

**Board of Trustees
Minutes
May 9th 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
Superintendent of Public Works, Bruce S. Hopper
Chief of Fire Department, Jeff Erath
Village Attorney, Richard Handler
Clerk Treasurer, Dina Shingleton
Director of Operations, Stephen Greenwald
Administrative Assistant, Katie DeGraff

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

Mayor Wandell welcomed everyone to the May 9th meeting of the Board of Trustees

Before Mayor Wandell proceeds with the items included in the Mayors Actions he asks Deputy Mayor Bernius to give the "Good News report"

Deputy Mayor Bernius gave the "Good News" report:

On May 21st, 2016 the BVCA will be hosting their annual "clean up" at 10:00 am over at Ketcham's Creek which is by Suffolk County National Bank; the art show at the Historical Society is magnificent and will be continuing until May 15th, 2016; the escalator at the train station is up and running and there are new handrails and signs coming as well; there will be bike racks in town shortly for residents to use in the downtown; the Kiwanis Club will be having their "pitch and putt golf" outing on June 17th, 2016 at Cedar Beach Golf Course; the Memorial Day service will be on May 30th, 2016 starting at 10:00am at the gazebo;

There being no further "Good News", Mayor Wandell continued with the Mayors Actions items:

It was the decision of the Mayor and the Board of Trustees to adjourn the Public Hearing for proposed local laws 6 and 7 until the May 23rd, 2016 meeting of the Board of Trustees.

Upon motion of Trustee Smith as seconded by Deputy Mayor Bernius, minutes of the regular meeting of the Board of Trustees held on April 11th, 2016 and April 25th, 2016, copies of which were distributed to all members of the Board, were APPROVED.

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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Dr. Mary Kelly gave a presentation for the year 2016-2017 Budget of the Amityville Union Free School District.

There being no further "Mayors Actions" or presentations, Mayor Wandell continued with the Agenda items:

Taxicab Driver's License:

Gerald C. Pope for **Lindy's Taxi**, 21 Sterling Place

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

Cabaret License Renewal:

Hui Lin for **Grand the One Sushi Inc.**, 330 Merrick Rd.

Trustee LaLota states that this is the new Sushi place in town, this application comes with a \$650.00 fee and a recommendation for approval from the Amityville Police Department;

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

Darryl Kelley for **The Bulldog Grille**, 292 Merrick Rd.

Trustee LaLota states that the stipulations from last year's approval are still in effect for this year's approval as well; Jason Kusmierski 101 Forrest Pl stated that the stipulations are fine and they will continue to comply with them;

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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Ann Higgins for **Carneys Irish Pub & Restaurant**, 136 Broadway

Trustee LaLota states that there is a \$650.00 fee that goes along with this application and there is a recommendation for approval from the Amityville Police department;

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

License to Peddle or Hawk:

Kevin Metyer, **Uptown Caterers**, 60 Smith Street Farmingdale

Gary Dowty for **A&P Catering**, 68 Miller Ave, Port Jefferson Station, NY

Deputy Mayor Bernius states that both of these applications are in order and come along with a \$250.00 fee and a recommendation from the Amityville Police Department to approve these applications;

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 from Deputy Treasurer:

Approval of **Treasurer's Abstracts**

ABSTRACT OF AUDITED VOUCHERS AND CHECKS

For the Period April 21, 2016 through May 3, 2016

General Fund

Automated Checks:

Account	Starting #	Ending #	Amount	A/C Balances
				\$
Chase General Account	1646	1710	\$48,886.62	386,680.15

Payroll Fund

Account	Starting #	Ending #	Amount	
Chase Payroll Account	1006	1006	\$4,368.52	\$82,705.21

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Capital Fund

Account	Starting #	Ending #	Amount	
Citibank Capital	N/A	N/A	N/A	\$247,527.70

Trust & Agency Fund

Account	Starting #	Ending #	Amount	
Chase T&A Account	1022	1046	\$225,012.34	\$119,406.51

Depository Account balance at 5/3/2016 \$1,436,133.43

As presented in the official abstract for the Village of Amityville

Jill Cervini, Deputy Treasurer

Trustee LaLota states that the Clerk/Treasurer and the Deputy Treasurer have been working hard to close out this year's budget properly and he commends them for that; 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 Clerk/Treasurer:

Request from **Suffolk Asphalt Corp.** for repair of longitudinal cracks (no charge) and transverse cracks \$3400.00 (to be reimbursed from CHIPS)

MOTION to APPROVE was made by Trustee Siry 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 from **200 Merrick Road Corp** to hold annual stockholders meeting in Village Hall

MOTION to APPROVE 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

Request from the **Amityville Knights of Columbus** to use the library parking lot on June 1, 2016 from 8:30 am – 10:00 pm for a senior outing

Deputy Mayor Bernius states that this has been done in the past with no problems;
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

Resolution authorizing **BID 16-A-02, Village Parking Lot No. 5 Improvements Between Union Avenue and Oak Street (to be paid via CDBG funding)**

Clerk/ Treasurer Dina Shingleton explained this BID is to repave, restripe and relight the parking lot behind the old Lang's and the public BID opening will be on June 2nd, 2016 at 2:00 pm; Trustee LaLota stated that this is a great use of public funds;

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

The Resolution is hereby declared adopted.

Resolution authorizing the agreement by and between the **New York State Department of Transportation and the Village of Amityville** regarding the maintenance of safety improvements on the New York State Route 110 (Broadway)

Clerk/ Treasurer Dina Shingleton explained the project is being paid for by the NY State DOT and the project is a culmination of plans presented by the DRC in October; Deputy Mayor Bernius states that she spoke with someone who is sight impaired and they expressed their feelings to her about how they she wants the opportunity to be able to cross the street with ease like everyone else, also that this project will be on display at the Historical Society fair, she also thanks Director of Operations Stephen Greenwald and Clerk/ Treasurer Dina Shingleton for all of their hard work on this; Mayor Wandell states that this is a major improvement in traffic and

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is very good for our town; Joan Donnison, BVCA asked what the time frame will be for this project and Clerk/Treasurer Dina Shingleton answered that it will be starting by the fall and scheduled to finish in 2017;

MOTION to APPROVE was made by Trustee Smith 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 authorize **professional services**, not to exceed \$11,000 for DEC permitting for park improvements at James A. Caples Memorial Park and Amityville Beach (to be paid via Beach Grant)

Trustee LaLota states that the Village is working on developments at the Amityville Beach, this is the permit we need to make all of those developments possible, Deputy Mayor Bernius and Trustee Siry have been involved in the project and the Board hopes to see progress soon;

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 Fire Department:

Request to pay **Woodbury Country Club** in the amount of \$18,780.00 for installation dinner (A.3410.460)

Chief of Fire Department, Jeff Erath states that this dinner will be taking place on May 20th, 2016; Mayor Wandell adds that this is well worth it and deserved by our volunteers;

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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Request to assume control of **Police Department Boat**, and surplus the old Fire Department Boat

Chief of Fire Department, Jeff Erath states that the boats that were donated to them were nice but not suitable for water rescue; the police boat is much better suited and the Fire Department would like to use their old boat for part.

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
Motion Carried:	5 aye	0 nays

Request to pay **Neville Auto Supply** in the amount of \$3226.83 for emergency repairs to 1-1-3 (A.3410.231)

Request to pay **Neville Auto Supply** \$3411.56 for emergency repairs to 1-1-4 (A.3410.231)

Request to pay **Neville Auto Supply** \$3766.67 for emergency repairs to 1-1-2 (A.3410.231)

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 Modification**- Increase A3141.250 Equipment by \$10,800 and Decrease A.3410.440 physicals and membership dues by \$10,800 for purchase of radios for Fire/Police

Chief of Fire Department, Jeff Erath states that the current radios cannot be used outside of the Village which is a safety hazard also that these radios are refurbished not just used;

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 to purchase radios for Fire/Police from **RM Mobile** in the amount of \$10,800

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

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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 Department of Public Works:

Request to pay **Omni Recycling of Babylon** \$9624.25 for refuse (A. 8160.442)

Superintendent of Public Works, Bruce S. Hopper states that this is for yard waste, the Village doesn't get charged for trash;

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 **Magniflood Inc** \$5160.00 for pole & luminaire assembly for hit & run (A5182.419)

Superintendent of Public Works, Bruce S. Hopper states that this is for the Merrick Rd and Countyline Rd accident as well as the Merrick Rd and Richmond Ave accident;

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 from **John & Elizabeth Ranker**, 308 Grand Central Avenue, to extend their building permit with no additional fees

Elizabeth Ranker 308 Grand Central Ave spoke stating that they have been ready to raise for 2.5 years and with all the changes in the policies it has pushed the process back and asks if the fee will be waived; Deputy Mayor Bernius adds that she spoke with Code Enforcement and they have taken all the right steps to getting their house raised and thinks this should be waived;

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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 from Court:

Request to hire **Jennifer Elflein** as call-in, per diem Court Officer, \$18 per hour

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 Village Attorney:

Request to pay **Lamb & Barnosky** for legal services in the amount of \$4213.58 rendered through 3/31/2016

Trustee Siry states that he doesn't agree with all the charges in the bill but agrees that the Village needs to pay its bills;

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

Resolutions:

Resolution 16-05-09-01; Resolution Relative to the Park Avenue Revitalization Grant Application Project Under the Suffolk County Downtown Revitalization Grant

RESOLUTION 16-05-09-01

**RESOLUTION RELATIVE TO THE PARK AVENUE REVITALIZATION GRANT
APPLICATION PROJECT UNDER THE SUFFOLK COUNTY DOWNTOWN REVITALIZATION
PROGRAM**

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WHEREAS, the Village of Amityville is always desirous to improve the economy and quality of life within the Village of Amityville; and

WHEREAS, through the Suffolk County Downtown Revitalization Program, the County of Suffolk participates with local governments in the development, support and funding of projects located in Suffolk County that will have an important and sustainable impact on downtowns and business districts; and

WHEREAS, as part of the application process in conformity with Suffolk County Resolution No. 808-1998, the County of Suffolk requires a resolution of the Village Board of Trustees showing local support for the proposed project; and

WHEREAS, upon the County's approval of the project, the Village of Amityville would be required to enter into an intermunicipal agreement with the County under 5-G of the General Municipal Law pursuant to which the Village of Amityville would be required to undertake and complete the project and the County would be responsible for providing financing for all or part of the cost of the project; and

WHEREAS, in order to provide County financing for all or part of the project, the County of Suffolk must obtain a leasehold, easement or other real property interest in the site of the project; and

WHEREAS, the Amityville Chamber of Commerce is desirous of proposing that the Village of Amityville participate in such program in connection with the Park Avenue Revitalization project and the Village will be applying for \$80,000 under the program;

NOW THEREFORE, BE IT RESOLVED, that the Village of Amityville Board of Trustees hereby states its support of the Park Avenue Downtown Revitalization project proposed by the Amityville Chamber of Commerce pursuant to the Suffolk County Downtown Revitalization Program through the Village of Amityville; and be it further

RESOLVED, that the Village of Amityville Board of Trustees authorizes the Mayor to sign any and all necessary documents, including but not limited to the required easement/lease documents and an intermunicipal agreement, subject to review and approval of the Village Attorney, to participate in the above referenced program.

Clerk/ Treasurer Dina Shingleton explained that the resolution is necessary in order for the Amityville Chamber of Commerce to sponsor this grant application;

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

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WHEREAS, the Village Board has conducted a review of the information contained in the SEQRA documentation consisting of a Short Environmental Assessment Form (SEAF) prepared by Nelson, Pope & Voorhis, LLC; and

WHEREAS, the potential impacts and the magnitude and importance of potential impacts and benefits have been considered and a Negative Determination was recommended; and

WHEREAS, the Village Board, hereby determines that the proposed improvements are desirable, is in the public interest, and will aid the Village in meeting community goals for the Village downtown district; so therefore be it

RESOLVED, that the Village Board hereby adopts a Negative Declaration pursuant to the State Environmental Quality Review Act, and be it further;

RESOLVED, that the SEAF and other supporting documentation required by the County of Suffolk is hereto attached and made part of the record.

Village Attorney Richard Handler explained this in detail; Joan Donnison BVCA asked for clarification on Nelson and Popes role in this Resolution, Clerk/ Treasurer Dina Shingleton answered that question;

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 getting to the Public Hearing Mayor Wandell wanted to state that there are so many changes taking place in the Village of Amityville thanks to the DRC and Village Hall and wanted to thank everyone for the hard work to get these issues taken care of;

Request for the VFW to hold the annual Memorial Day Parade on Monday, May 30th.

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

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Public Hearing:

Proposed **Local Law 8**, of 2016, public hearing

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

A local law to amend Chapter 172, of the Code of the Village of Amityville, §172-20 thereof, by establishing revised fines and penalties for various parking violations.

BE IT ENACTED by the Board of Trustees of the Inc. Village of Amityville as follows: Section 1.

Amend CVA §§172-20(A)(1), (2) and (3) as follows:

Fines, summonses; late charge

Any person who shall violate §172-23 (Handicapped parking space violations) of this Code shall be subject to a fine of \$200, plus the mandatory surcharge.

Any person who shall violate §172-25 (Fire hydrant and fire zone parking violations) of this Code shall be subject to a fine of \$150, plus the mandatory surcharge.

Any person who shall violate any other provision of this Chapter relating to parking shall be subject to a fine of \$75.

Section 2. Amend the last sentence of CVA §172-20(A)(4) as follows:

If such fine remains unpaid for 90 days after the issuance of said summons or the determination of guilt, an administrative fee of \$50 shall be added to the amount already due herein.

Section 3. Amend CVA §172-20(C)

After said delinquency notice has been sent, an additional late charge of \$50 shall be added to the fine and initial late charge in the event that the defendant fails to appear in court or pay the fine and initial late charge within 45 days of the court date set forth on the summons or within 15 days of the date on which said delinquency notice is sent, whichever is later.

Section 4. Effective Date.

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

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Village Attorney Richard Handler explained the proposed law in detail; Trustee Siry is glad to see this coming together; Trustee LaLota stated that there has been a lot of work that went into this and suggests that this might want to be revisited in the future; Elizabeth Ranker 308 Grand Central asked if we monitor or keep track or repeat offenders of this; Trustee LaLota answers that the prosecutor might be the one to look into that; Trustee Siry adds that there many also be a smart phone app for keeping track of these violations too;

MOTION to CLOSE public hearing 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

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

The Local Law is hereby declared adopted.

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

Joan Donnison BVCA asked if someone can look into Affinity Health Company's using of the private lot on Broadway to park their company vehicle and work out of it, being that it is in violation of Village Code; Trustee Siry states that Code Enforcement officer Thomas Whalen will be made aware of this; Janice Baxter 16 Purdy Ln asked what is going on with the Suffolk County Water Company ripping up Bayview Place; Bruce Hopper explained that they are changing the water mains located on that street; Elizabeth Ranker 308 Grand Central asked who is in charge of the grading of a house when it is being lifted; Village Attorney Richard Handler answered that he will give the Chairperson of the Planning Board a call to figure that out;

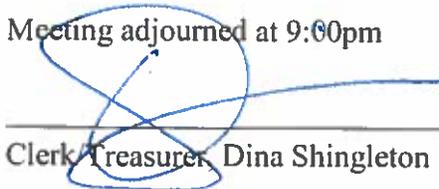
There being no further comments from the Board or from the Floor a MOTION to ADJOURN was made by Trustee LaLota and seconded by Trustee Siry

Vote on Motion:	Mayor Wandell	aye
	Deputy Mayor Bernius	aye

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

Meeting adjourned at 9:00pm



Clerk/Treasurer Dina Shingleton

Approved at Board Meeting
on 5/23/16

