

CITY OF GLEN COVE

MINUTES

CITY COUNCIL MEETING

DECEMBER 12, 2023

Mayor Panzenbeck called the meeting to order at 7:30 p.m. and asked Rosa Diez to lead those assembled in the Pledge of Allegiance.

PRESENT: Mayor Panzenbeck, Councilpersons Peebles, Farnan, Silverman, Mancusi, Fugazy-Scagliola and Maccarone

ABSENT: None

ALSO PRESENT: City Attorney, Tip Henderson and City Clerk, Tina Pemberton

PUBLIC HEARING:

To discuss Local Law 07-2023, amending Chapter 111 Building Construction – Sec. 111-10. Building Department fees.

Mayor Panzenbeck stated:
“I move to close tonight’s Public Hearing.”
Councilman Farnan seconded the motion.
The motion was unanimously adopted.

Mayor Panzenbeck moved that the Minutes of November 28, 2023 be approved and adopted.
Councilman Maccarone seconded the motion.
The motion was adopted by a vote of six (6) ayes and one (1) abstention, with Councilwoman Silverman abstaining.

Mayor Panzenbeck moved that the following Warrant No. 2319 be approved as paid:

Payroll Warrant	12/7/2023	A	General Fund	\$783,464.20	\$805,431.16
		F	Water Fund	\$21,966.96	
	Nov O/T	A	General Fund	\$205,674.83	\$222,187.28
		F	Water Fund	\$16,512.45	
	2319	A	General Fund	\$965,951.84	\$2,242,827.45
		F	Water Fund	\$45,007.72	
		H	Capital Fund	\$1,227,490.37	
		MS	Insurance	\$4,377.52	
		TA	Agency		
		TE	Trust		

Wire or ACH Payments for period:	11/25/2023	12/7/2023	
Date:	Vendor:	Reason:	Amount:

PSEG	Utilities	\$2,996.03
National Grid	Utilities	\$3,927.30
Verizon	Utilities	\$616.77
Chase		
Rathkopf	Retainer	\$19,816.66
DTC	Debt Service	\$127,506.26
Capital One	cc payment	\$676.00

Councilwoman Peebles seconded the motion.
Warrant No. 2319 was unanimously adopted.

Mayor Panzenbeck offered Resolution 9A and moved for its adoption.

Resolution 9A

BE IT RESOLVED, that Rosa M. Diez is hereby increased to the rate of \$20.00 per hour effective October 8, 2023.

Councilwoman Fugazy-Scagliola seconded the motion.
Resolution 9A was unanimously adopted.

Mayor Panzenbeck offered Resolution 6A and moved for its adoption.

Resolution 6A

WHEREAS, the City Council has directed the preparation of Local Law A-2023 which will amend § 111-10, “Building Department Fees,” of Chapter 111, “Building Construction,” of the Code of the City of Glen Cove regarding the payment of building permit fees for projects involving affordable and/or workforce housing; and

WHEREAS, in accordance with Article 8 of the Environmental Conservation Law: the New York State Environmental Quality Review Act (“SEQRA”) and its implementing regulations set forth in 6 NYCRR Part 617 (“Regulations”), a Short Environmental Form has been completed for review of the Action to adopt said local law, including Parts 1, 2, and 3 of the EAF form; and

WHEREAS, the City Council is the only agency involved in adopting said local law; and

WHEREAS, the City Council has classified this Action as an Unlisted action pursuant to 6 NYCRR § 617.6 of the Regulations; and

WHEREAS, the City Council has reviewed the Action and all relevant supporting information and documentation, has identified the relevant areas of environmental concern, has compared the reasonably expected results of the Action with the criteria set forth in 6 NYCRR § 617.7 and has determined that there will be no significant adverse environmental impacts associated with the Action which is reflected within Parts 2 and 3 of the EAF;

NOW, THEREFORE, BE IT RESOLVED, the City Council has examined the impacts which may be reasonably anticipated to result from the Action, and has determined that it will not have any significant adverse impact on the environment and therefore a Draft Environmental Impact Statement need not be prepared; and

BE IT FURTHER RESOLVED, the City Council hereby authorizes the filing of the EAF pursuant to the requirements of SEQRA and 6 NYCRR § 617.12 of its implementing Regulations.

Councilman Maccarone seconded the motion.
The motion was unanimously adopted.

Mayor Panzenbeck offered Local Law 6B and Resolutions 6C, 6D, 6E, 6F, 6G, 6H, 6I, 6J, 6K, 6L, 6M and 6N, and moved for their adoption.

Local Law 6B

**CITY OF GLEN COVE
PROPOSED LOCAL LAW 07-2023
“BUILDING PERMIT FEES”**

A local law to amend Section 111-10, “*Building Department fees*” of Chapter 111, *A Building Construction*, of the Code of the City of Glen Cove regarding exemptions from payment of fees and reduction of fees for municipal properties, hospital properties and affordable housing.

BE IT ENACTED by the City Council of the City of Glen Cove as follows:

SECTION 1. Section 111-10 of the Code of the City of Glen Cove is hereby amended as follows:

§111-10 Building Department fees

* * *

C. Exemptions from fees. No fee shall be payable under this section if:

(1) The building or property is ~~owned, operated or controlled~~ wholly owned by the city, state or federal government or any agency thereof; or

~~(2) — The owner of the building or property affected is a corporation or association organized and operated exclusively for houses of religious worship or nonprofit hospital organizations, or for one or more such purposes, no part of the earnings of which ensures (sic) to the benefit of any private group or individual, and provided that the property affected is to be used exclusively by such corporation or association for one or more of such purposes: or~~

(2) The property is owned by a religious organization designated as a tax-exempt organization pursuant to Section 501(c)(3) of the United States Internal Revenue Code, and the property is to be used exclusively for the purposes for which 501(c)(3) classification was granted. This exemption shall not apply to the payment of sewer connection fees; or

~~(3) — The owner, developer or contractor of the building or property affected is a corporation or association engaged in the planning, development and construction of low and moderate affordable housing as defined by HUD and the New York State Housing Trust Fund within the city. In this regard, the owner, developer or contractor shall also be exempt from the payment of filing fees which may be required by either the Planning Board or the Board of Zoning Appeals. However, this exemption shall not apply to the payment of sewer connection fees which may be imposed upon the constructions.~~

(3) The property is owned by a hospital organization designated as a tax-exempt organization pursuant to Section 501(c)(3) of the United States Internal Revenue Code, and the property is to be used exclusively for the purposes for which 501(c)(3) classification was granted. This exemption shall not apply to the payment of sewer connection fees.

D. Application to reduce fees.

If the property is to be used exclusively for very low, low, and/or low-moderate affordable housing as defined by HUD, the NYS Homes and Community Renewal, and/or the NYS Housing Trust Fund, an application may be made to the City Council for up to a 75% reduction of the permit fees. If the property is to be used for workforce housing as defined by the aforesaid agencies, whether exclusively or not, an application may be made to the City Council for up to a 50% reduction in the permit fees. Any reduction shall be at

the sole discretion of the City Council. Any reduction under this section shall not apply to the charges for sewer connection fees.

* * *

SECTION 2. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstances, directly involved in the controversy in which such judgment or order shall be render.

SECTION 3. This local law shall take effect immediately upon filing with the Secretary of State.

Note: New words are underlined. Deletions are ~~struck-out~~. Dotted . . . or starred * * * lines set off that portion of a section or subsection which is amended.

Resolution 6C

**RESOLUTION OF THE
GLEN COVE CITY COUNCIL
DECLARING ITS INTENT TO DESIGNATE ITSELF AS LEAD AGENT FOR THE
COMPREHENSIVE PLAN UPDATE UNDER THE NEW YORK STATE
ENVIRONMENTAL REVIEW ACT (“SEQRA”)**

WHEREAS, the City of Glen Cove (“City”) is updating its Comprehensive Plan, funded in part with grants awarded by the New York State Department of State (“NYSDOS”) and New York State Department of Environmental Conservation (“NYSDEC”), hereinafter referred to as the “Proposed Action;” and

WHEREAS, pursuant to 6 NYCRR Part 617 the Proposed Action is classified as a Type I Action; and

WHEREAS, in accordance with the provisions of 6NYCRR Part 617.6 (b) (1), the City Council of the City of Glen Cove intends to serve as Lead Agency for the SEQRA Review of this Type I Action, and in this capacity, will determine if the Proposed Action will have a significant effect on the environment; and

WHEREAS, pursuant to the requirements of 6 NYCRR Part 617.6 (b) (3) a Coordinated Review of this Type I Action will be conducted.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Glen Cove hereby declares its intention to serve as Lead Agency for the SEQRA Coordinated Review of this Type I Action, and directs the circulation of this Lead Agency Notice, along with the Environmental Assessment Form and associated documentation, to all Involved Agencies. Involved Agencies shall be given 30 days from the mailing of the Lead Agency Notice to challenge the City Council’s designation.

BE IT FINALLY RESOLVED, that this resolution shall have an effective date of December 13, 2023.

Resolution 6D

BE IT RESOLVED, that the City Council hereby authorizes the Mayor to accept Amendment and Restatement to the Master Agreement between BusPatrol America, LLC and The City of Glen Cove for a school bus stop arm enforcement program.

Resolution 6E

BE IT RESOLVED, that the City Council hereby authorizes the Mayor to enter into a professional services agreement with LiRo Engineers, Inc. for the 2024 Road Improvement Program, at a cost not to exceed \$210,228.

Funding: H5110-52260-2310

Resolution 6F

BE IT RESOLVED, that the City Council hereby authorizes the Mayor to enter into a construction agreement with Chesterfield Associates, Inc. to adjust the tidal gates on the East Island Bridge, at a cost not to exceed \$4,500.00, retroactive to December 7, 2023.

Funding: H5110-52260-1838

Resolution 6G

BE IT RESOLVED, that the City Council hereby authorizes the Mayor to enter into an agreement with CivicPlus, for Agenda and Meeting Management Software, in the amount of \$13,885.50.

Funding: A1410-55438

Resolution 6H

BE IT RESOLVED, that the City Council hereby authorizes the Mayor to enter into an agreement with Quincy Compressor, to provide annual maintenance for piston compressors for DPW yard, in the amount of \$1,625.15 and Fire Department, in the amount of \$1,434.83

Funding: A1640-55438 DPW
A3410-55438 Fire Department

Resolution 6I

BE IT RESOLVED, that the City Council hereby authorizes the Mayor to enter into an agreement with Daniel Gutierrez, to provide fitness classes, for Youth Services and Recreation, in the amount of \$40 per hour (1 hour session, twice per week), effective December 13, 2023 through August 2024.

Funding: A7050-55450

Resolution 6J

BE IT RESOLVED, that the City Council hereby authorizes the Mayor to accept the sum of \$50,000 as awarded by New York State Office for the Aging for the Age-Friendly Center of Excellence, for the funding period of January 1, 2024 through December 31, 2024.

Funding: A7030-43580 State Aid: \$50,000

Resolution 6K

BE IT RESOLVED, that the City Council hereby approved Budget Transfers and Amendments as submitted and reviewed by the City Controller.

(See Attached)

Resolution 6L

BE IT RESOLVED, that the City Council hereby authorizes First City Project Collective Inc. to host “EOC Santa Event” on Tuesday, December 19, 2023, 10:00 a.m. to 11:00 a.m., at the Glen Cove Ferry Terminal.

Resolution 6M

BE IT RESOLVED, that the City Council hereby authorizes Chabad of Sea Cliff-Glen Cove to host a Chanukah Celebration on Sunday, December 10, 2023, in Village Square at 4:30 p.m.

Resolution 6N

BE IT RESOLVED, that the City Council hereby authorizes the City Attorney to settle the following claim in full and final settlement:

<u>Name</u>	<u>Claim Number</u>	<u>Amount</u>
Irsan Mendez	23-2808	\$4,068.80

Councilwoman Fugazy-Scagliola seconded the motion.
Local Law 6B and Resolutions 6C, 6D, 6E, 6F, 6G, 6H, 6I, 6J, 6K, 6L, 6M and 6N were unanimously adopted.

Mayor Panzenbeck offered Resolution 7A and moved for its adoption.

Resolution 7A

BE IT RESOLVED, that Edward Moyano and Matthew A. Passero are hereby appointed as Crossing Guards with Auxiliary Police at \$15.00 per hour, effective December 13, 2023.

Funding: A3110-51120

Councilman Farnan seconded the motion.
Resolution 7A was unanimously adopted.

There being no further business before the City Council, Mayor Panzenbeck moved to adjourn the meeting.
Councilwoman Peebles seconded the motion.
The motion was unanimously adopted, and the meeting adjourned at 7:55 p.m.

Tina Pemberton
City Clerk

