

1 Minutes of the Meeting of the Board of Trustees of the Village of Great Neck Estates on Monday,
2 Monday, February 12, 2024 at 7:00 pm. at Village Hall, 4 Atwater Plaza, Great Neck, NY

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4 Present: Mayor William D. Warner
5 Deputy Mayor Jeffrey Farkas
6 Trustee Ira Ganzfried
7 Trustee Howard Hershenhorn
8 Trustee Michael J. Smiley
9 A. Thomas Levin, Esq. Village Attorney
10 Kathleen L Santelli, Village Administrator

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12 Mayor Warner called the meeting to order at 7:00 pm.

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14 EXECUTIVE SESSION

15 On motion by Mayor Warner, seconded by Trustee Ganzfried, and adopted unanimously, the
16 Board convened in executive session to discuss legal advice, matters pertaining to hiring of a
17 particular person and collective bargaining matters. The Board took no action in executive session.

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19 At 7:57 pm on motion by Mayor Warner, seconded by Trustee Hershenhorn, and adopted
20 unanimously, the Board returned to public session.

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22 PUBLIC HEARING – Case BT1-2024 Conditional Use Permit

23 Mayor Warner opened the public hearing with respect to the application of LSD Realty LLC &
24 Kenwood Gardens Inc. for a Conditional Use Permit to use professional space for a orthodontic
25 practice. Trustee Ganzfried recused himself from participating in this matter, and took a seat in
26 the audience. Drs. Scott Danoff and Laura Danoff of 4 Vista Drive were present in support of the
27 application.

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29 Verbatim minutes are attached

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31 After all interested persons were heard, on motion by Trustee Hershenhorn, seconded by
32 Trustee Smiley and adopted unanimously (Trustee Ganzfried not participating), the hearing was
33 closed. After discussion, a motion by Trustee Hershenhorn to adopt the following resolution was
34 seconded by Trustee Smiley and adopted unanimously (Trustee Ganzfried not participating):

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36 WHEREAS, LSD Realty LLC and Kenwood Gardens, Inc. have applied to the Board of
37 Trustees of the Village of Great Neck Estates (“Village”) for a conditional use permit pursuant to
38 Village of Great Neck Estates Code §230-12(C)(2)(c) to allow use of Professional Space #1 at
39 premises 160 Middle Neck Road, Great Neck Estates for a professional (orthodontics) office, and

40 WHEREAS, the said premises are also designated as Section 2, Block 194, Lot 105 on the
41 Nassau County Land and Tax Map; and

42 WHEREAS, the Board of Trustees (“Board”) of the Village, the agency vested with
43 authority to hear and determine such applications duly held a public hearing on such application
44 on February 12, 2024 at which hearing the applicant and public were given an opportunity to be
45 heard, and

46 WHEREAS, the Board is the Lead Agency for SEQRA review of the proposed Action; and

47 WHEREAS, the Board has considered and reviewed the information contained in the
48 application and adduced at the public hearing, has reviewed the applicable criteria for conditional
49 use permits,

50 NOW, THEREFORE, it is

51 RESOLVED, that the Board of Trustees hereby finds and concludes that the proposed
52 action is a Type II Action pursuant to 6 NYCRR 617.5(c)(9) and (18), which requires no further
53 separate environmental impact review; and it is further

54 RESOLVED, that the Board hereby further finds and determines as follows:

- 55 a. The applicable provisions prescribed for conditional use permits have been met in this
56 case, in that the proposed use will not cause adverse consequences to the community
57 or neighborhood, and is not dissimilar to the use which previously existed at the
58 proposed location;
- 59 b. Subject to the conditions herein imposed, the proposed use or activity conforms with
60 all applicable regulations governing the zoning district in which it will be located;
- 61 c. The use will be designed, located and operated so as to protect the public health, safety
62 and welfare.

63 Board of Trustees
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66 d. Subject to the conditions imposed herein, the use will be consistent with a suitable and
67 safe environment for the surrounding neighborhood and will not cause substantial
68 injury to the value of other property in the neighborhood.

69 e. The use will be compatible with existing adjoining development and will not adversely
70 change the established character or appearance of the neighborhood; and it is further

71 RESOLVED, that the requested conditional use permit for the premises XX is granted,
72 subject to compliance with the application and plans submitted in support of the application, and
73 the representations made by the applicant at the public hearing, all other applicable laws, rules,
74 and regulations, and the following additional conditions (to which the applicant agreed at the
75 hearing):

76 1. No more than three (3) medical professionals may provide services to patients, or be
77 present at the premises, at any one time;

78 2. No more than five (5) auxiliary staff or other personnel or employees may be present
79 at the premises at any one time;

80 3. The number of dental chairs or similar equipment for treatment of patients shall not
81 exceed six (6); and it is further

82 RESOLVED, that in case of a violation of any of the aforesaid conditions, this permit
83 may be revoked by the Board after notice to the permittee(s) and an opportunity to be heard; and
84 it is further

85 RESOLVED, that nothing in this resolution shall be deemed to limit the authority of the
86 Village to enforce its Code, or other applicable laws, rules and regulations, as they may pertain
87 to the permitted use or any persons conducting or participating in such use; and it is further

88 RESOLVED, that this resolution shall take effect immediately.
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90 BUILDING DEPARTMENT

91 Mayor Warner noted that the November 2023-January 2024 Report of Building Department
92 activity had been distributed to the Board and is on file and available for inspection at the Village
93 Office. On motion offered by Trustee Ganzfried, seconded by Trustee Smiley, and adopted
94 unanimously, the Board accepted the November 2023-January 2024 Building Department Report.
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96 ARCHITECTURAL REVIEW BOARD

97 On motion of Deputy Mayor Farkas, seconded by Trustee Ganzfried, and duly adopted by
98 unanimous vote, the Board affirmed the January 29, 2024 recommendations of the ARB for
99 approval of the following applications:

100 Sam Koyenov, 74 Middle Neck Rd, Sign for "Sam & Ko"

101 Hillcrest Developers LLC, 13 Hillcrest Dr, changes to Landscape Plan
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103 PUBLIC WORKS DEPARTMENT

104 Mayor Warner noted that the report of Public Works activity for the month of January 2024 had
105 been distributed to the Board and is on file and available for inspection at the Village Office. On
106 motion of Trustee Smiley, seconded by Trustee Ganzfried, and duly adopted by unanimous vote,
107 the Board accepted the January 2024 Public Works Department report.
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109 POLICE DEPARTMENT

110 Sgt. Shannon Noor was present on behalf of Chief Moreno.

111 Mayor Warner noted that the report of Police activity for the month of January 2024 had been
112 distributed to the Board and is on file and available for inspection at the Village Office. On motion
113 offered by Trustee Smiley, seconded by Trustee Ganzfried, and adopted unanimously, the Board
114 accepted the Police Department report.

115 Mayor Warner inquired about the status of the Mobile LPR grant and Tesla Police Vehicle. Sgt.
116 Noor stated the Department expects the LPRs soon and stated the benefit of the Leonardo LPRs is
117 that they are compatible with Nassau County's system. Responding to a question from Lilia
118 Shemesh, Sgt. Noor advised that the mobile readers can run 2000 plates a minute. Sgt Noor stated
119 PD is awaiting the new model Tesla which should be available in approximately two months.
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121 CABLE COMMISSION – No report

122 GNE CIVIC ASSOCIATION - No report
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ENVIRONMENTAL COMMISSION

Commissioner Klein and Member Emily Frank were present and expressed appreciation to Supt Garvey and the Public Works Department for providing wood chips for the trails at Pond Park. Commissioner Klein stated he is searching for other grant opportunities. Trustee Hershenhorn expressed his appreciation the Commission for their dedication to the environment.

MAYOR’S REPORT

Invitation for Solid Waste Removal Bids

On motion of Trustee Hershenhorn, seconded by Trustee Ganzfried, and adopted unanimously, the Board authorized the Village Administrator to publish and post a notice inviting bids for Solid Waste Removal for the period June 1, 2024 through and including May 31, 2029, to be returned by March 6, 2024 at 11:00 am, subject to review of the bid documents by Trustee Hershenhorn and the Village Attorney’s approval as to form of those documents.

Set Public Hearing for Vigilant 2024 Contract

Mayor Warner stated that the proposed 2024 Vigilant Fire & Emergency Medical Services Agreement & Budget were received today. The Village Administrator stated that the required additional documents have been requested. On motion of Trustee Ganzfried, seconded by Trustee Hershenhorn, and adopted unanimously, the Board scheduled a public hearing to be held on March 11, 2024 to consider the proposed 2024 Fire & Emergency Medical Services Agreement, subject to prior receipt of other required documents.

Non-Union Employee Eligibility for Health Benefits

Village Attorney Levin explained that at the January 8, 2024 meeting, the Board had adopted a resolution regarding this matter, subject to approval by the New York State Department of Civil Service. The Department of Civil Service has requested revisions to the resolution.

On motion of Trustee Ganzfried, seconded by Mayor Warner, and adopted unanimously, it was RESOLVED, effective immediately, that the resolution adopted by the Board of Trustees on January 8, 2024 with regard to extending certain health insurance benefits to certain employees of the Village is hereby RESCINDED, and it is further

RESOLVED, that the Village Administrator shall place a notation on the filed minutes of the January 8, 2024 meeting of the Board of Trustees to indicate that the adoption of the foregoing resolution was rescinded at the February 12, 2024 meeting of the Board of Trustees.

Resolution Extending Eligibility for Health Insurance Benefits

On motion of Trustee Ganzfried, seconded by Mayor Warner, and adopted unanimously, it was

RESOLVED, that effective immediately, in addition to policies presently in effect:

(a) For employees first hired by the Village on or after January 1, 2003, who are not members of a collective bargaining unit, who have reached the minimum age for retirement as required by the Civil Service Department regulations, and who retire from Village service with at least fifteen years of continuous full time (as defined in the Civil Service Department Regulations) service to the Village, the Village will pay 50% of the premium for coverage for eligible individuals and their dependents.

(b) Employees first hired by the Village prior to January 1, 2024 and who are not members of a collective bargaining unit shall continue to be eligible to receive health insurance benefits for themselves and their eligible dependents at the expense of the Village in the same manner and under the same terms and conditions as pertained prior to January 1, 2024.

(c) Employees first hired by the Village on or after January 1, 2024 and who are not members of a collective bargaining unit shall be eligible to receive health insurance benefits in the New York State Health Insurance Plan for themselves and their eligible dependents, provided that such employees shall be required to contribute 20% of the cost of the health insurance premium for such coverage, and the Village shall pay 80% of the cost of such health insurance premium, and it is further

RESOLVED, that all of the provisions of this resolution shall be subject to the rules and regulations of the New York State Government Employees' Health Insurance Program, and shall not be construed to grant any benefits which are not permitted by such rules and regulations, nor make any person eligible for insurance coverage or contribution where such rules and regulations do not permit such coverage or contribution, and it is further

RESOLVED, that this resolution shall take effect sixty days after adoption, or on the effective date assigned by the New York State Department of Civil Service Employees Benefits Division, whichever is later.

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D & B Engineers & Architects 2024 Storm Water Management Proposal

The Village Administrator stated that the 2024 Storm Water Management Proposal has been reviewed and approved by the Village Attorney, and explained that new regulations have been proposed which increased the cost of this required study, a portion of which cost would be billed in the current fiscal year and the balance in the 2024-25 year. On motion of Trustee Hershenhorn, seconded by Trustee Ganzfried, and adopted unanimously, the Board voted to authorize Mayor Warner to sign the D & B Engineers & Architects 2024 Storm Water Proposal at a cost not to exceed \$15,800, in the form approved by the Village Attorney..

Long Island Geese Control Inc. Agreement

On motion of Mayor Warner, seconded by Trustee Smiley, and adopted unanimously the Board voted to authorize Mayor Warner to sign an Agreement with Long Island Geese Control Inc. for the period of March 15, 2024 to March 14, 2025 at a cost not to exceed \$1,350 per month, in the form approved by the Village Attorney.

Shot Show Expenditures

On motion of Trustee Smiley, seconded by Trustee Hershenhorn, the Board ratified payment of the costs for the Mayor’s attendance at the Shot Show, at a cost not to exceed \$1,000, and the additional cost of \$642.25 for the Police attendance. The vote on the foregoing was 4-0, Mayor Warner abstained from voting.

200 MNR Sun LLC Incentive Zoning & Subdivision Application

Mayor Warner stated that an application for Incentive Zoning has been received from 200 MNR Sun LLC for development of the property at 180-200 for multi-family condominiums. The Village planning consultant and the Building Department have reviewed the application. On motion of Mayor Warner, seconded by Trustee Hershenhorn, and adopted unanimously, the Board scheduled a public hearing to consider this application to be held on Monday, April 8, 2024 at 8:00 pm., and directed the Village Administrator and Village Attorney to publish and post the required legal notices.

PARK-POOL-TENNIS

Park Commissioner Toch was present and stated that a Park Committee has been formed to assist with planning the 2024 summer park/pool season. Mayor Warner, Emily Frank, Barbara Dzierney and Harold Axelrod participated in the discussion with Commissioner Toch regarding the hiring of a Recreation Leader, staff, equipment, snack shack and budget. Mayor Warner offered to meet with the Committee.

CLERK-TREASURER

Mayor Warner noted that the financial report for January 2024 had been submitted to the Board and is on file and available for inspection at the Village Office. On motion offered by Mayor Warner, seconded by Trustee Ganzfried, and adopted unanimously, the Board accepted the January 2024 Financial Report.

MINUTES

Mayor Warner stated that draft minutes of January 8, 2024 meeting have been reviewed by the Village Attorney. On motion offered by Mayor Warner, seconded by Trustee Ganzfried, and adopted unanimously, the Board approved the minutes of January 8, 2024 as amended and presented to the Board. The approved minutes are on file in the Village office.

ABSTRACTS

On motion offered by Trustee Ganzfried, seconded by Trustee Smiley, and adopted by a unanimous vote, the Board ratified payment of General Abstract #202325 in the amount of \$160,536.87 for additional December bills; Abstract #202326 in the amount of 431,515.70 for contractual bills and approved the payment of claims on General Abstract #202327, in the amount of \$348,757.16 for January bills and Trust Abstract #361 in the amount of \$610.22 for a deposit refund & NYS Retirement refund.

On motion of Trustee Ganzfried, seconded by Trustee Smiley, and adopted by a unanimous vote, the meeting was adjourned at 8:51 pm.

Respectfully submitted,
Kathleen L Santelli
Village Administrator