

**Board of Trustees
Agenda
March 14, 2016**

1. Licenses

Landscaper

- a. Joseph Hermann for The Lawn Butler Landscape Co., 6 Bonwit Place, Farmingdale, NY 11735
- b. Scott White for UDLC Corp., PO Box 6120 North Babylon, NY 11703

License to Peddle & Hawk- Ice Cream Vendor

- c. Melahat Aktas, 926 9th Street, West Babylon, NY 11704

Hazardous Materials or Operations Permit

- d. Hyechoon Ko for Swan Cleaners, 59 Merrick Road
- e. Song Hun Lim for New Triangle Cleaners, 163 Broadway

Cabaret License

- f. George R. Romano for JJ's Tavern 139 Merrick Road

Taxi-Cab Company License

- g. Cesar A. Fermin for Five Star Taxi Service Inc., 229 Ralph Avenue Copiague, NY 11726

Taxi-Cab Driver- New

- h. Areginald Stephen, 222 Broadway, Apt 2 Amityville for Lindy's Taxi
- i. Fausto Vileda, 348 Robbins Lane, Lindenhurst NY 11757 for Five Star Taxi Service
- j. Cesar A. Fermin, 120 Abbington Ct., Copiague NY 11726 for Five Star Taxi Service
- k. Jordy Rafael Rosa Ynoa, 314 41st Street, Copiague, NY 11726 for Five Star Taxi Service
- l. Omar Thompson, 15 Willow, Wheatley Heights NY 11798 for Lindy's Taxi

Taxi-Cab Driver – Renewal

- m. Maureen Martinez, 600 Broadway Lot D4 Amityville for Lindy's Taxi
- n. Timothy Gigi, 41 Biltmore Blvd, Massapequa, NY 11758 for Lindy's Taxi
- o. Stephanie Nemley, 1665 Great Neck Rd, Apt 2, Copiague NY 11726 for Lindy's Taxi
- p. William J. Clark Sr., 2255 Great Neck Rd, Copiague NY 11726 for Lindy's Taxi
- q. Kenneth Barrett, 257 40th Street, Copiague, NY 11726 for Lindy's Taxi
- r. Clifford Johnson, 6 Sunshine Lane, Amityville NY 11701 for Lindy's Taxi
- s. Nicole Maynard, 240 Prospect St., Copiague NY 11726 for Lindy's Taxi
- t. Tyrone Williams, 62 Governor Ave., West Babylon, NY 11704 for Lindy's Taxi

Application for On-Street Parking

- u. Walter Gero, 40 Central Avenue, Amityville, NY

Application for Sign-Banner-Canopy

- v. Thomas E. Dow for Mousetrap Café, 203-205 Broadway, Amityville
- w. Manuel Moronta for New Style Barbershop, 198A Broadway, Amityville

2. Request from Deputy Treasurer

- a. Approval of Treasurer's Abstract
- b. Request for Budget Modification in amount of \$15,000 from A1990.440 (contingency) to A1930.440 Tax Certiorari Settlements to cover recent approved settlements

**Board of Trustees
Agenda
March 14, 2016**

- c. Request for Budget Modification in the amount of \$1340.00 from A8020.100 (planning board personnel services) to A8010.440 (Zoning Board- General Contract Exp) to cover expenses for zoning board signage
- d. Request for Budget Modification in the amount of \$700.00 from A8020.100 (planning board personnel services) to A8020.440 (planning board- general contractual expenses) to cover expenses for signage

3. Request from Village Assessor

- a. Baywood Publishing Co., SCTM# 101-4-4-5, 26 Austin Avenue. Total refund of \$6,000.00 for tax years 2009/10 through 2015/16; moratorium for tax years 2016, 2017, 2018

4. Requests from Clerk/Treasurer

- a. Request for permission from Bay Village Civic Association to clean the Ketcham/Wood Preserve on the North side of Merrick Road on Saturday, May 21, 2016
- b. Request for permission from St. Paul's Lutheran Church to hold Easter Dawn Services at the Amityville Beach, and use its facilities, on Sunday, March 27th from 5:30am-7:30am, setup on Saturday, March 26th at 10:00am.
- c. Request for permission from the Amityville Teachers' Association to use the Amityville Beach Pavillion for their annual ATA Autism Walk on Sunday, April 3rd from 9:00 am – 12:00 pm.
- d. Request from the St. Martin Knights of Columbus to use the Library Parking Lot on March 2, 2016 from 8:30 am – 6:30pm
- e. Request from the Massapequa Mustangs Youth Football Foundation, Inc. to hang a registration banner at the Louden Avenue Ballfield for the month of April.
- f. Request from Great South Bay Dance to hold its summer dance and yoga program at the Amityville Beach for the Summer of 2016 from July 5th through September 3rd.
- g. Request from Affinity Health Plan to park its Community Outreach Van from April 1st through June 30th, 9am – 5pm Monday through Saturday at one of three locations
- h. Proposal to add new Vehicle Safety Policy number 28
- i. Request to pay BAS \$3360.00for full data conversion of Municipity for new IPS program (A.1410.440)
- j. Request to accept donation of a batting cage for Louden Avenue Ballfields from The LandTek Group

5. Request from the Police Department

- a. Request for approval to send PO David Driscoll to National Highway Traffic Safety Administrations Region 2 Child Passenger Safety Technical Conference in Lake Placid from May 9-12, 2016, cost not to exceed \$800

6. Request from the Fire Department

- a. Request for approval to use Peterkin Park on Sunday, March 27th at 11:00 am for its annual Easter Egg Hunt
- b. Request to close Bennett Place from Merrick Road to Hildreth Court on Saturday, March 26th from 9am – 12:00pm for the dedication of street to John, "Jack" Robertson
- c. Request from the Amityville Villains to use reserve the Beach Pavilion for its annual Zack Bernstein Old Fashioned Memorial Invitational Tournament setup July 22, 2016, Tournament July 23, 2016, rain date Sunday, July 24th, 2016.
- d. Request to pay All American Awards, Inc. in the amount of \$4532.79 (A.3410.414)
- e. LED lighting conversion for 55 West Oak Street

7. Request from Department of Public Works

8. Request from Building Department

9. Request from the Court

**Board of Trustees
Agenda
March 14, 2016**

10. Miscellaneous Requests

11. Public Hearing

a. Proposed Local Law # 3 of 2016; A local law to amend Chapter 183 – Zoning, of the code of the Village of Amityville (CVA), §183-6 thereof, which prohibits 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, except for approvals, or approvals subject to extensions, granted before December 31, 2015.

b. Proposed Local Law #4 of 2016, A local law to amend Chapter 183, of the Code of the Village of Amityville (CVA), §183-148 thereof, which regulates the Height of Elevated Dwellings in Areas of Special Flood Hazard.

C. Proposed Local Law #5 of 2016; A local law to amend Chapter 51- Buildings of the Code of the Village of Amityville (CVA), by adding a new §5-9 thereof, to better define unsafe structures and to promote accelerated action taken by the Board of Trustees to safeguard the public.

INCORPORATED VILLAGE OF AMITYVILLE: PROPOSED LOCAL LAW #3 OF YEAR 2016

A local law to amend Chapter 183 - Zoning, of the Code of the Village of Amityville (CVA), §183-6 thereof, which prohibits 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, except for approvals, or approvals subject to extension, granted before December 31, 2015.

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

Section 1. §183-6. District Boundary Dividing Lot In Single Ownership.

Where a district boundary line divides a lot which was held in single ownership on August 4, 1930, or on the date of adoption of any subsequent amendment to the Zoning Map, and when a permit granting such extension has been approved prior to December 31, 2015, subject to extensions or not, the Zoning Board of Appeals may permit the less restricted use to extend to the whole or any part of such lot, except that the front, side and rear yard setback requirements of the more restricted zone shall apply to that part of the lot within the more restricted zone. Except as provided herein, use extensions granted under this provision are prohibited.

Section 2. Effective Date.

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



INCORPORATED VILLAGE OF AMITYVILLE: PROPOSED LOCAL LAW #4 OF YEAR 2016

A local law to amend Chapter 183 - Zoning, of the Code of the Village of Amityville (CVA), §183-148 thereof, which regulates the Height of Elevated Dwellings in Areas of Special Flood Hazard.

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

Section 1. Intent.

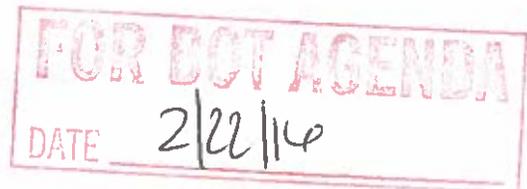
The Board of Trustees finds that the public health, safety and welfare require that the zoning height restrictions for existing dwellings in the flood zone be modified permanently to facilitate the elevation of dwellings which suffered flood damage in Hurricane Sandy or subsequent storms. The Board further finds that allowing said dwellings to be elevated so that the lowest floor shall not be less than two (2') feet, nor more than three (3') feet, above base flood elevation without requiring a height variance will provide the necessary safety margin to prevent future flooding while minimizing the visual impact to surrounding residents.

Section 2. §183-148. Height of Elevated Dwellings in Areas of Special Flood Hazard.

Notwithstanding any provision in this Chapter 183 to the contrary, a dwelling in existence on October 29, 2012 located in an area of special flood hazard may be elevated so that its lowest floor (including basement) is not less than two (2') feet nor more than three (3') feet above base flood elevation, without obtaining a height variance from the Zoning Board of Appeals, regardless of the actual height of said dwelling measured from top of curb or crown of road, whichever is applicable. This provision is limited to the main dwelling on any property and shall not apply if the exterior footprint of said dwelling has been altered or the height has been increased, other than by elevating such dwelling as authorized herein, on or after October 29, 2012. In all other cases the height limitations set forth in the respective zoning districts shall apply to all buildings and structures therein.

Section 3. Effective Date.

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



public hearing 3/14

INCORPORATED VILLAGE OF AMITYVILLE: PROPOSED LOCAL LAW #5 OF YEAR 2016

A local law to amend Chapter 51- Buildings, of the Code of the Village of Amityville (CVA), by adding a new §51-2.1 and amending §51-9 thereof, to better define unsafe structures and to promote accelerated action taken by the Board of Trustees to safeguard the public.

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

Section 1. Purpose and Intent.

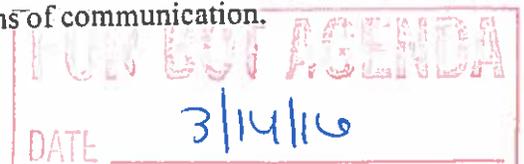
Due to economic conditions and significant weather events, various buildings and structures have presented and may continue to present a threat to the health and safety of the occupants, surrounding residents and owners, thereby requiring added clarity to administer and enforce the Fire and Building Codes of the State of New York, and to provide for accelerated enforcement thereof.

Section 2. §51-2.1 Unsafe structures and equipment.

General. When a structure or equipment is found to be unsafe, or unfit for human occupancy, or is found unlawful, such structure shall be condemned pursuant to the provisions of this code.

A. **Unsafe structures.** An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public of the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe, or of such faulty construction or unstable foundation that partial or complete collapse is possible. Structures which may be unsafe include but are not limited to the following.

- (1) Those whose interior walls or other vertical structural members, list, lean or buckle to such an extent that a plumb line passing through the center of gravity falls outside of the middle third of its base.
- (2) Those which, exclusive of the foundation, show 33% or more of damage or deterioration of the supporting member or members of 50% of damage or deterioration of the nonsupporting enclosing or outside walls or covering.
- (3) Those which have improperly distributed loads upon the floors or roofs or in which the same are overloaded or which have insufficient strength to be reasonably safe for the purpose used.
- (4) Those which have been damaged by fire, flood, wind or other causes so as to have become dangerous to life, safety or the general health and welfare of the occupants, surrounding residents of the public.
- (5) Those having light, air and sanitation facilities which are inadequate to protect the health, safety or general welfare of human beings who live or may live therein.
- (6) Those having inadequate facilities for egress in cases of fire or panic or those having insufficient stairways, elevators, fire escapes or other means of communication.



- (7) Those which have parts thereof which are so attached that they may fall and injure members of the public or property.
 - (8) Those which, because of their condition, are unsafe, unsanitary or dangerous to the health, safety or general welfare of the people of this Village.
- B. Unsafe equipment. Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the premises or within the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structure.
- C. Structure unfit for human occupancy. A structure is unfit for human occupancy whenever such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.
- D. Unlawful structure. An unlawful structure is one found in whole or in part to be occupied by more persons than permitted under this code, or which was erected, altered or occupied contrary to law.

Section 3. §51-9 Refusal to comply; contracts for demolition.

- A. In the event of the refusal or neglect of the person or entity so notified to comply with said order of the Board of Trustees within 10 days, or earlier based upon conditions, the Board of Trustees shall direct that such building or structure be secured, repaired or demolished and removed, either by Village employees or by contract, unless such conditions required emergency or immediate remedial action.

Section 4. Effective Date.

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