

**Board of Trustees
Minutes
November 28th 2016**

Meeting called to order at 7:33pm

MEMBERS PRESENT: Mayor James Wandell, Deputy Mayor Jessica Bernius, Trustee Nick LaLota, Trustee Dennis Siry, Trustee Kevin Smith

ALSO PRESENT: Chief of Police, Glenn Slack
Building Inspector, Robert Alweis
Chief of Fire Department, Jeff Erath
Village Attorney, Richard Handler
Clerk Treasurer, Dina Shingleton
Administrative Assistant, Katie DeGraff

The salute to the flag was led by Chief Slack and Dr. Mary Kelly

Mayor Wandell welcomed everyone to the November 28th meeting of the Board of Trustees

Mayor Wandell presented **Dr. Mary Kelly** Superintendent of Amityville Public Schools with a proclamation for recently being named Educator of the Year by the United North Amityville Youth Organization; she is also an active member of the Amityville Rotary Club, the Amityville Kiwanis Club and the Amityville Chamber of Commerce. Deputy Mayor Bernius stated the Village has an excellent relationship with the Village and Dr. Kelly is a big part of that; the school district provides a band for the Independence Day Parade, which hadn't happened in some years, as well as the Tree Lighting Ceremony, Veteran's Day Ceremony, and more.

Mayor Wandell then offered the following Mayor's Action:

Mayor Wandell appointed **Tiffany Ladd** to position of Registrar of Vital Statistics through March 31, 2017

MOTION to APPROVE was made by Trustee LaLota and seconded by Deputy Mayor Bernius

Vote on Motion:	Mayor Wandell	aye
	Deputy Mayor Bernius	aye
	Trustee LaLota	aye
	Trustee Siry	aye
	Trustee Smith	aye
Motion Carried:	5 aye	0 nays

Mayor Wandell accepted the retirement of **Peter Keller** from the Planning Board effective 12/31/16

Mayor Wandell stated that he did a terrific job for the past 17 years and it is sad to see him go;

**Board of Trustees
Minutes
November 28th 2016**

MOTION to APPROVE was made by Deputy Mayor Bernius and seconded by Trustee LaLota

Vote on Motion:	Mayor Wandell	aye
	Deputy Mayor Bernius	aye
	Trustee LaLota	aye
	Trustee Siry	aye
	Trustee Smith	aye
Motion Carried:	5 aye	0 nays

Before Mayor Wandell proceeds with agenda items, he asked Deputy Mayor Bernius to give the “Good News report”

Deputy Mayor Bernius gave the “Good News” report:

Toys for tots coordinated by Mr. McVeety a Village Resident and former Marine will be at Village hall; they are accepting new, unwrapped toys from 8am-4pm through December 18th in the lobby of Village Hall; December 3rd at 9:00am is the Christmas Tree sale at the Bennett Pl fire house; December 3rd at 11:00am the Holiday Homes tour will be taking place, check the Village website for the locations this year, the tea house will be at St. Mary’s; December 3rd at 5:00pm we will be having our annual tree lighting and arrival of Santa; December 4th at 2:00pm the Amityville Historical Society will be having their holiday open house; December 9th at 3:00 pm the Amityville Fire Department will be starting their Santa runs; A special shout out to Sophia’s restaurant for their great wait staff and dinner service;

There being no further “Good News”, Mayor Wandell continued with the items on the Agenda:

Public Hearing:

Proposed Local Law #15 of 2016: a Local Law to amend chapter 172 of the Code of the Village of Amityville, Section 172-48, Schedule I: Stop Intersections thereof, by designating stop streets at the intersections of Avon Place and Lake Street; and Grand Central Avenue and Perkins Street.

MOTION to OPEN Public Hearing was made by Trustee LaLota and seconded by Deputy Mayor Bernius

Vote on Motion:	Mayor Wandell	aye
	Deputy Mayor Bernius	aye
	Trustee LaLota	aye
	Trustee Siry	aye
	Trustee Smith	aye
Motion Carried:	5 aye	0 nays

**Board of Trustees
Minutes
November 28th 2016**

Trustee LaLota thinks this is a good idea; Gail Temple 42 Avon Place states that she has been living that her property for 40 years and it has been a “drag racing” track for that long she doesn’t want anyone getting hurt; Joe McCormick 125 Avon Pl explained that there have been 6 accidents since he began living here 17 years ago, he thinks this is the only solution; Mrs. Grlic 50 Avon Pl spoke stating that this is silly that we even have to go through this process to solve this problem she has 3 little children and they need to be safe; Liuba Shirley 32 Avon Pl states that it would be great to see this happen it is necessary; Garo Tekeyan 54 Avon pl thanked the Amityville Fire and Police department and the highway department for clearing the accidents on this street so quickly and keeping the street clear when the weather is bad; Mayor Wandell states that the Town of Babylon did a traffic study which concluded that it was not a good idea to install this stop sign but he believes that it is needed and suggests that a “stop ahead” sign be put at the beginning of the street; Deputy Mayor Bernius asks if there will be a cross walk put in as well;

MOTION to CLOSE Public Hearing was made by Trustee Siry and seconded by Trustee Smith

Vote on Motion:	Mayor Wandell	aye
	Deputy Mayor Bernius	aye
	Trustee LaLota	aye
	Trustee Siry	aye
	Trustee Smith	aye
Motion Carried:	5 aye	0 nays

MOTION to APPROVE Proposed Local Law #15 was made by Trustee LaLota and seconded by Deputy Mayor Bernius

Vote on Motion:	Mayor Wandell	aye
	Deputy Mayor Bernius	aye
	Trustee LaLota	aye
	Trustee Siry	aye
	Trustee Smith	aye
Motion Carried:	5 aye	0 nays

Mayor Wandell then proceeded with the regular agenda:

Application for Taxicab Company License (New):

Nathaniel Adams, 10 Miller Avenue for Lindy’s Taxi

Trustee Smith stated that this application was all in order;

MOTION to APPROVE was made by Deputy Mayor Bernius and seconded by Trustee Smith

Vote on Motion:	Mayor Wandell	aye
	Deputy Mayor Bernius	aye
	Trustee LaLota	aye

**Board of Trustees
Minutes
November 28th 2016**

	Trustee Siry	aye
	Trustee Smith	aye
Motion Carried:	5 aye	0 nays

Request from Deputy Treasurer:

Approval of **Treasurer's Abstracts**

ABSTRACT OF AUDITED VOUCHERS AND CHECKS

For the Period November 08, 2016 through November 21, 2016

General Fund

Automated Checks:

Account	Starting #	Ending #	Amount	A/C Balances
SCNB General Fund	2793	2923	\$277,664.04	556,989.49

Payroll Fund

Account	Starting #	Ending #	Amount
SCNB Payroll	NA	NA	68,660.79

Capital Fund

Account	Starting #	Ending #	Amount
Citibank Capital	1010	1011	\$780,073.49

\$ 1,709,239.42

Trust & Agency Fund

Account	Starting #	Ending #	Amount
Chase T&A Account	1117	1117	\$500.00

\$217,331.53

Depository Account balance at 11/21/16 \$ 1,765,681.05

As presented in the official abstract for the Village of Amityville

Dina Shingleton, Clerk/Treasurer

Mayor Wandell stated the Abstract of Claims is available on the website.

MOTION to APPROVE was made by Trustee LaLota and seconded by Trustee Siry

Vote on Motion:	Mayor Wandell	aye
	Deputy Mayor Bernius	aye
	Trustee LaLota	aye
	Trustee Siry	aye
	Trustee Smith	aye

Motion Carried:	5 aye	0 nays
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**Board of Trustees
Minutes
November 28th 2016**

Request from Village Assessor:

Approval of the proposed settlement for **Wellington Park**, 47 Wellington Place, SCTM 101-4.01-1-1-62; total refund for tax years 2010/11 – 2016/17 \$85,000 over three years; Final assessed value for 2017 208,000 (\$6,688,103 or 109,641/unit); moratorium for tax years 2017/18, 2018/19, 2019/20, 2020/21, 2021/22

Trustee LaLota asked Village Attorney Handler to explain the payment schedule; Village Attorney Handler explained the Village is responsible to pay 1/3 of the settlement in the current fiscal year, 1/3 next fiscal year, and the remaining 1/3 the fiscal year after that and that paying early doesn't hurt the Village in any way; Trustee LaLota thinks this is a good settlement for the Village and that we should pay it in full if we can; Trustee Siry stated that he likes the fact that we have a 5 year moratorium now; Mayor Wandell thanks Tom Donato for all the work he has put in on this; Janet Colletti 17 Wellington Pl states that this is not a good settlement and that the work was never completed like they proposed it to be, there is no back gate entrance for the Fire Department to get into in the case of an emergency; Mayor Wandell states that they were given fines from the Building Department for not finishing the work; Janet Colletti also states that they are not a good neighbor, that the property is dirty and not cleaned up; Trustee Lalota agreed with some of the things Janet spoke about this project was advertised differently then what it actually became but they have learned for that for the future projects but these are two very different issues. This settlement is related to over assessments and has nothing to do with how they keep their property; while the village is not happy to send Wellington Park this settlement check because it is less expensive than a battle in court would be; Deputy Mayor Bernius asks Chief of the Fire Department Jeff Erath if he is familiar with the issue of the gate; he responds that the Fire Marshal is in the process of working with the property and will report back;

MOTION to APPROVE was made by Trustee LaLota and seconded by Trustee Smith

Vote on Motion:	Mayor Wandell	aye
	Deputy Mayor Bernius	aye
	Trustee LaLota	aye
	Trustee Siry	aye
	Trustee Smith	aye
Motion Carried:	5 aye	0 nays

Request from Clerk/Treasurer:

Request from the **Amityville Public Schools** for use of public property- specifically the pond behind the high school- for organism collection by AP Biology Class

Request from **Camp Sunshine** to hold its annual "Freezin' for a Reason Long Island Polar Dip" on Saturday, March 11th from 9:30 am – 1:00pm

Request to pay **Network Financial Printing** \$337.50 from Capital Account for printing of Bond Issuance books

Board of Trustees
Minutes
November 28th 2016

Deputy Mayor Bernius says Camp Sunshine is a worthwhile cause and is in favor of this; MOTION to APPROVE was made by Deputy Mayor Bernius and seconded by Trustee Siry

Vote on Motion:	Mayor Wandell	aye
	Deputy Mayor Bernius	aye
	Trustee LaLota	aye
	Trustee Siry	aye
	Trustee Smith	aye
Motion Carried:	5 aye	0 nays

Request to pay **Liberty Capital Services LLC** from Capital Account for Bond Sales – 2016 Improvement Bonds- in the amount of \$8599.00

Clerk/Treasurer Dina Shingleton stated this bill relates to the sale of the \$2.4 million road paving bond; Mayor Wandell added that it is well worth it; Trustee LaLota asked Clerk/Treasurer Dina Shingleton to give us an update on the paving of the parking lots, she did so in detail stating that the weather is affecting the process now and that a lot of the work has been completed but the rest will have to wait to the warmer weather; MOTION to APPROVE was made by Trustee LaLota and seconded by Trustee Siry

Vote on Motion:	Mayor Wandell	aye
	Deputy Mayor Bernius	aye
	Trustee LaLota	aye
	Trustee Siry	aye
	Trustee Smith	aye
Motion Carried:	5 aye	0 nays

Request for budget modification in the amount of \$39,980 from A9950.700/Capital Projects to A3410.230/**FD vehicles/vehicle equip** to allow for purchase of new Chief's truck.

MOTION to APPROVE was made by Trustee LaLota and seconded by Deputy Mayor Bernius

Vote on Motion:	Mayor Wandell	aye
	Deputy Mayor Bernius	aye
	Trustee LaLota	aye
	Trustee Siry	aye
	Trustee Smith	aye
Motion Carried:	5 aye	0 nays

Request for budget amendment in the amount of \$5000 for new **Department of Justice Grant**. Increase A3089/State Aid Other; Increase A3410.250/FD Small Equip Purchase by \$5000

Clerk/Treasurer Dina Shingleton gave a detailed explanation on this item; Chief Erath explained that it was for the software upgrade for the dispatch system; MOTION to APPROVE was made by Trustee LaLota and seconded by Trustee Siry

**Board of Trustees
Minutes
November 28th 2016**

Vote on Motion:	Mayor Wandell	aye
	Deputy Mayor Bernius	aye
	Trustee LaLota	aye
	Trustee Siry	aye
	Trustee Smith	aye
Motion Carried:	5 aye	0 nays

Request to engage to the firm **Cullen & Danowski, LLP** for accounting services to finalize FYE2016 amount not to exceed \$15,000

Trustee LaLota explains that they are going to help them to successfully close out the budget for this year;

MOTION to APPROVE was made by Trustee LaLota and seconded by Trustee Siry

Vote on Motion:	Mayor Wandell	aye
	Deputy Mayor Bernius	aye
	Trustee LaLota	aye
	Trustee Siry	aye
	Trustee Smith	aye
Motion Carried:	5 aye	0 nays

Request from Fire Department:

Request to purchase 2017 Chevy Silverado 2500HD off BOCES bid in amount of \$39980.00 (A3410.230)

Chief Erath states that they have been working off the Town of Brookhaven contract and this is a great price for the truck; Trustee Siry thanks them for all of their diligence on this;

MOTION to APPROVE was made by Trustee LaLota and seconded by Trustee Siry

Vote on Motion:	Mayor Wandell	aye
	Deputy Mayor Bernius	aye
	Trustee LaLota	aye
	Trustee Siry	aye
	Trustee Smith	aye
Motion Carried:	5 aye	0 nays

Request to pay **South Shore Fire & Safety** in the amount of \$4388.30 (A3410.250 and A3410.251) for new hose and flow test for Scott Packs.

MOTION to APPROVE was made by Trustee Siry and seconded by Trustee Smith

Vote on Motion:	Mayor Wandell	aye
	Deputy Mayor Bernius	aye
	Trustee LaLota	aye
	Trustee Siry	aye
	Trustee Smith	aye

**Board of Trustees
Minutes
November 28th 2016**

Motion Carried: 5 aye 0 nays

Request for new member approval:

Howard Rosenberg, 34 Wellington Place, Dauntless Hose Co. #2, New Member

Elizabeth Raymond, 17 South Bay Avenue, Ladies Auxiliary, New Member

Rachel D'Amato, 127 Sterling Place, Ladies Auxiliary, New Member

Trustee Siry states that is very nice to see more people getting involved in the community;

MOTION to APPROVE was made by Deputy Mayor Bernius and seconded by Trustee Siry

Vote on Motion:	Mayor Wandell	aye
	Deputy Mayor Bernius	aye
	Trustee LaLota	aye
	Trustee Siry	aye
	Trustee Smith	aye

Motion Carried: 5 aye 0 nays

Request from Building Department:

Request to authorize **Demolition of 6 Belmont Court** by Panzner Demo & Abatement in amount of \$34,500 (Town of Brookhaven contract)

Deputy Mayor Bernius states that the money will be recouped at the time the property is sold; Janet Colletti 17 Wellington pl states that she is glad it is finally coming down; Village Attorney Richard Handler explained that there are notices that have to be posted and the resolution has to be signed off on by the Board as well as the abatement process but anticipates work will be starting sometime in January; Deputy Mayor Bernius asks Richard Handler to give the public and update on the 21 DeForest Pl property which he did in detail;

MOTION to APPROVE was made by Deputy Mayor Bernius and seconded by Trustee LaLota

Vote on Motion:	Mayor Wandell	aye
	Deputy Mayor Bernius	aye
	Trustee LaLota	aye
	Trustee Siry	aye
	Trustee Smith	aye

Motion Carried: 5 aye 0 nays

Resolutions:

Resolution 16-11-28-01- SEQR NOTICE OF INTENT TO SERVE AS LEAD AGENCY

SEQR NOTICE OF INTENT TO SERVE AS LEAD AGENCY
FOR AN APPLICATION BY GREEN TEK LIVING, LLC FOR AN AMENDMENT TO
CHAPTER 183 OF THE CODE OF THE VILLAGE OF AMITYVILLE TO ENACT A
TRANSIT ORIENTED (TO) ZONING DISTRICT, AMENDMENT OF THE VILLAGE

**Board of Trustees
Minutes
November 28th 2016**

**BUILDING ZONE MAP FOR CERTAIN PARCELS INTO SUCH DISTRICT AND A
REQUEST FOR APPROVAL OF CERTAIN INCENTIVES AND BONUSES PURSUANT TO
THE TO DISTRICT**

WHEREAS, the Village of Amityville has received an application by Green Tek Living, LLC, for an amendment to chapter 183 of the code of the Village of Amityville to enact a Transit Oriented (TO) zoning district with potential applicability to any Industrial-zoned property in the Village that is located within the area bounded by Sterling Place on the north, West Oak Street on the south, Broadway on the east, and County Line Road on the west; and also includes an amendment of the Village Building Zone Map for two parcels into such district (235 County Line Road, 124 Greene Avenue) as well as a request for approval of certain incentives and bonuses pursuant to the TO district; and

WHEREAS, Green Tek Living, LLC has provided an application requesting said approval, along with a Full Environmental Assessment Form (Part One), a draft of the proposed TO district and a preliminary map of the district area; and

WHEREAS, in accordance with the provisions of 6 NYCRR Part 617, the Board of Trustees of the Village of Amityville intends to serve as Lead Agency for the SEQR review, that the action is to be classified as Type One and will require the preparation of a Draft Generic Environmental Impact Statement (DGEIS); and

WHEREAS, the Village will undertake a Coordinated Review of this action.

Now therefore, be it

RESOLVED, that the Village of Amityville Board of Trustees hereby declares its intention to serve as Lead Agency for the SEQR process and directs the Village Clerk to circulate a letter stating so to all Involved Agencies with copies of the application, Full Environmental Assessment Form (Part One), draft of the proposed TO district and a preliminary map of the district area, which agencies shall be given 30 days from the mailing of the letter to state their interests or concerns regarding the selection of Lead Agency by the Village of Amityville Board of Trustees.

Village Attorney Richard Handler read the resolution in entirety and gave a background on the resolution and that the report will be prepared and reviewed by the Board and the Board will decide whether it will go to the next step. The adoption of the resolution doesn't mean the Board has to go through with the change of Zone but there is that option when the time comes; Trustee LaLota states that this is not a Zoning hearing it is just the beginning of the process to fix up a "not so pretty" area of the Village; Trustee Siry states that this is not a bad idea but thinks we need to move carefully on this project; Deputy Mayor Bernius states that we are going to handle this responsibly; Joan Donnison

**Board of Trustees
Minutes
November 28th 2016**

BVCA asks who is going to be doing the Environmental review, Richard Handler answers Greentek; Joan also asks that there be some type of statement put in place that need to be signed stating that the members of the DRC are not to receive any compensation for a project they recommended;

MOTION to APPROVE was made by Trustee LaLota and seconded by Trustee Siry

Vote on Motion:	Mayor Wandell	aye
	Deputy Mayor Bernius	aye
	Trustee LaLota	aye
	Trustee Siry	aye
	Trustee Smith	aye
Motion Carried:	5 aye	0 nays

Resolution 16-11-28-02 – Resolution replacing term “Acting Village Justice” with “Associate Village Justice”

**BOARD OF TRUSTEES
RESOLUTION - #16 - 11 - 28 - 02**

WHEREAS, New York State Village Law §3-301 has amended the title of Acting Village Justice to Associate Village Justice; and

WHEREAS, the intent of the law as described in the Governor’s Memorandum of Support is “to more accurately reflect [the] service [of acting village justices], as well as the recent shift towards giving them increased responsibility and authority;

NOW, THEREFORE, BE IT RESOLVED, that all references to the Acting Village Justice within the code or any rule, regulation or policy of the Village of Amityville, shall be deemed amended to replace the term “Acting Village Justice” with the term “Associate Village Justice,” with all of the same duties, responsibilities and powers attendant therewith.

Village Attorney Richard Handler read the resolution in entirety and gave background on it, he explained that he spoke with Judge Urbano, who was in favor of adopting this resolution;

MOTION to APPROVE was made by Deputy Mayor Bernius and seconded by Trustee LaLota

Vote on Motion:	Mayor Wandell	aye
	Deputy Mayor Bernius	aye
	Trustee LaLota	aye
	Trustee Siry	aye
	Trustee Smith	aye
Motion Carried:	5 aye	0 nays

**Board of Trustees
Minutes
November 28th 2016**

There being no further “good news”, Mayor Wandell opened the floor to the public:

There being no comments from the Board or from the Floor a MOTION to ADJOURN was made by Trustee LaLota and seconded by Trustee Siry

Vote on Motion:	Mayor Wandell	aye
	Deputy Mayor Bernius	aye
	Trustee LaLota	aye
	Trustee Siry	aye
	Trustee Smith	aye
Motion Carried:	5 aye	0 nays

Meeting adjourned at 9:01 pm



Clerk/Treasurer, Dina Shingleton

