

Board of Trustees
Minutes
January 25th, 2016



Meeting called to order at 7:30pm

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

ALSO PRESENT: Code Enforcement Officer, Thomas Whalen
Chief of Police, Glenn Slack
Chief of Fire Department, Robert Waegerle
Village Attorney, Richard Handler
Clerk Treasurer, Dina Shingleton
Executive Assistant, Katie DeGraff



The salute to the flag was led by Chief Slack and Frank Cruthers.

Mayor Wandell welcomed everyone to the January 25th meeting of the Board of Trustees

Mayor Wandell asked for a moment of silence to honor the passing of Lou Howard.

Mayor's Actions:

Mayor Wandell requested a motion to approve the minutes for the **January 11th, 2015** Board of Trustees Meeting

Trustee LaLota suggested tabling the minutes to allow for additional time to review; Trustee Siry, Trustee Smith, and Deputy Mayor Bernius all agreed with Trustee LaLota;
MOTION to TABLE 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 |

Deputy Mayor Bernius gave the "Good News" report:

Deputy Mayor Bernius took the time to reflect on Lou Howards many accomplishments in his life; Trustee Smith stated that his thoughts and prayers are with the Howard family during this tough time; On January 28th, 2016 Village Hall will be staying open until 7:30pm for the sale of LIRR permits; On January 30th, 2016 the Amityville Fire Department will be holding "Are you smarter than a fire policeman" night; On January 31st, 2016 the Bay Village Civic Association is hosting their brunch and raffle at Unqua Yacht Club; On February 6th, 2016 at 10:00am on the 3rd floor of Village Hall the Amityville Little League will be having registration for baseball and softball teams; a big thank you to the Amityville Fire Department, Amityville Police Department, and the Department of Public Works for all their help and hard work with the storm we had over the weekend keeping the Village safe and streets clear; Amityville had two big articles in Newsday, one was about the "book bike" project the Amityville Public Library is putting into effect, the other regarding Amityville's Downtown will be having bike racks installed for the public use; Mayor Wandell explained the efforts taken to do coordinate all departments regarding snow storm Jonas and the potential for flooding this past weekend; Trustee Smith added that he saw the difficulty the Department of Public Works had the snow removal

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equipment and the Village should take the necessary steps to rectify; Trustee Siry agrees with Trustee Smith and has a list of the equipment that needs to be replaced.

License Renewals:

Tow Truck License Renewal by **Bang's Towing Inc.**, 67 Albany Avenue

Tow Truck License Renewal by **A-Team Collision**, 42 Elm Place

Tow Truck License by **Alltown Towing**, 123 Merrick Rd. (reduced fee of \$175)

Taxi Cab Driver's License by **Rosalyn T. Coleman**, 45 Verrazano Ave, Copiague

MOTION to APPROVE with respective stipulations was made by Trustee Smith 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 |

Taxi Cab Driver's License by **Rudolph O.M. Fiasom**, 49 Stone Blvd, Massapequa

Trustee LaLota requested that the Village table the license to review and ensure it is in order; Trustee Smith agrees with Trustee LaLota;

MOTION to TABLE 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 from Deputy Treasurer:

VILLAGE OF AMITYVILLE

ABSTRACT OF AUDITED VOUCHERS AND CHECKS

For the Period January 6,2016 through January 20, 2016

General Fund

Automated Checks:

| Account | Starting # | Ending # | Amount | A/C Balances |
|-----------------------|------------|----------|--------------|---------------|
| Chase General Account | 1157 | 1262 | \$275,961.20 | \$ 388,139.07 |

Payroll Fund

| Account | Starting # | Ending # | Amount | |
|-----------------------|------------|----------|--------|--------------|
| Chase Payroll Account | N/A | N/A | N/A | \$ 45,919.83 |

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Capital Fund

| Account | Starting # | Ending # | Amount | | |
|------------------|------------|----------|--------|----|------------|
| Citibank Capital | N/A | N/A | N/A | \$ | 106,659.15 |

Trust & Agency Fund

| Account | Starting # | Ending # | Amount | | |
|-------------------|------------|----------|--------|----|------------|
| Chase T&A Account | N/A | N/A | N/A | \$ | 127,286.45 |

Depository Account balance at 1/20/2016 \$ 3,940,201.35

As presented in the official abstract for the Village of Amityville

Approval of Treasurer's Abstract

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 Village Assessor to move Tax Grievance Day to February 23rd, 2016

MOTION to APPROVE was made by Trustee Smith 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 |

Requests from the Clerk/ Treasurer:

Revision to Policy 10 regarding employee pay for additional time worked during jury duty

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 Skinnon & Faber \$5,422.50 for Annual Audit (A.1325.440)

Trustee LaLota the Village should be proud of the progress made in a short amount of time; the Village, by making difficult financial decisions about spending, was able to make a million dollar

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swing in the right direction from a \$750k deficit in the general fund to a \$200k surplus without raising taxes beyond the State mandated cap;

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 to **ratify the audited financial statements** for the year ended May 31, 2015 by Skinnon & Faber.

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 |

Requests from Department of Public Works:

Request from **Johnson Electrical Construction Corp** to enter into contract for Traffic Maintenance, period of one year, total cost \$550 per month plus \$5.50 per bulb replaced during bi-annual re-lamping and inspection. (A3310.441)

Trustee LaLota stated a stipulation should be added that the contract should be reviewed before signing next year to ensure this is the best price;

MOTION to APPROVE with above stipulation 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 **Dynaire Service Corp** for renewal of labor and inspection agreement effective 2/1/16 through 1/31/17 for Village Hall HVAC system in the amount of \$4,300 (A1623.460)

Bruce Hopper explained the contract and the specifics of what was covered at Village Hall;

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 |

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

Request to pay **Dynaire Service Corp** in amount of \$3885.00 for cleaning of heat exchanger plates (A1623.460)

Bruce Hopper explained this service was to clean the filter for the geothermal transfer at Village Hall;

MOTION to APPROVE was made by Trustee Siry 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 Modification:**

Increase A5650.445 (Repair and Maintenance) \$2,000

Decrease A6420.440 (Downtown Revitalization) \$2,000

Increase A7140.201 (Playgrounds, Maintenance) \$500

Decrease A7110.240 (Street Equipment) \$500

Trustee LaLota motioned to table this request for review to ensure proper funds were available in each line;

MOTION to TABLE 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 from the Building Department:

Request to pay **US Rent a Fence** \$500 to secure back property at 21 DeForest Avenue for safety reasons

Deputy Mayor Bernius asked if this will be added to their taxes; Code Enforcement Officer

Thomas Whalen answered it will;

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

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

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Motion Carried: 5 aye 0 nays

Requests from Village Attorney:

Request to pay Lamb & Barnoksy LLP amount of \$2459.29 for legal services rendered through 12/31/15 (A.1420.440)

Trustee Siry states that he is not in favor of a portion of the but understands the Village needs to pay for the costs it incurs;

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

Request to retain John S. Goess Realty Appraisal Inc. for Stop & Shop Supermarket/Snug Harbor Square Ventures Tax Certiorari Matter, \$4875.00 (A.1410.440 Contractual/Professional)

Village Attorney Richard Handler explained a commercial appraisal of the property would give the Village the information necessary to settle what could potentially be a very large certiorari;

MOTION to APPROVE was made by Trustee Smith 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

Resolutions:

Mayor Wandell proposed the following resolution for consideration:

Resolution 16-01-25-01 granting limited license for a Little Free Library in the Right-of-Way in front of 76 Coles Avenue

Resolution 16-01-25-01

WHEREAS, the maintenance and security of the Village Right of Way adjacent to our roadway is essential for the safety and aesthetics of neighboring properties and the integrity of underground utilities; and

WHEREAS, occasions do arise when the public interest is served by permitting appropriate intrusions into the Right of Way; and

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WHEREAS, the Permitting process under the Village Sign Code and the requirement of Board of Trustee approval offer sufficient oversight to license a specific use within the Village Right of Way; and

WHEREAS, a request has been made to permit the maintenance of one "Little Free Library" cubby at the curb in front of 76 Coles Avenue, which will permit children and adults to keep, borrow, or deposit appropriate and discreet books, limited to classical and popular literature; and

WHEREAS, the Village maintains the unequivocal right to both revoke such Permit at any time and remove the contents of such cubby, whether to the health, safety, morals, and public welfare shall require;

NOW, THEREFORE, BE IT RESOLVED, that a limited license is hereby approved for the maintenance of one Little Free Library cubby within the Right of Way in front of 76 Coles Avenue, subject to the issuance of a sign permit by the Building Department, and the Village's absolute privilege to revoke such license and dispose of the contents of such cubbies when the public health and welfare requires. The licensee shall remove the cubby and restore the Right of Way within seven (7) days of the mailing of written notice thereof.

Mayor Wandell read the resolution; discussion then followed: **Deputy Mayor Bernius** thinks this is a great way to increase reading for kids and adults; **Joan Donnison**, 157 South Ketcham Avenue and BVCA, appreciates this idea and thinks it is a good idea but had some concerns about how the library could affect traffic on the street. Code Enforcer Whalen mentioned that a full mark up of utilities would be required prior to installation.

There being no further comment from the Board or the floor, a 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 | ay |
| | Trustee Siry | aye |
| | Trustee Smith | aye |
| Motion Carried: | 5 aye | 0 nays |

The Resolution is hereby declared adopted.

Mayor Wandell proposed the following resolution for consideration:

Resolution 16-01-25-02 to **terminate the medical insurance** and related health-care insurance benefits paid by the Village on behalf of former or retired part-time elected and appointed officials and their families

RESOLUTION NO. 16 - 1 - 25 - 02.

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WHEREAS, New York State Village Law §4-412 provides Village Officials with a roadmap for the proper appropriation of taxpayer monies, stating in part, that the Board of Trustees shall have management of Village property, its finances, its business, the protection of its property, and the safety, health, comfort, and general welfare of its inhabitants; and

WHEREAS, in order to fulfill its duty to comply with New York State Village Law §4-412 and to preserve precious taxpayer dollars, the Wandell Administration has engaged in a continuous line-by-line internal audit of the Village budget, reviewing expenditures to ensure that such expenditures provide a bona fide public benefit; and

WHEREAS, said internal audit has revealed the multi-decade practice of using taxpayer funds to purchase life-time health care benefits without contributions for the benefit of select former part-time elected and appointed Officials and their families; and

WHEREAS, said expenditures serve no articulable public benefit; and

WHEREAS, research from available data indicates that only one (1) other Suffolk County Village provides life-time health benefits without contributions for their former part-time elected or appointed officials and their families; and

WHEREAS, such health care benefits for former officials holding these positions have cost Amityville Village taxpayers nearly One Million Five Hundred Thousand (\$1,500,000.00) Dollars over the past twenty (20) years; and

WHEREAS, such health care benefits, if unchanged, will cost Amityville Village taxpayers more than One Million (\$1,000,000.00) Dollars over the next ten (10) years; and

WHEREAS, said expenditures for former or retired part-time officials are not in concert with New York State Village Law §4-412, do not provide a cognizable public benefit, are not required by the New York State Health Insurance Program, are not mandated by any employment contract, and are not authorized under the Village Employee Benefits Policy or applicable Resolutions of the Board of Trustees;

NOW, THEREFORE, BE IT RESOLVED, that medical insurance and related health-care insurance benefits paid by the Village for, or on behalf of former or retired part-time elected and appointed officials and their families, shall terminate as of midnight, February 29, 2016

Mayor Wandell read the resolution; discussion then followed: **Village Attorney Richard Handler** explained since the Board of Trustees meeting on January 25, 2016 he had not been contacted by any former elected or appointed official; **Trustee LaLota** reflected back to the adopted audit and explained that it wasn't easy to get back into the black; it happened because the Village put its head down and analyzed the public benefit each expenditure provided. The Village works very hard to ensure that services are delivered; after essential services and contractual

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obligations, there are very little dollars left for discretionary items. The Village has needs in many other departments and he will always choose building up Village infrastructure over a non-contractual expenditure that only benefits a few people ; **Trustee Smith** is against this resolution and doesn't think it is right to take benefits away from the past elected officials; he also believes rescinding benefits will cost the Village money in lawsuits and thinks the Village should just move forward; **Mayor Wandell** stated if the Village keeps spending money the Village cannot invest in other items; in addition this benefit was never taken in a public forum on record; **Trustee LaLota** explained those benefiting from the 1983 resolution did not even meet the terms of the 1983 resolution as none of the former appointed or elected officials in question had the proper Retirement System credit for 15 years of service and some could have even received health benefits from their primary employer or their spouse's employer – a criteria in the 1983 resolution which expressly disqualifies Board members from taking Village-paid health insurance; **Trustee Siry** stated the officials in question now meet the criteria of being in the Retirement System for 15 years and they deserve the health care benefits; he also believes the Village should be handling this situation by compromising with the effected parties and it would be a much better decision for everyone; **Trustee LaLota** answered that Village Attorney Richard Handler had taken many steps to get in contact with the affected parties, including by email and registered mail, to make a compromise which was the reason the Board decided to table the matter at the January 25, 2016 Board of Trustees meeting but not one official reached out to him; **Deputy Mayor Bernius** stated she kept track of all her Public Service hours worked this past month and with all the work put in she was only able to compile 23 hours, she is having a hard time believing that the former officials were able to meet the quota of 120 hours needed; **Chris Carman**, 123 Norman Avenue, asked **Trustee Smith** where he thinks the Village is getting the money to pay for all the new equipment the Department of Public Works needs if feels the Village shouldn't go through with this resolution and that isn't right to extend benefits to people that worked part time; **Trustee Smith** stated that he doesn't believe it is right to take away the benefits; **Frank Cruthers**, 25 Towne Street, stated the Trustees that voted in the past to end extending health benefits to future officials had their chance to stop the benefit and the situation is a very simple black and white mathematical problem; **Trustee Siry** stated the 1983 Resolution was very ambiguously worded; **Chris Carmen**, 123 Norman Avenue, asked about the New York State Retirement credit system and asked if a 16 year term would equal the 15 years required; **Village Attorney Richard Handler** stated according to the New York State Comptroller not one of the officials in question had the required 15 years of service;

There being no further comment from the Board or from the Floor, a MOTION to APPROVE was made by Mayor Wandell and seconded by Trustee LaLota

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

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Motion Carried: 3 aye 2 nays

The Resolution is hereby declared adopted.

Local Laws:

Pursuant to the Notice of Publication in the Amityville Record, a public hearing was called to order by Mayor Wandell to elicit citizen comments regarding a proposed local law amending the Code of the Village of Amityville. Mayor Wandell called for a MOTION to OPEN the public hearing for Proposed Local Law #1 of 2016 to amend Chapter 183- Zoning, of the code of the Village of Amityville (CVA), by repealing §183-6, adjourned from the January 11, 2016 Board of Trustees Meeting

MOTION to OPEN the 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 |

INCORPORATED VILLAGE OF AMITYVILLE: PROPOSED LOCAL LAW #1 OF YEAR 2016

A local law to amend Chapter 183 - Zoning, of the Code of the Village of Amityville (CVA), by repealing §183-6 thereof, which permits the Zoning Board of Appeals to authorize the less restricted use to extend to the whole or part of a split zoned lot held in single ownership since August 4, 1930.

BE IT ENACTED by the Board of Trustees of the Inc. Village of Amityville as follows:

Section 1. CVA §183-6 is hereby repealed.

Section 2. **Effective Date**

This local law shall take effect immediately upon adoption, subject to filing with the Secretary of State.

Mayor Wandell read the law, discussion then followed; **Village Attorney Richard Handler** explained the reasoning behind the repeal of §183-6 and explained that those parties that have previously sought relief under this section of the code would be grandfathered in. The repeal of this section of code would have no impact on a property owner to renew their application. Additionally an inquiry had been provided to the Suffolk County Planning Commission who reviewed the proposed law and determined that the matter was of a local concern;

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Trustee Siry, Deputy Mayor Bernius, Trustee Smith, and Trustee LaLota thanked Village Attorney Richard Handler for bringing this provision to the Board's attention;

There being no further comment from the Board or from the Floor, a MOTION to CLOSE the 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 |

The Public Hearing was declared closed.

Mayor Wandell called for a MOTION to ENACT Proposed Local Law #1 of 2016.

MOTION to ENACT 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 |

The Law was declared duly adopted.

Pursuant to the Notice of Publication in the Amityville Record, a public hearing was called to order by Mayor Wandell to elicit citizen comments regarding a proposed local law amending the Code of the Village of Amityville. Mayor Wandell called for a MOTION to OPEN the public hearing for **Proposed Local Law #2 of 2016 a local law to amend Chapter 28, of the Code of the Village of Amityville (CVA) Section 28-2 thereof, by removing any entitlement that may exist for former elected officials of the Village of Amityville to receive health or any form of medical insurance coverage at village expense for themselves or their dependents, which was adjourned from the January 11, 2016 Board of Trustees Meeting**

MOTION to OPEN the 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 | nay |
| Motion Carried: | 4 aye | 1 nay |

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INCORPORATED VILLAGE OF AMITYVILLE: PROPOSED LOCAL LAW # 2 OF YEAR 2016

A local law to amend Chapter 28, of the Code of the Village of Amityville (CVA) Section 28-2 thereof, by removing any entitlement that may exist for former elected officials of the Village of Amityville to receive health or any form of medical insurance coverage at Village expense for themselves or their dependents

BE IT ENACTED by the Board of Trustees of the Inc. Village of Amityville as follows:

Section 1. Intent.

Over the past three years, the Village of Amityville has been designated among the most financially stressed municipalities in the State of New York. The residents, taxpayers and government of the Village of Amityville continue to face unprecedented financial pressures and obligations, while the Village government has operated within the New York State mandated Tax Cap. Mandatory contractual obligations, retirements and the need to maintain Village services at their current levels, necessitate that the Board of Trustees discontinue optional benefits and emoluments where appropriate, especially in the case of former Village Officials who provided part-time service to the community.

Section 2. Amended CVA §28-2 as follows:

§28-2. Health care compensation.

No person who is elected to the position of Trustee, Village Justice or Mayor or who is a part-time Village Official, or who has served in such positions in the Village of Amityville, including such persons who may be receiving such compensation on the effective date hereof, shall receive any compensation or benefit from the Village for health care, or health care insurance, including but not limited to medical, dental and optical coverage for themselves or any member of their family.

Section 3. Effective Date.

This local law shall take effect March 1, 2016, subject to filing with the Secretary of State.

Mayor Wandell read the law, discussion then followed; **Trustee LaLota** explained the local law prevented this board or future boards from making this expenditure; **Trustee Siry** stated the 2012 law mentioned future officials; **Trustee Smith** disagrees with preventing those who currently receive benefits from continuing them. There being no further comment from the Board or the Floor;

MOTION to close the public hearing was made by Trustee LaLota and seconded by Deputy Mayor Bernius

Vote on Motion: Mayor Wandell aye

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|-----------------|----------------------|--------|
| | Deputy Mayor Bernius | aye |
| | Trustee LaLota | aye |
| | Trustee Siry | aye |
| | Trustee Smith | aye |
| Motion Carried: | 5 aye | 0 nays |

The Public Hearing was declared closed.

Mayor Wandell called for a MOTION to ENACT proposed local law number 2 of 2016;

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

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|-----------------|----------------------|--------|
| Vote on Motion: | Mayor Wandell | aye |
| | Deputy Mayor Bernius | aye |
| | Trustee LaLota | aye |
| | Trustee Siry | nay |
| | Trustee Smith | nay |
| Motion Carried: | 3 aye | 2 nays |

The law was declared duly adopted.

There being no further agenda items, Mayor Wandell opened the floor to public comment

Frank Cruthers, 25 Towne Street, asked how we are getting to the number in item 4b on the agenda regarding the Stop & Shop tax certiorari; Richard Handler explained the current situation that Stop & Shop alleges they have been over assessed and the relief they are seeking in this matter is \$600,000; **Deputy Mayor Bernius** thanked everyone who came out and stuck around for the meeting, she requested a letter by sent to the Town of Babylon regarding the days there is no yard/waste pick up for south of Merrick Road because there are still Christmas trees out front and the dates they have scheduled for no pick up are at such crucial times in the seasons that there needs to be pick up for health and sanitary reasons; **Joan Donnison**, 147 South Ketcham Avenue and BVCA expressed her condolences on behalf of herself and the BVCA on the passing of Lou Howard; Richard Handler informed the public on the sad news that Linda Batz also passed away on January 24th, 2016;

There being no further comments from the floor, Mayor Wandell called for a motion to adjourn the January 25, 2016 Board of Trustees Meeting;

MOTION to adjourn the meeting was made by Deputy Mayor Bernius and seconded by Trustee Siry

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

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| | | |
|-----------------|---------------|--------|
| Motion Carried: | Trustee Smith | aye |
| | 5 aye | 0 nays |

Meeting adjourned at 9:09pm



Clerk/Treasurer, Dina Shingleton

Approved at Board Meeting
on 2/8/14