

**MAYOR NICHOLAS B. CAPOZZI
VILLAGE OF MANORHAVEN
STATE OF THE VILLAGE
FEBRUARY 2008**

In the past, this State of the Village address has been a summary of projects and accomplishments for the prior year as well as thanks to those who worked to achieve these goals. This year I will give you an overview of the many projects that were undertaken in 2007. However I would like to focus on the future as we have come to a crossroads and we need to move on.

The Past Year

ROADS: After many years of preparation, we completed some very large projects. The repaving of Manhasset Ave. was finished. The last time it was paved was sixty years ago during World War II. Those of you who drove or walked there were well aware of the state of disrepair. We had to invest the money and time to finally replace it.

SEWERS: The other major project was the replacement and repair of the sewer line on Manorhaven Blvd. The job was difficult and tedious - I want to thank you for your patience and cooperation during the repair. We now have no infiltration into the line where it is most critical. We are planning the second phase of the long-term sewer renovation for the Orchard Beach Blvd. area.

TRAFFIC SIGN: Another project that took longer than I anticipated was the installation of a stop sign on Manorhaven Blvd. The street belongs to Nassau County so we needed their approval to install the sign. After much discussion with the County and with the help of Father Twomey and over 200 members of Our Lady of Fatima parish who signed a petition, we were able to pass a resolution to have the sign placed on the Blvd. We want to ensure the safety of our residents from the constant speeding that occurs there. While the sign has slowed traffic down, Manorhaven Blvd. is still the road with the most accidents in the Village. I urge you all to slow down!

CELL TOWER: Another accomplishment was the passage of a resolution allowing the Village to install a cell tower. The contracts are in place and as soon as we get approvals from all the Federal and County agencies involved, the tower will be ready to go up. I want to move quickly on this because the Town as well as a private landowner would like to erect towers in Manorhaven on their property. ***Rather than having someone else profit from the project, I want the Village to receive the funds that will be generated by the tower.*** A \$50,000 signing bonus will be due to the Village as well as annual fees from the individual carriers.

QUALITY OF LIFE: As the year progressed we continued to implement new and positive quality of life resolutions. We also combined many of the property maintenance laws into one comprehensive area of the codebook. We now have an easier to read and better working code. We took out many of the contradictions that occur after years of amendments. I introduced new Green Laws to better improve our buildings within the Village. All new construction must meet “Green” standards including more efficient appliances and heating systems.

VILLAGE HALL: The Village Hall is being fitted with a new more efficient gas heating system. We improved and refitted the Village Hall security system with new state of the art equipment for the safekeeping of important documents that must be kept in the building. Our door security system was replaced with better and more secure electronic locks. We spruced up the public portions of the Village Hall with a little paint and a new carpet. The Hall now looks cleaner and more presentable. While the building itself needs a complete overhaul as the flat roof and HVAC systems are fifty years old, we did what we could (all in house) with the small amount of funds available.

VILLAGE COURT: Through the State court system we received grant money to improve the court computer system and update our software. We have applied for another grant to improve the courtroom with new secured seating as well as a recording device that will enable the Village to be brought up to State Court standards. Through the efforts of our court clerk we have been successful in securing these grants. I recently had a discussion with the chief judge of the Nassau County Court System at a Nassau County Village Officials Association meeting. He implied that almost all the requests that were submitted in a timely manner would see another round of funds.

THE WEB: We improved our web site with more information and now have the entire code of the Village available to you twenty-four hours, seven days a week.

EQUIPMENT: Our fleet of trucks, sweepers and other equipment is an issue I want to address. The Village upgraded our fleet and we now have state of the art machinery in order to better service our roads and continue to keep our streets clean and safe. Eight years ago the Village did not own a new truck and those we had, had to be repaired almost constantly. This left us at the mercy of the weather. In the winter old trucks don’t always start and when they do they don’t last too long in a storm. We now have new trucks with warranties. We leased two new trucks this past year. Leasing is the most economical way to go. All of the equipment went through the State bidding process so we know we received the best deals. When the lease expires we may purchase the vehicles for one dollar, if we choose. That is the way we purchased the new sweeper. We leased it for five years and purchased it for one dollar as the sweeper is in good condition. I have been told that this is the first time in forty years that the Village has new equipment, in the past we always bought used equipment.

We use the same practice for office equipment and computers. This allows us to upgrade when needed and not spend too much money all at once. Almost all businesses lease rather than buy today. If and when the numbers are favorable, it works for us.

FINANCES: Last year we ended the year with a small surplus that was carried over into the 07/08 budget. This year, as of January 2008, we are on target. If we have no major catastrophes we will again end up with a surplus, perhaps larger than last year. The Village has no debt service other than the bond taken in 2006 for the repair of the sewers. As the Village has a fairly good bond rating, rather than roll it over we intend to go long with it in order to pay it down at a good rate. As I write, our financial advisors are working on a plan for the 08/09 budget. I will address the budget again later on.

The Present

VANDALISM: Over the past few months the Village has been the victim of a rash of car vandalism. There does not appear to be any reason other than to create a disturbance. Someone is walking down the street smashing car windows at 4 AM. There is no rhyme or reason as to which cars are vandalized. This has happened three times in the past eighteen months. The perpetrators begin in Port North and the unincorporated areas of Port Washington and then proceed to Manorhaven. Both Nassau County Police and Port Police Departments are working on this case. I had a meeting with residents and the Nassau County Police. We were informed that unmarked cars are patrolling the Village. Residents who attended the meeting asked for more lighting and installation of a camera on the two or three blocks that have been hardest hit. We are working on a plan, keeping in mind that these suggestions are costly. As this is a quality of life matter I am investigating the cost and practicality of these suggestions.

PROTECTING OUR ROAD EQUIPMENT: I have asked the Board to consider leasing the building next to the Village Hall so we may protect our new trucks, sweepers, and other equipment rather than the current outdoor storage. When vehicles stand dormant, the weather takes a toll on them. Tires tend to rot quicker, oil in crankcases breaks down and overall condition is negatively affected. I suggested that we have a trial period and lease the building for a short period in order to assess the overall value of the building before entering into an annual lease. Something has to be done. We just can't allow valuable equipment to sit unprotected. Additionally, there are many days when the Village Hall parking lot is full during the day and those who need to work or visit the Hall must park on the streets. Because of the time and alternate parking restrictions this sometimes creates a problem.

TREES: I have asked the Board to consider amending our tree ordinance to bring it in line with modern practices. I asked the clerk to request copies of ordinances from other Villages. Deputy Mayor Weber has taken this information

and combined it with our law to create a comprehensive piece of legislation. Trees are similar to people in that there comes a time that life ends either naturally or unnaturally. Many of the old trees planted fifty or more years ago become unmanageable. They lift up sidewalks, their roots break through foundations and they infiltrate the water and sewer lines, causing breaks and backups resulting in costly repairs. In the last month or two we have been evaluating the inventory of these large trees. Those that are causing street, sidewalk or underground problems will need to be removed. Each year we budget money to plant new trees. Each spring or fall over the past ten years we have planted over 200 new trees. I intend to again budget money to continue our program of keeping things green both inside and out of our homes.

MONEY OWED TO THE VILLAGE: You may recall that I wrote to you about the Village's conflict with the Town of North Hempstead. This problem was inherited from the former administration. The Village has been servicing the sewerage that comes from the Manorhaven Beach Park since the day it opened. The park does not belong to the Village but its sewage disposal lines are connected to the Village main and the waste goes through our pumping station. For over twelve years the Town has refused to pay the annual bill for this service. The waste disposal contract between the Town and the Village expired many years ago. When I became mayor, I approached the Town in order to agree on a new contract so that they would agree on a fair rate and begin to pay off their debt to the Village. At one of our last meetings, the Town agreed to install their own flow meters. This would measure the amount of waste and give us an accurate record of the amount of use. I believe this would be a fair way to measure their usage and give us a basis for adjusting prior bills. The current formula bills 3.3% of the overall Village usage to the Town. We started discussions with the present Town administration four years ago. No meters have been installed yet! No payments have been made! We retained an attorney to bring this to court but after three years nothing has happened because the stalling continues. The last bill we sent the Town was for **\$170,000.00**. When we began negotiations, the town sent us a check for \$60,000.00. Upon the advice of the Village's former attorney we held it in "good faith" however we were subsequently advised to cash the check. We did and applied it as a credit against the total amount. There has been no movement on the part of the Town. The Village investigated how much water the park uses to give us a better idea of how much wastewater goes out. We cannot charge interest on money owed. In the past the park emptied pool water into the sewer system although they were instructed not to. They also used to empty the pool water into the bay until the DEC told them to stop. We have no idea where the water is presently going, perhaps into the sewer line again. The fact is that the Village has offered a service for more than 14 years and we are not being paid for that service. We are supplementing the entire town of North Hempstead by paying their sewerage bill. The Water Pollution Control Department needs to be paid and so do we! Perhaps you should make a few calls to the Town and ask them when the meters will be installed, when they plan on settling the dispute and why they think it is morally right to hold up payments to the Village.

Each year we replace a road or two in the Village. Two roads can be replaced with \$170,000. It's your tax money paying their bill.

PROMISES MADE AND NOT KEPT: Three years ago I promised to overhaul the Village Hall and build a garage so the road crew would not have to work in the cold and heat to do repairs. We are lucky to have men with the talent to repair the equipment, it's time we help them. This promise has not been fulfilled. We had a few inquiries on the Ashwood property but it still not sold. The money from the sale would have given us more than enough to do the job. The \$170,000 from the town has yet to materialize and the \$50,000 signing bonus from the cell tower contractor has also not arrived. We cannot issue the permits to start building the tower until we get clearance from the DEC so the signing bonus and rent from the carriers has not yet become a reality. So yes, this is perhaps the one and only thing I promised you during my tenure that has not come about. In the coming months we hope some or all of the money we are expecting materializes. We need to build a garage and refurbish the hall (leaking ceiling, rotting wood, unsafe flooring), install efficient heat and cooling and be able to open up more storage and work space. WE could also use the funds to pay attention to the many other things that were so long over looked in the past.

I have not forgotten about the additional storm catch basins we need on Cambridge Ave. I have been fishing for grants but many of them have dried up. I will be in Albany late February, early March on a hunting expedition for money. Please understand I am trying to fulfill my promises, it is just taking more time and more patience.

MORGAN'S DOCK, ETC.: Recently a committee was formed and met at least three times. Some grant money has been obtained for engineering and rehabilitation. This is an important area with much history, the Village needs to reopen it for the public use and protect the little open area we have left on Orchard Beach Blvd.

The Village has hired an engineering firm and plans have been drawn for the Wildlife Preserve. Things are on hold again as we are in the hands of the DEC. They have had the plans for almost a year. We are waiting for their comments. Once we get DEC permits we can start working on the project. While we have made progress, we again are held up by an outside agency. We will do everything in our power to see these projects move ahead.

THE BUDGET: We started working early this year to present a well-put-together, balanced budget. We will have a public hearing and ask for its approval. Creating a new budget that tries to keep spending down, while improving the Village and the quality of life is an enormous task. Stabilizing the budget or reducing the burden to the taxpayer is always the intent; but it doesn't always happen the way we would like to. We start with fixed items like electric, heat, phone, fuel, building maintenance, salaries, as well as the cost of doing business. We intend to roll

over any surplus from the 2007/08 budget as we anticipate a small surplus that will help the 2008/09 budget. We are holding union negotiations that I believe will be finalized shortly. This will help formulate the new budget as it will become one more item we know will be predetermined. A municipal budget is not formed like a home or even a business budget. WE must back into the budget. We have no exact knowledge of just what our revenues will be. Each year the County has changed and adjusted the value of your home. Assessments have been up and down. Each year we take an educated guess at what they will be. The Village also receives a small portion of County sales tax but we can only estimate that figure.

Also we have no estimate of the monthly revenue we will see from the cell tower so we can't figure that into the budget. You will be kept informed as we go through the process this year and we will try to be as conservative as possible. We will post the budget on our web site.

I urge you to stay informed so you know what is really happening. Use the site it's full of up-date information.

The Future

We need a change in the future development of our Village. Development needs to be addressed seriously without emotion or individual agendas. The Village needs to move forward while preserving the past and our great history. We need to protect our future with progressive new ideas to keep the Village contemporary. We must move ahead, not to keep people out but to welcome new residents while wishing the best to those who leave. The Mayor and the Board have NO control over who buys property. We have no control over the number of properties any one individual owns. What we CAN do is to see that *future development adheres to higher standards* than in the past. WE have enacted some important new legislation to achieve these goals. In the past we created an Architectural Review Board but now we need to do more. I will outline my ideas on how to achieve some of these goals and why I think we should take a long hard look at changing some of our old misinformed attitudes concerning the future of this great Village.

It should come as no surprise that that the Village has a large share of absentee landlords. We have more rental properties and two family homes than any other similarly sized Village in Nassau County. Despite this, families, couples and singles continue to move in and invest in homes both new and old. As with every other Village in Nassau County, our children and young people (as well as empty nesters) are moving out and off Long Island for various reasons. Many who stay are downsizing, what is the cause? Taxes?; Unavailability of newer contemporary home inventory?; A different life style then their parents? Or is it that they just have a different type of thinking than their parents? Regardless, we need to deal with the facts and stop putting our heads in the sand. It's not 1970 anymore, Village residents needs to understand that "things are different". This doesn't mean we need to throw the baby out with the bathwater. I myself prefer

older homes with character, but that's how I feel; other people have different wants and needs.

Recently a report was published by the *Long Island Index*, a group formed in 2002 composed of Long Island civic, academic, business and labor leaders to discuss challenges facing the region and potential catalysts for a new direction. Some of their findings are interesting. In 2000, 62% of houses sold were priced less than \$250,000. By 2006 the number dropped to 4%. From 1990 to 2006 the number of 25 to 34 year olds declined on L.I. by 35% compared to 8% nationwide. In the latest survey 65% of those between 18 and 34 said they were likely to move off the Island within the next five years. 82% of L.I. housing units are single-family houses, a stark difference from Manorhaven, yet one resident in three would prefer a condo, townhouse or apartment. Almost half of the 18 to 34 age group could imagine themselves living in a condo, apartment or town house in a local downtown or close to a downtown area on L.I. The study found a majority of empty-nesters and seniors preferred to live in an area where stores and homes were closer together in neighborhoods consisting of town homes or condo developments, where services like a jitney can help them with their shopping, without the need to drive.

So here are some of the ideas I have been thinking about. I hope we can move on some them in the coming year. *We need a change*, these are some ways to preserve our quality of life and expand the choices for people who presently live or would like to live in Manorhaven.

ORCHARD BEACH BATH CLUB: For those new to the Village, the former Orchard Beach Bath Club (59 Orchard Beach Blvd.) was a 50' x 151' lot donated by the Copp family (former owners of much of the land in the Orchard Beach area) for use by families who reside in the Orchard Beach section of the Village, with the contingency that the property taxes be paid by the Club. Due to unforeseen circumstances and the lack of funding, the Club was forced to disband and the taxes went unpaid. Re-assessment, school and property taxes just became too much for the small group to bear. Many of the absentee homeowners in the area did not want to pay their share of the tax bill. Many people were upset that the under the terms of the covenant to the Beach Club, the property would revert to the Copp Family Trust. The Trust sold the land to a NYC corporation represented by a Nassau County attorney. The attorney applied to the Board of Trustees for a change of zone and then abandoned the application. The property was resold to another corporate entity who again applied for a zone change with the same attorney. Each time the attorney appeared I asked him to identify his client but he was not authorized to do so. I sent him packing.

I will ask the Board to hire an appraiser to assess the property with the intention of having the Village exercise its right of *Eminent Domain* under the Fifth Amendment of the U.S. Constitution, so that the property may be retained as a passive park for all Village residents to enjoy. This small parcel of land is one of

the only clear water views we have left in the Village. If successful, the Village will maintain the property and eventually find grant money to rebuild the sea wall. Upon completion of the eminent domain proceeding, the Village will apply for a mortgage to pay the current owner for the property. I believe we must seize this opportunity before we see another house blocking our view and we should move on it as soon as possible.

GOLDEN AGE HOUSING / E-1 ZONE: It's been almost three years since we re-zoned the old industrial area of Manhasset Isle. The re-zoning was meant to eliminate future use of that area for industry and foster an enterprise zone where a mix of commercial and residential units could exist side by side. My idea was not to put anyone out of business but to induce property owners to take down the old buildings and develop new commercial buildings or residential homes on 50' x 100' lots. Little change has occurred *except for rental apartments built over a garage and plans for more rental apartments over another old warehouse and garage*. Old buildings still lay dormant; the area could be put to better use if developed properly and would add to our tax base. The current zoning does not allow for condo or town house development. The original zoning concept did not allow living units over old buildings but did allow for residential units above retail and commercial units. The idea was to take down the old and construct new. Somehow during the many revisions of the law it evolved into allowing rental apartments to be built over the existing buildings. That is not what was intended. I will ask the Board to review the existing law so as to include "Golden Age" condos and town houses in the E-1 zone. A few months ago, a property owner approached us with the idea of building single-family homes on a section of Manhasset Isle that is neither in the E-1 or E-2 zones. If the Long Island Index study is correct (there is no reason not to believe it), the following scenario would be extremely beneficial to the Village. We rework the E-1 zone so that the area would include a "Golden Age" overlay area, an area for town homes and single-family homes. We need owner occupied units for this Village to maintain its desirability. We would hope that owners would demolish the old and dilapidated buildings and plan either town homes or age 55+ Golden Age condos. I have researched some new laws and plans from other Villages with the intent of introducing them to the entire Board in the near future. We may also consider an area set aside for single-family homes and town homes that will attract a younger demographic perhaps enticing our younger people not to leave the area. *The idea is to promote owner occupied units* giving residents a stake in the future of our Village. This legislation will give a new life to an area that is under-utilized. I hope the current property owners there will see the value of revitalizing the area. The current owners, (most of who are NOT residents), come and go but we live here and have to put up with the trucks and heavy machinery using our roads. We have to put up with day workers speeding and turning corners on two wheels. If this plan works it can alleviate the exodus of our young and older residents. These units will not add to the school population and pay a higher rate of tax to the Village than the old buildings. This could be a means for lowering the existing tax burden while controlling the proliferation of more rental units. Empty nesters

and most young people have no children living with them; we want to give them opportunity to live here comfortably. Condo, Town Homes and single-family homes are smaller, create less trash, are easier to service and are better for the environment.

ONE VILLAGE, THREE ZONES: It is apparent that people who move here do so for a multitude of reasons. Perhaps you moved here to get away from the city and its disadvantages, or you moved here to live in a suburban environment that has great transportation into the city. Perhaps it was the fact that you believe your children can get a better education in smaller classes, or it could be because you can get to know your neighbors, or if you are like me you love the water and the fact that you can have a large vegetable garden. Whatever reason we had to make this choice, ***we moved here because of something we liked.*** This is why I want the Board to revisit our zoning code. I suggest that we look into the existing codes and adjust them to better reflect the feelings of those residents both new and old. This is a very special Village. Nowhere in Nassau County is there a Village similar to ours. We should think about Manorhaven as three separate areas; Manhasset Isle, Orchard Beach and the Beach Haven areas are all different in many ways. *The zoning that is good for one area may not work for another. In order to preserve the distinct nature and ambiance of each of these areas, something must change.* In the coming months I intend to hold informal meetings with residents of each of the three areas. I am going to ask the Board to fund a study involving planners, civic associations and residents to devise a plan to protect the individual areas yet not hinder existing or prospective homeowners. We must preserve our hometown feeling but not build a wall around the Village. Last month a real estate website called "NEXTAG Shopping" listed "Marwood Road So. - Comfortable 2 bathroom single family home, one story, built in 1966. 1,050 sq.ft. on a 3000 sq.ft lot. \$613,200." I think we're doing just fine. Let's make it better. We need to change. ***Good is not enough when you dream of being great!***



Inc. Village of Manorhaven
33 Manorhaven Boulevard
Port Washington, NY 11050

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