.

Joseph Masters suggested the Village obtain a speed sign like the one on I.U. Willets Road in Albertson, alerting drivers to the speed in which they are traveling.

Mayor Tanner stated that he met with Senator Jack Martins and North Hempstead Supervisor Judi Bosworth last week and that East Williston will be getting such a speed sign to be placed south bound on Roslyn Road, via a New York State grant.

Mayor Tanner stated that the Village has budgeted monies to refurbish the walkway along the south side of East Williston Avenue, west of Roslyn Road. The challenge of the area is the cutting of the trees/tree roots in the area to create a smooth service and aid in handicapped accessibility.

VILLAGE CLERK MARIE L. HAUSNER

The following building permits were issued in September 2015:

197 Glenmore Street, demolition of residence, construction of new one family residence, detached garage, driveway and HVAC system. 19 Donald Street, rear yard masonry patio and bench. 19 East Williston Avenue, renovation of barn. 55 Benneyfield Drive, major renovation to renovation. 15 Ridge Road refurbish driveway. 21 Post Avenue, installation of rear yard barbecue. 9 School street, multiple additions to house.

The Nassau County Police Department report for September 2015 showed the following activity: There were no reports of burglaries or robberies. No parking violations and no moving violations were reported. There were 2 auto accidents and no auto injuries reported.

The Mayor opened the meeting to residents.

Carla Strauss thanked Deputy Mayor Parente for her informative program on legal issues for seniors this past week.

Mrs. Strauss also asked about the use of the elevator down to the basement through the storage area. Many of the seniors expressed interest in using the basement media room to watch a movie once a month or so.

The Clerk advised that the Justice Court will be getting a grant for shelving to free up room for those traversing from the elevator to the media room. She will follow up with the Court Clerk on this matter.

Philip Chappo advised that the East Williston School District has not yet replaced the trees on the North Side School property.

Trustee Vella stated that the tree removal permit issued to the School District was contingent upon replacing the trees in the fall. Mayor Tanner said the Village will send a letter to Nick Fusco in charge of Buildings and Grounds.

Mildred Clinton stated that she has noticed increased traffic on East Williston Avenue. The traffic is bumper to bumper from 4pm to 7pm most evenings, especially when there is trouble on the Expressway or Parkway.

Mr. Masters asked if there is any word on the issue of water with Williston Park. Mayor Tanner replied that both villages are still actively negotiating.

Kathleen Rittel brought up the subject of deliveries to the Wheatley Hills Golf Club in the middle of the night. Mr. Blinkoff stated that the Club is due in court tomorrow night, October 20th.

Mrs. Rittel asked if the cost of the summons increases for each violation. Mr. Blinkoff stated that at this time the Code does not call for higher fines and that the cost for each violation is \$250.00.

Mrs. Rittel stated it was her hope that they will be fined for all of the violations.

Mayor Tanner stated that he and the Board cannot speak for the Village Justice and had to follow the process as it is set forth in the Code.

Mrs. Rittel also brought up the issue of the delivery sign at the Golf Club on East Williston Avenue. She said she has a recollection that it is not legal. The sign should be replaced with something that is in line with East Williston.

The Board stated that the Building Inspector said the sign is adequately placed and served the public safety of the area.

Mr. Blinkoff stated that he will follow up with the building inspector on this issue.

Trustee Iannone asked Mrs. Rittel what time of day the photographs of the large trucks emailed to him were taken. She replied that the photos were taken during the day, but it was to show the size of the vehicles coming down the path that was formerly only used for golf carts. She has many recordings of the trucks traversing the area in the middle of the night and will be happy to provide them to the Court.

Dan McGill asked about an appearance ticket that his son received when while crossing the Village Green at dusk a few years back. His son is now going into the armed service and this is on his record.

Trustee Vella stated that this is a violation and not a crime. The Village has no mechanism to remove this.

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Mr. Blinkoff informed Mr. McGill that he will contact Court Clerk Susan Egan to obtain a certificate of disposition.

There being no further business, on the motion of Trustee Siciliano, seconded by Trustee Parente, the meeting was adjourned at 9:49pm.