

**Board of Trustees
Minutes
July 23 2018**

Meeting called to order at 7:29 pm

MEMBERS PRESENT: Mayor Dennis Siry, Deputy Mayor Kevin Smith, Trustee Jessica Bernius, Trustee Thomas Whalen

ALSO PRESENT: 1st Assistant Fire Chief, David Hegarty
Superintendent of DPW, Bruce Hopper
Building Inspector, Bryan Donato
Clerk Treasurer, Catherine Murdock
Secretary to the Board, Wendy O'Neill
Village Attorney, Bruce Kennedy

Mayor Siry welcomed everyone to the July 23, 2018 meeting of the Board of Trustees.

The Salute to the Flag was led by Bruce Hopper.

Before proceeding with the Mayor's Actions Mayor Siry asked Deputy Mayor Smith to give a "Good News Report."

Deputy Mayor Smith gave a Good News Report:

The Farmer's Market continues to be held at the First Methodist Church on Broadway in Amityville on Saturdays from 10 a.m to 3 p.m. Everyone is encouraged to come down and support the vendors.

Cornell University Cooperative Extension of Nassau County is offering free replacement trees to residents who have lost a tree to the Asian Long Horned Beetle in recent years. The information is available on the Village website, Amityville.com.

Trustee Jessica Bernius shared that she and Joan Donnison of the Bay Village Civic Association attended a meeting on June 19, conducted by Presiding Suffolk County Legislator DuWayne Gregory regarding the NY Rising program. In contrast to other south shore villages, Amityville has had excellent success with completed NY Rising projects. She cited the responsive efforts of people in the Village including Corinne Budde who enabled Amityville to move forward with Superstorm Sandy-related projects like improvements to the Richmond Avenue Village dock.

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Mayor Siry announced that the NY State Governor’s Office of Storm Recovery (GOSR) and Liro engineering did a walk-through on the bulkhead projects and a punch-list was created of items that still need to be done. He noted the Richmond Ave. and Coles Ave. docks will feature handicapped access ramps.

With no further “Good News” Mayor Siry continued with Mayor’s Actions:

Mayor’s Actions:

- Upon Mayor Siry’s request, approve minutes from June 11, 2018 and June 25, 2018 meetings.

MOTION to APPROVE was made by Deputy Mayor Kevin Smith and seconded by Trustee Whalen.

Vote on Motion:	Mayor Siry	aye
	Deputy Mayor Smith	aye
	Trustee Whalen	aye
	Trustee Bernius	aye

Motion Carried:	4 ayes	0 nays
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Mayor’s Actions:

- Upon Mayor Siry’s request, appoint Mia Jealous Dank as alternate Planning Board member, for the remainder of the one-year term held previously by Christopher McCarthy, Jr.

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

Vote on Motion:	Mayor Siry	aye
	Deputy Mayor Smith	aye
	Trustee Whalen	aye
	Trustee Bernius	aye

Motion Carried:	4 ayes	0 nays
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With no further Mayor’s Actions, the meeting continued with the agenda and department reports.

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Automobile License – Renewal

Mayor Siry stated that all four automobile license renewals proposed for Security Dodge will be tabled until the Board can sit down with Mr. Vigorito regarding his future plans for the Security Dodge properties.

Items 1(a), 1 (f), 1 (g) and 1 (h) on the agenda are tabled for further discussion:

- a. John Vigorito, Jr. for **Security Dodge**, 16 Sprague Ave., Amityville
(public garage – parts warehouse)
- f. John Vigorito, Jr. for Security Dodge, 315 Merrick Rd., Amityville (previously
GettyGas)
- g. John Vigorito, Jr. for Security Dodge, 345 Merrick Rd., Amityville (main building)
- h, John Vigorito, Jr. for Security Dodge, 344 Merrick Rd., Amityville (storage of
vehicles at Merrick/Bryan Ave.)

Ken Taylor for **Long Island Auto Recovery**, 9 Elm Pl., Amityville (public garage)

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

Vote on Motion:	Mayor Siry	aye
	Deputy Mayor Smith	aye
	Trustee Whalen	aye
	Trustee Bernius	aye

Motion Carried:	4 ayes	0 nays
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Thomas A. Nuss for **Bang’s Towing & Recovery, Inc.**, 9 Elm Pl., Amityville (public garage)

Thomas A. Nuss for **Bang’s Towing & Recovery, Inc.**, 67 Albany Ave., Amityville (auto collision works and public garage)

Thomas A. Nuss for **Bang’s Towing & Recovery, Inc.**, 37 Elm Pl., Amityville (public garage)

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MOTION TO APPROVE three applications (“c.” through “e.” on agenda) was made by Deputy Mayor Kevin Smith and seconded by Trustee Bernius

Vote on Motion:	Mayor Siry	aye
	Deputy Mayor Smith	aye
	Trustee Whalen	aye
	Trustee Bernius	aye
Motion Carried:	4 ayes	0 nays

Automotive Sales – Renewal

Ousama Iabokaphe for **Sammy’s Auto Repair**, 64 Merrick Rd., Amityville (public garage – auto sales)

MOTION TO APPROVE with stipulations was made by Trustee Bernius and seconded by Deputy Mayor Smith

Vote on Motion:	Mayor Siry	aye
	Deputy Mayor Smith	aye
	Trustee Whalen	aye
	Trustee Bernius	aye
Motion Carried:	4 ayes	0 nays

Harvey Weisman for **60 Sprague Ave.**, Amityville, (sale of used automobiles)

MOTION to approve with stipulations was made by Deputy Mayor Smith and seconded by Trustee Bernius

Vote on Motion:	Mayor Siry	aye
	Deputy Mayor Smith	aye
	Trustee Whalen	aye
	Trustee Bernius	aye
Motion Carried:	4 ayes	0 nays

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Antonio Scoleri for **Auto-Topia, Inc.**, 233 County Line Rd., Amityville (public garage-auto sales)

MOTION to approve with stipulations was made by Trustee Bernius and seconded by Trustee Whalen

Vote on Motion:	Mayor Siry	aye
	Deputy Mayor Smith	aye
	Trustee Whalen	aye
	Trustee Bernius	aye
Motion Carried:	4 ayes	0 nays

Cabaret License - New

Bruce A. Payne for **Club 121**, 121 W. Oak St. Amityville

MOTION to approve was made by Trustee Whalen and seconded by Deputy Mayor Smith.

Vote on Motion:	Mayor Siry	aye
	Deputy Mayor Smith	aye
	Trustee Whalen	aye
	Trustee Bernius	aye
Motion Carried:	4 ayes	0 nays

Carting License- Renewal

Mary DiMatteo for **Jet Sanitation Service Corporation**, 288 Blydenburgh Rd., Islandia, NY

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

Vote on Motion:	Mayor Siry	aye
	Deputy Mayor Smith	aye
	Trustee Whalen	aye
	Trustee Bernius	aye
Motion Carried:	4 ayes	0 nays

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Storage of Trailer – New

Carmen Powell, 38 Lake St., Amityville (two trailers to house displaced persons)

Glenn Nugent, Attorney for Ms. Powell, explained two trailers are being used to temporarily house Mrs. Powell’s relatives who were displaced after Hurricane Maria in Puerto Rico last September. They wish to stay on the property until utilities are restored in Puerto Rico and the family can rebuild their home. Currently there are 8 people living on the property, which contains a 2-family dwelling with a Certificate of Occupancy and two trailers.

The homeowner reported that nearly 50 neighbors signed a petition saying they had no objections to the trailer, however, **Peter Pappas, 24 Lake St.**, said after signing the petition, he has concerns with the use of “weekend-type trailers” versus “proper residential trailers.”

The community and Board of Trustees shared concerns about safety as well as sanitation, the look of the neighborhood, and prior notice to neighbors. Electricity for the trailers is provided through an extension cord, which the Mayor and Trustees agreed may not be safe.

The homeowner cited humanitarian nature of the situation, saying, “I’m helping my family survive.” Mayor Siry acknowledged the humanitarian issue and noted safety concerns as well. He advised the homeowner that a more permanent remedy should be found and the application should not be viewed as renewable.

Trustee Whalen requested that the Board table the request for safety reasons, to which Mayor Siry proposed having the Building Inspector make a site visit and perform a safety inspection.

Deputy Mayor Smith suggested approving it for a short period of time while the safety review was underway, perhaps for only a few months, so as not to delay.

Resident **Janet Coletti, 17 Wellington Pl.**, was opposed to keeping trailers on the property and questioned why the family wouldn’t rent apartments locally instead.

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Joan Donnison, of the Bay Village Civic Association pointed out that approval would set a precedent. She noted the trailers have been there for almost seven months before the application was filed.

MOTION to table the application until the next Board of Trustees meeting, in order to inspect the property, was made by Trustee Tom Whalen and seconded by Trustee Jessica Bernius.

Vote on Motion:	Mayor Siry	aye
	Deputy Mayor Smith	aye
	Trustee Whalen	aye
	Trustee Bernius	aye
Motion Carried:	4 ayes	0 nays

Storage of Trailer - Renewal

Joe Egan for **Egan Consulting Co., Inc.**, 21 Merrick Rd., Amityville (Temporary Office while permanent structure is pending)

Mr. Egan thanked the Board for their patience over the past several years for improvements to the property he rents for his Boars Head I.T. business. He reported that it has taken an excessive amount of time to get the Department of Environmental Conservation (DEC) and Department of Transportation (DoT) to respond to his inquiries, and progress has been slow in getting the necessary permits done to repair underground drainage pipes. To date, he still needs DOT approval on the repair and diversion of an underground pipe. If they cannot get the project plans approved and the building in motion by this time next year, Mr. Egan said he will probably “walk away” from the project.

Joan Donnison, of the Bay Village Civic Association, noted this has been going on a long time and questioned whether his request for marina dock space has held up the application. Mr. Egan clarified that no marina is planned. Any dockage requested is for his personal boats.

Mayor Siry stated that the Village has been very patient with Mr. Egan’s lack of progress and Trustee Whalen strongly urged Mr. Egan to be proactive with any renewals now needed on State applications. Mayor Siry and Trustee Bernius offered

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to reach out to the DEC on his behalf; while Deputy Mayor Smith recommended reducing the duration of the application from one year to 6 months.

Mr. Egan reported that he is preparing the property to build a permanent structure and is pledging to clean up the property within three months. This would entail eliminating the “parking for hire” storage of trucks on the property, repairing the landscape and clearing all of the unnecessary vehicles and trailers on the property.

Janet Coletti, 17 Wellington Pl, accused him of stall tactics, while resident **Diane Mellish, 22 South Ketcham Ave.**, asked for clarification on when he began reaching out to the DEC and DOT.

MOTION to approve was made by Trustee Whalen with stipulation (to make this the final year of renewal) and seconded by Trustee Bernius

Vote on Motion:	Mayor Siry	aye
	Deputy Mayor Smith	nay
	Trustee Whalen	aye
	Trustee Bernius	aye
Motion Carried:	3 ayes	1 nay

Ralph Giglio of **R & C Rubbish Removal**, 10 Marconi Blvd., Copiague (for office)

MOTION to approve with stipulations was made by Trustee Whalen and seconded by Deputy Mayor Smith.

Vote on Motion:	Mayor Siry	aye
	Deputy Mayor Smith	aye
	Trustee Whalen	aye
	Trustee Bernius	aye
Motion Carried:	4 ayes	0 nays

James Gravina of **The Long Island Home** (DBA South Oaks Hospital), 400 Sunrise Highway, Amityville (2 trailers for daytime office space use)

MOTION to approve with stipulations was made by Trustee Whalen and seconded by Deputy Mayor Smith.

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Vote on Motion:	Mayor Siry	aye
	Deputy Mayor Smith	aye
	Trustee Whalen	aye
	Trustee Bernius	aye

Motion Carried:	4 ayes	0 nays
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Landscaper License - New

Juan Argueta for **Nissi Landscaping Corp.**, 1581 Brightshore Blvd., Bay Shore
Juan Rodriguez for **RDZ Landscaping**, 74 Poplar Pl., Amityville
Alberto Duran for **Duran Landscaping**, PO Box 7541, Freeport, NY

MOTION to approve above three applications with stipulations was made by Trustee Bernius and seconded by Trustee Whalen.

Vote on Motion:	Mayor Siry	aye
	Deputy Mayor Smith	aye
	Trustee Whalen	aye
	Trustee Bernius	aye
Motion Carried:	4 ayes	0 nays

Landscaper License -Renewal

Juan Madrid for **All United Madrid, Inc.**, 570 Broadway, Amityville

MOTION to approve with stipulations was made by Trustee Bernius and seconded by Trustee Whalen.

Vote on Motion:	Mayor Siry	aye
	Deputy Mayor Smith	aye
	Trustee Whalen	aye
	Trustee Bernius	aye
Motion Carried:	4 ayes	0 nays

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Permit to Use Public Property

Heather D. Burnett, 76 Union Ave., Amityville to use Nautical Park, 201 Merrick Rd., for a small wedding ceremony and photos, at 12 noon, on Sept. 22, 2018.

MOTION to approve was made by Trustee Bernius with stipulations on parking in legal areas and seconded by Deputy Mayor Smith.

Vote on Motion:	Mayor Siry	aye
	Deputy Mayor Smith	aye
	Trustee Whalen	aye
	Trustee Bernius	aye
Motion Carried:	4 ayes	0 nays

Request from Deputy Treasurer

Request to approve abstract from July 12 - July 18, 2018.

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

Vote on Motion:	Mayor Siry	aye
	Deputy Mayor Smith	aye
	Trustee Whalen	aye
	Trustee Bernius	aye
Motion Carried:	4 ayes	0 nays

Request from Clerk/Treasurer

Request from **Living Waters Christian Center**, 15 Albany Ave., Amityville, for permission to conduct Community Outreach - distribute clothing/backpacks, on Saturday., Aug. 4th, 11 am to 3 pm.

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

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Vote on Motion:	Mayor Siry	aye
	Deputy Mayor Smith	aye
	Trustee Whalen	aye
	Trustee Bernius	aye

Motion Carried:	4 ayes	0 nays
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Request from **Church Emmanuel of Long Island**, 152 Broadway, Amityville, for permission to hold its 5th annual Walk for Jesus on Saturday., Sept. 1st, 11 a.m., starting from 152 Broadway northward to Smith St. and back.

MOTION to approve with stipulation (to shorten route to Dixon Ave. and back) was made by Trustee Whalen and seconded by Deputy Mayor Smith.

Vote on Motion:	Mayor Siry	aye
	Deputy Mayor Smith	aye
	Trustee Whalen	aye
	Trustee Bernius	aye

Motion Carried:	4 ayes	0 nays
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Dept. of Environmental Conservation for permission to band mallard ducks at Avon Lake and Peterkin Park during July, August and September to study population - mortality, migration, and hunting harvest rates.

MOTION to approve was made by Trustee Bernius and seconded by Trustee Whalen.

Vote on Motion:	Mayor Siry	aye
	Deputy Mayor Smith	aye
	Trustee Whalen	aye
	Trustee Bernius	aye

Motion Carried:	4 ayes	0 nays
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Request to pay Cullen & Danowski, LLP for Accounting Services in the amount of \$6,660.00 (A1410.440)

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MOTION to approve was made by Trustee Whalen and seconded by Deputy Mayor Smith.

Vote on Motion:	Mayor Siry	aye
	Deputy Mayor Smith	aye
	Trustee Whalen	aye
	Trustee Bernius	aye
Motion Carried:	4 ayes	0 nays

Request to pay Amityville Historical Society for first half grant 2018/2019 of Publicity Historical Grant in the amount of \$3,500.00.

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

Vote on Motion:	Mayor Siry	aye
	Deputy Mayor Smith	aye
	Trustee Whalen	aye
	Trustee Bernius	aye
Motion Carried:	4 ayes	0 nays

Request to pay Nelson & Pope for Storm Sewer & Drainage Improvements in the amount of \$123,866.27 (A1625.440) . Mayor Siry noted this study is available on the Village website, Amityville.com. The Board will discuss the locations for road paving and report back at the next board meeting.

MOTION to approve was made by Trustee Whalen and seconded by Deputy Mayor Smith.

Vote on Motion:	Mayor Siry	aye
	Deputy Mayor Smith	aye
	Trustee Whalen	aye
	Trustee Bernius	aye
Motion Carried:	4 ayes	0 nays

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Request from Village Assessor

Request to approve tax settlement for 90 Merrick Road, Amityville, for refund of \$15,000 (A1930.440). Mayor Siry noted it includes a moratorium on tax years 2019-2020, 2020-2021, and 2021-22.

MOTION to approve was made by Deputy Mayor Smith and seconded by Trustee Whalen.

Vote on Motion:	Mayor Siry	aye
	Deputy Mayor Smith	aye
	Trustee Whalen	aye
	Trustee Bernius	aye
Motion Carried:	4 ayes	0 nays

Request from Police Department

Request to pay Onsolve for CodeRED extension in the amount of \$5,270.00. Mayor Siry recommended residents go to the Village website to sign up for CodeRed to get important Village updates, especially as hurricane season is coming up. He also asked that the attendees provide their email addresses on a list that will be used solely for distributing Village newsletters.

MOTION to approve was made by Deputy Mayor Smith and seconded by Trustee Whalen.

Vote on Motion:	Mayor Siry	aye
	Deputy Mayor Smith	aye
	Trustee Whalen	aye
	Trustee Bernius	aye
Motion Carried:	4 ayes	0 nays

Request to approve permanent police officer status for Police Officer Alfred De Los Santos following his 18-month probationary period.

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

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Vote on Motion:	Mayor Siry	aye
	Deputy Mayor Smith	aye
	Trustee Whalen	aye
	Trustee Bernius	aye

Motion Carried: 4 ayes 0 nays

Request from Fire Department

Request for approval of members:

Name:	Age:	Address:	Company:
Richard Brooks Jr. (Reinstatement)	32	97 W. Oak St., Amityville	Hose #4
DeAndre Harding	18	118 Locust Dr., Amityville	Hose #4

Request to pay Motorola Solutions, Inc. for radios for Chief's car 31 in the amount of \$9,095.85 (A3410.250)

MOTION to approve was made by Trustee Whalen and seconded by Deputy Mayor Smith.

Vote on Motion:	Mayor Siry	aye
	Deputy Mayor Smith	aye
	Trustee Whalen	aye
	Trustee Bernius	aye

Motion Carried: 4 ayes 0 nays

Request from Department of Public Works

Request for Budget Modifications for Fiscal Year 2017/2018:

Increase A8510.441 Comm. Beautification/Trees \$8,708.00
Decrease A1625.410 Central Shared Services, Gas Oil & Diesel \$8,708.00
Increase A7140.201 – Playgrounds – Repairs & Maintenance \$773.00
Decrease A1625.410 – Central Shared Services, Gas, Oil & Diesel \$773.00
Increase A8160.442 – Refuse & Waste \$1,195.00

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Decrease A1625.410 – Central Shared Services, Gas, Oil & Diesel \$1,195.00
Increase A8170.441 – Street Cleaning – Equipment Repair \$168.00
Decrease A1625.410 – Central Shared Services, Gas, Oil & Diesel \$168.00
Increase A1625.411 Central Share Services Supplies \$1,124.03
Decrease A1625.410 Central Share Services, Gas, Oil & Diesel \$1,124.03
Increase A5010.411 – Hwy Admin – Office Supplies \$405.00
Decrease A1625.412 – Central Shared Services, Maint Supplies \$405.00
Increase A5010.420 – Hwy Admin – Telephone \$227.20
Decrease A1625.412-Central Shared Services, Gas, Oil & Diesel \$227.20
Increase A5010.445 – Hwy Admin – Training/Seminars \$815.00
Decrease A1625.412 – Central Shared Services, Maint Supplies \$815.00
Increase A5110.419 - Street Maintenance – Supplies \$466.00
Decrease A1625.412- Central Shared Services, Gas, Oil & Diesel \$466.00
Increase A5650.445 Off Street – Repairs Maint. \$851.00
Decrease A1625.412 Central Shared Services, Maint Supplies \$851.00

MOTION to approve was made by Deputy Mayor Smith and seconded by Trustee Whalen.

Vote on Motion:	Mayor Siry	aye
	Deputy Mayor Smith	aye
	Trustee Whalen	aye
	Trustee Bernius	aye
Motion Carried:	4 ayes	0 nays

There being no further agenda items Mayor Siry opened the floor for comments.

Christopher Holbrook, Esq. for **John Walsh**, 336 Richmond Ave., Amityville addressed his client’s application for storage of a commercial vehicle, after having missed the previous meeting during which his application was voted on and denied. He argued that the commercial truck also serves as Mr. Walsh’s sole vehicle for personal use. Mayor Siry expressed concerns that in addition to seeking exceptions to the Village code restricting commercial vehicles from parking overnight on residential property, he has repeatedly seen a landscaping trailer parked overnight in Mr. Walsh’s driveway. Mr. Holbrook refuted, stating the trailer was only there during the day for transient purpose. Mayor Siry also asked about proper disposal of lawn

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clippings, reminding Mr. Walsh about the Village code that stipulates clippings may not be left out more than 24-hours before scheduled pickup time.

Mayor Siry advised that to have his request reconsidered, Mr. Walsh should submit a new application and attend a future meeting.

Janet Coletti, 17 Wellington Pl., restated her prior complaint about 57 Oak St., which has a landscaping truck and trailer on the side of the house and 109 Oak St., for a commercial truck parked overnight at a residence. Mayor Siry said it will be investigated. She also asked if the sidewalks will be replaced on the north side of Oak Street where roadwork is being done. Mayor Siry and Deputy Mayor Smith confirmed both sidewalks will be replaced.

Kevin Kelly, 28 Lake St., stated that he wishes to demolish a garage on his property and requests a waiver on the \$250 demolition fee, due to damage caused by vegetation/brush growing from the adjacent Village-owned, Peterkin Park.

MOTION to approve was made by Mayor Siry and seconded by Trustee Smith .

Vote on Motion:	Mayor Siry	aye
	Deputy Mayor Smith	aye
	Trustee Whalen	aye
	Trustee Bernius	aye
Motion Carried:	4 ayes	0 nays

Eileen Alstadt of 87 Forest Pl, Amityville, reported that her neighborhood is requesting that an uninhabited house at 45 Gaylore Dr. be taken down due to health and safety issues. Mayor Siry confirmed the Village has done exterior clean ups and is taking steps to classify it as a zombie home. Village Attorney stated it is up to the bank to do something about the property but in order to take the house down we have to first prove it is unsafe. Building Inspector Bryan Donato confirmed that he has inspected the property and has deemed it unsafe. If someone buys the house the homeowner will have the option of taking the house down or the Village will do it for them.

Betty Small, 48 Gaylore Dr., noted that the *Babylon Beacon* ran a public notice stating that the home is going up for auction Aug. 8th. The liens are \$735,000 plus costs and fees, she reported, making it unlikely the house will be sold. She said rats and other filth have been observed, and

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expressed concern that any demolition be done in an environmentally safe way, to protect the neighbors from any exposure to mold or hazards.

Trustee Bernius said she is aware of the house as it was one of the first homes they reviewed when the Board created the Zombie house legislation, but it is a lengthy process of notification. We have started the process, she said.

Another homeowner, Brenda DiPaolo, 289 So. Bayview Ave., expressed concern that if the house has asbestos siding special steps be taken to take the house down safely. Trustee Whalen ensured the house will be tested for environmental concerns prior to taking it down.

There being no comments from the floor or the Board a MOTION to ADJOURN was made by Deputy Mayor Smith and seconded by Trustee Whalen.

Vote on Motion:	Mayor Siry	aye
	Deputy Mayor Smith	aye
	Trustee Whalen	aye
	Trustee Bernius	aye
Motion Carried:	4 ayes	0 nays

Meeting adjourned at 9:23 p.m.

Catherine Murdock, Clerk/Treasurer