

MINUTES
BOARD OF TRUSTEES
VILLAGE OF NORTH HILLS
Village Hall
One Shelter Rock Road
North Hills, New York
February 16, 2022
7:30 pm

PRESENT: Mayor Marvin Natiss
Deputy Mayor Dennis Sgambati
Trustees Elliott Arnold, Gail Cohen and Phyllis Lentini
Marianne C. Lobaccaro, Village Administrator
Peter Cinquemani, Superintendent of Building Department
A. Thomas Levin, Village Attorney

Mayor Natiss called the meeting to order at 7:30 pm.

Mayor Natiss announced that the next regular meeting date for the Board of Trustees will be March 16, 2022 at 7:30 pm.

The minutes of the January 19, 2022 meeting were approved on motion by Trustee Cohen, seconded by Trustee Arnold and adopted unanimously. The approved minutes are on file in the village office.

The Board opened the continued public hearing for Application 18-01bt, Amended Application of Buckley Country Day School. Bruce Migatz, Esq. appeared for the applicant. The minutes of the hearing were transcribed stenographically, and are on file as part of these minutes. The Village Attorney noted the receipt of a January 25, 2022 letter from the Nassau County Planning Commission, deferring to the Board for local determination. At 8:40 pm, on motion by Mayor Natiss, seconded by Deputy Mayor Sgambati and adopted unanimously, the Board convened in executive session for legal advice. On motion by Mayor Natiss, seconded by Deputy Mayor Sgambati and adopted unanimously, the Board returned to public session at 8:50 pm. Mayor Natiss moved that

the public hearing be closed, with the record kept open only for the purposes of receiving an engineer's report from the Acorn Ponds HOA, to be submitted no later than March 2, 2022, and a response from the applicant, to be submitted no later than March 16, 2022, such submissions to be made in the number of copies required by the Board's rules, including electronic copies. Before proceeding on the motion, the Board received additional public comments. The motion then was seconded by Trustee Lentini, and adopted unanimously.

The Board held a public hearing with respect to Bill 2022A, a local law to amend traffic and parking regulations in the Acorn Ponds condominium. Harry Orenstein, representing Acorn Ponds, advised that the condominium supported the changes. There were no other public comments. On motion by Deputy Mayor Sgambati, seconded by Trustee Arnold and adopted unanimously, the Board closed the public hearing. On motion by Mayor Natiss, seconded by Trustee Cohen and adopted unanimously, the Board adopted the proposed local law in the form attached to these minutes, and directed the Village Administrator to file the local law with the New York Department of State and with General Code Publishers Corp.

The Board held a public hearing with respect to the proposal of Roslyn Fire Companies for a contract with the Village for fire protection and emergency ambulance services for the period January 1, 2022 through December 31, 2022, for portions of the Village not within a fire district. There were no public comments. On motion by Mayor Natiss, seconded by Deputy Mayor Sgambati and adopted unanimously, the public

hearing was closed. On motion by Deputy Mayor Sgambati, seconded by Trustee Cohen and adopted unanimously, the Board approved the proposed contract and authorized the Mayor to execute the agreement on behalf of the Village.

The Village Administrator read the Treasurer's Report for January 2022, which was approved unanimously on motion by Trustee Lentini, seconded by Trustee Arnold.

On motion by Trustee Cohen, seconded by Trustee Lentini, and adopted unanimously, the Board approved the budgetary fund transfers requested in the February 11, 2022 memorandum from the Village Administrator, a copy of which is on file in the Village office.

On motion by Deputy Mayor Sgambati, seconded by Trustee Arnold, and adopted unanimously, the Board approved payment of the claims on General Fund Warrant 02/22. A copy of the Warrant is attached to these minutes.

The Board discussed a February 11, 2022 memorandum from the Village Administrator recommending transfer of funds from HSBC Bank to TD Bank, and closing of HSBC Bank accounts. A copy of the memorandum is on file with these minutes. On motion by Deputy Mayor Sgambati, seconded by Trustee Lentini and adopted unanimously, the Board authorized and directed transfer of the funds and closing of accounts as recommended.

The Board discussed a proposal from Cummins Power System, LLC for maintenance of the Village generator at Village Hall, as outlined in the Village Administrator's February 11, 2022 memorandum. On motion by Deputy Mayor Sgambati,

seconded by Trustee Arnold and adopted unanimously, the Board accepted the proposal, and authorized the Mayor to execute any related documents, on condition that the proposal be amended to provide that the law governing the agreement would be New York law, and that any disputes arising out of or related to the agreement be resolved in a court of appropriate jurisdiction in Nassau County, New York.

The Board discussed the Village Administrator's February 11, 2022 memorandum regarding a new postage machine for Village Hall. On motion by Deputy Mayor Sgambati, seconded by Trustee Cohen, and adopted unanimously, the Board authorized a five-year lease agreement as described in the memorandum, a copy of which memorandum is on file with these minutes, and authorized the Mayor to execute all documents reasonably necessary to complete the lease transaction.

The Board discussed a request from Crown Castle, on behalf of STC Five LLC, to amend the lease provisions for the Long Island Expressway Service Road site to allow a lease to DISH Network for tower space, and a sublease from STC Five LLC to DISH Network for approximately 35 feet of ground space. On motion by Trustee Cohen, seconded by Trustee Lentini and adopted unanimously, the Board authorized the Mayor to execute a lease amendment and such other documents as may reasonably be necessary, as approved by the Village Attorney, to permit DISH Network to occupy tower space and ground space as shown in the plans submitted by Crown Castle, on condition that (a) the Village shall receive 50% of any revenue resulting from the tower space lease and ground space sublease, but not less than \$1,000 per month, (b) rental amounts shall

increase at least 2.8% per annum commencing March 1, 2028, (c) at least annually, at the Village's request, STC Five LLC or its successors in interest shall provide a business summary report demonstrating all revenues received from entities occupying the tower and/or ground space, and (d) any such tower lease or ground space lease shall terminate no later than the expiration of the STC Five LLC lease agreement with the Village.

The Board discussed the most recent report on usage of the Village shuttle. The shuttle service will continue on a revised schedule until further notice. The Village Administrator was requested to consult with the shuttle service vendor as to the revised schedule, and payments, and provide that information to the Village Attorney so that appropriate contract revisions may be prepared for Board consideration at the next regular meeting.

Mayor Natiss appointed Barry Bassick as an alternate member of the Planning Board, for the remainder of the official year. On motion by Mayor Natiss, seconded by Deputy Mayor Sgambati and adopted unanimously, the appointment was approved.

There being no further business, on motion by Deputy Mayor Sgambati, seconded by Trustee Cohen, and adopted unanimously, the meeting was adjourned at 9:27 pm.

THE ABOVE MINUTES WERE FILED IN THE VILLAGE
OFFICE OF THE VILLAGE OF NORTH HILLS AT:

TIME: 10:30 AM/PM

DATE: March 17, 2022.

PERSON FILING: Marianne C. Lobaccaro

(Print full name of filer)