

Resolution offered by Mayor Spinello and seconded by _____

**CITY OF GLEN COVE
LOCAL LAW 1- 2016
“BOARD OF APPEALS PROCEDURE”**

A local law to amend Section 280-28, Powers and duties, of the Zoning Code of the City of Glen Cove, to allow for an expeditious procedure for the rendering of decisions of the Board of Zoning Appeals.

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

SECTION 1. Subsection (C)(6) of Section 280-28 of the Code of the City of Glen Cove as last amended by Ordinance on August 24, 2010 is hereby amended as follows:

- (6) Every decision of the Board of Appeals shall be recorded in accordance with standard forms adopted by the Board. Every decision of said Board shall be filed by case number. In each case, the Board of Appeals shall notify the DBD, City Clerk, the Planning Board and the Nassau County Planning Commission of their decision.
 - (a) The Board of Appeals may render its decision in summary format, setting forth the Board=s decision and conditions imposed, if any, without enumerating detailed findings which formed the basis for its determination. Any person aggrieved by a decision of the Board of Appeals may within thirty (30) days after filing of the summary decision in the office of the City Clerk, file a written demand with the City Clerk, demanding that the Board of Appeals adopt and file a long form decision. The City Clerk shall deliver this demand to the Chairman of the Board of Appeals, who shall cause the Board of Appeals to adopt and file a long form decision with the City Clerk. Such long form decision shall fully set forth the circumstances of the case, shall contain a full record of the findings on which the decision is based, and, if such decision is not in accordance with any recommendation of the Planning Board, shall state the reasons therefor. If any aggrieved person seeks judicial review without having requested a long form decision, the Chairman or a member of the Board of Appeals may submit the Board=s findings by affidavit as part of the Board=s court pleadings. The Board may also adopt a long form decision to include with its papers in opposition to the petition.

- (b) The date of filing of the Board of Appeals= decision in summary format with the City Clerk shall be deemed the date of the filing of the Board=s decision for all purposes, except when a timely written demand is made for the long form decision. In those cases, the date of filing of the findings statement with the City Clerk shall be deemed the date of filing of the decision of the Board of Appeals for all purposes, including any action commenced under Article 78 of the New York State Civil Practice Law and Rules.

SECTION 2. Subsection (C)(11) of Section 280-28 of the Code of the City of Glen Cove is hereby amended as follows:

(11) All decisions of the Board of Appeals are subject to court review by certiorari in accordance with §81-c of the General City Law and the time frames of subsection (C)(6) above.

SECTION 3. 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 4. This local law shall take effect immediately upon filing with the Secretary of State.

Resolution 6B

Resolution offered by Mayor Spinello and seconded by _____

BE IT RESOLVED, that the Mayor is hereby authorized to enter into a contract agreement with PMA Management Corp, a third party administrator for the workers compensation program, in the annual amount specified in said agreement, effective January 1, 2016 through December 31, 2018.

Resolution 6C

Resolution offered by Mayor Spinello and seconded by _____

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> |
|-------------|---------------------|---------------|
| Mariah Leal | GC 11-2275 | \$10,000 |

Resolution 6D

Resolution offered by Mayor Spinello and seconded by _____

BE IT RESOLVED, that the Ancient Order of Hibernians is hereby authorized to hold their annual St. Patrick’s Day Parade on March 20, 2016 and the closing of Forest Avenue, School Street, Glen Street and Pearsall Avenue.

Resolution 7A

Resolution offered by Mayor Spinello and seconded by _____

WHEREAS, an examination for Police Sergeant was given by the Municipal Civil Service Commission of Glen Cove; and

WHEREAS, an eligible list No. 74590 was established by the Glen Cove Municipal Civil Service Commission; and

WHEREAS, Brian Miller is certified as eligible under list No. 74590 by the Glen Cove Municipal Civil Service Commission;

NOW, THEREFORE, BE IT RESOLVED, that, effective February 24, 2016, Brian Miller is hereby promoted to Police Sergeant with the Police Department with an annual salary of \$163,387.

(PD3120-51101)

Resolution 8A

Resolution offered by Mayor Spinello and seconded by _____

BE IT RESOLVED, that Mark Winkler and Roberta Cerasi are hereby appointed the Board of Assessment Review, effective April 28, 2016 through April 27, 2021.