

**Board of Trustees
Minutes
March 11, 2019**

Meeting called to order 7:30 p.m.

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

ALSO PRESENT: Chief of Amityville Fire Department Leland Greey
Superintendent of DPW, Bruce Hopper
Building Inspector Brian Donato
Clerk/Treasurer, Catherine Murdock
Assistant to the Mayor, Wendy O'Neill

Mayor Siry welcomed everyone to the March 11, 2019 Meeting of the Board of Trustees. He announced that Trustee Whalen was out of state and unable to attend, and Chief Slack was also unable to be present. The Salute to the Flag was led by Bruce Hopper.

Mayor's Actions

Request to approve the minutes of the February 25, 2019 Board of Trustees Meeting

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

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

Upon Mayor Siry's request to approve a new member of the Amityville Fire Department and approve waiver of residency for **Nicole A. Catanuto**, age 50, 109 Narwood Road, Massapequa, NY, for Dauntless Hose Company #2.

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

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

Good News Report

Deputy Mayor Smith shared upcoming events including: An APD discussion at the Senior Center on "Phone Scams," March 20 at 11:30; spaghetti dinner at the Masonic Lodge, on March 31; St. Patrick's Day Party at the Amityville Fire House, March 17th at 4 p.m.; Fire Department Blood Drive on April 8th at the Main Fire House, Chamber of Commerce's Chinese Auction at E W. Miles Middle School on April 13th, at 6 p.m, and Bay Village Civic Association's Shredding Event on April 13th from 12 noon to 2 p.m. at 9/11 Memorial Park.

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Licenses

Cabaret (Renewal)

Pauline Damiani, 139 West 3rd St., W. Islip, NY for **Revolution**, 140 Merrick Road

Trustee Bernius and Mayor Siry reported that the owners were sent a letter from the Board of asking them to remove the stickers placed on a crosswalk pole outside the establishment.

MOTION to APPROVE with the stipulation that the owners will ask their patrons/clients not to post stickers on the pole outside was made by Trustee Bernius and seconded by Trustee LaLota

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

Landscaper License – Renewal

John Walsh, 336 Richmond Avenue, for **L.A. Lawn Landscaping**
Tom Saltalamacchia, 30 S. Bay Drive, for **Landscapes by Tom Saltalamacchia**
Jose V. Pineda-Baires, 381 Waldo St., Copiague, NY, for **Jose Victor Landscaping**
Pastor Mata, 128 N. Grove St., Freeport, NY, for **Mata Landscaping**
Paul Gosline, 46 Turner Place, for **Gosline Landscaping**

Trustee LaLota asked about the pending landscaping license application from HJR Landscaping. Mayor Siry explained that the application was being tabled following a request from the applicant's attorney for a postponement, until the next Board of Trustees meeting on 3/25/19.

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

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

Request from Deputy Treasurer

Request to approve abstract from Feb. 21, 2019 – March 6, 2019

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

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

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Request from Clerk/Treasurer

Request from Martha Peterson for Amityville **Chamber of Commerce** to post on Village entranceway signs to advertise the 19th Annual Chinese Auction, April 13, 2019, at E.W. Miles Middle School.

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

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

Request from **St. Martin of Tours School** to use the Beach south field for baseball practice on Mondays, Tuesdays and Thursdays, from 3 p.m. to 5:30 p.m. from April 1 through May 31, 2019.

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

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

Request to pay **Nelson & Pope** for N18X002.001.000 Amityville storm, sewer & drainage improvements work performed 12/1/18 to 1/1/19, in the amount of \$13,546.00 (A1410.440)

Request to pay **Nelson & Pope** for N18X002.001.000 Amityville storm, sewers & drainage improvements work performed 8/31/18 to 10/31/18, in the amount of \$14,335.00 (A1410.440)

Mayor Siry advised that these expenses are funded by the Village's GOSR grant.

MOTION to APPROVE the above two Nelson & Pope requests was made by Trustee Bernius and seconded by Trustee LaLota

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

Request to pay **N.Y.S. Municipal Worker's Compensation Alliance** for Final Installment, in the amount of \$69,170.25 (A9040.800)

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

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

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Request to pay **Bond, Schoeneck & King, PLLC** for legal services for January 2019, in the amount of \$4,611.22

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

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

Request from Village Assessor

Request for a correction of errors regarding incorrect entry of building permits

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

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

Request from Fire Department

Request to pay **Integrated Wireless** for Invoice #86636 - pager purchases, in the amount of \$4,572.00 (A3410.250)

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

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

Request to pay **Copiague Fire District** for Invoices #641, #635 and #640 for maintenance on vehicles 1-1-93, 1-1-92, and 1-1-9, in the amount of \$3,102.43 (A3410.231)

The Mayor stated that having Copiague do vehicle maintenance through shared services is saving the Village money.

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

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

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Request for Budget Modification:

- i. Increase A3410.411 for Office Equipment, \$1,000
- ii. Decrease A3410.414, Uniform Purchase & Repair, \$1,000
- iii. Increase A1624.460, Building Repair & Maintenance, \$2,000
- iv. Decrease A3410.414, Uniform Purchase & Repair, \$2,000
- v. Increase A3410.231, Vehicle Repair, \$7,000
- vi. Decrease A3410.250, Equipment Purchase, \$7,000
- vii. Increase A3410.251, Equipment Repair, \$1,000
- viii. Decrease A3410.414, Uniform Purchase & Repair, \$1,000

MOTION to APPROVE budget modifications (i. through viii.) was made by Trustee LaLota and seconded by Deputy Mayor Smith

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

Request from Department of Public Works

Request to pay **R.W. Truck Equipment** for Body Work for truck #46, in the amount of \$3,822.00 (A5112.200)

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

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

Request to pay **Omni Recycling** for 25.47 tons dumped, in the amount of \$6,182.53 (A8160.442)

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 LaLota	aye
	Trustee Bernius	aye
Motion Carried:	4 ayes	0 nays

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Request to pay **Sprague** for 3003 gallons of gas in the amount of \$5,117.11 (A1625.410)

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

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

Request for Budget Modification:

- i. Increase A1625.411 for Central Shared Services Supplies, \$2,250.00
- ii. Decrease A1625.412 Central Shared Services Maintenance Supplies, \$2,250.00
- iii. Increase A1625.103 for DPW Retiree/Sick/Vacation Buy Out, \$3,500.60
- iv. Decrease A1625.100 for DPW Base Pay, \$3,500.60

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

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

Mayor Siry then addressed a resident, Mrs. Distler, about her email regarding garbage pick-up being too early in the morning. He reported that he is working with the garbage company to revise the schedule.

Local Laws

Motion to hold a public hearing on 3/25/19 on **Local Law No. 2 of the year 2019**, a local law restricting the sale and use of recreational marijuana and the operation of hookah bars and vape shops to the Industrial District.

Trustee LaLota explained that there is legislation being proposed at the state level to allow recreational marijuana sales. This is the right time to limit these sales before our downtown is revitalized, he said. While there are no legal grounds for an outright ban, the Village can restrict the locations where sales are permitted. He acknowledged Bruce Kennedy for his work on the proposed legislation which encompasses marijuana, hookah and vape.

Mayor Siry stated that even if the state law does not go through he likes the idea of limiting the vape shops. Mayor Siry said the Quality of Life officers would take an inventory of existing stores selling vaping supplies.

Joan Donnison, Bay Village Civic Association, clarified how existing vape shops would be considered, and Trustee LaLota confirmed they would most likely be grandfathered in.

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MOTION to CONDUCT a public hearing on March 25, 2019 regarding Local Law No. 2 of the year 2019 was made by Trustee LaLota and seconded by Trustee Bernius

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

Public Hearings

MOTION to CONDUCT a public hearing regarding Re-levying of unpaid property clean-up charges was made by Trustee LaLota and seconded by Deputy Mayor Smith

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

Mayor Siry stated the following properties had outstanding charges for property clean ups by the Village Department of Public Works. He invited the public to comment.

SCTM# 101-13-10-15	SCTM# 101-13-10-4
SCTM# 101-6-3-73	SCTM# 101-3-3-60
SCTM# 101-1-1-2	SCTM# 101-5-4-35
SCTM# 101-7-4-23	

A representative (name not discernable) of Glengreen Associates, the owner of 90 Merrick Road, stated that their property is vacant and that he has cleaned up the lot on several occasions. He took exception at the cost of the Village clean ups. Trustees Bernius and LaLota explained it is his responsibility to monitor and maintain the property whether it is residential or commercial, vacant or occupied. The property owner told the Trustees he would like the Village to notify him when the property needs to be cleaned, however, Mayor Siry pointed out that the owner has been notified about overgrown grass, weeds and debris and given ample time to maintain the lot. He explained the charges reflect the Village's manpower expenses, and therefore, the property owner's request for a discount was not granted.

Additionally, the Trustees called for the owner to remove the signs on the vacant buildings that advertise for Good Eats and former tenants.

MOTION to CLOSE the public hearing regarding Re-levying of unpaid property clean-up charges was made by Trustee LaLota and seconded by Deputy Mayor Smith

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

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Resolution

Resolutions 19-03-11-01 through 19-03-11-07 to Re-levy Unpaid Clean Up Charges

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

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

RESOLUTIONS

19-03-11-01 Through 19-03-11-07

Resolutions to Re-levy Unpaid Clean-Up Charges onto Upcoming 2019 Tax Bills

RESOLUTION 19-03-11-01

RESOLVED that the record having shown that there has been due compliance with the procedure for assessing clean-ups of unsightly property as provided in Chapter 97, Article 1 of the Village code and that the cost of such clean-up was fair and reasonable. The sum of \$906.68 is hereby assessed against the real property known as SCTM 101-13-10-15 to the owner of record known as Peter Wolf located at 123 Lake Shore Dr., Ronkonkoma, NY 11779; said assessment to be added to the tax bill for said premises for the fiscal year commencing June 1, 2019.

RESOLUTION 19-03-11-02

RESOLVED that the record having shown that there has been due compliance with the procedure for assessing clean-ups of unsightly property as provided in Chapter 97, Article 1 of the Village code and that the cost of such clean-up was fair and reasonable. The sum of \$2,237.94 is hereby assessed against the real property known as SCTM 101-6-3-73 to the owner of record known as Hem II Development Corp. located at 1528 St. Louis Ave., Bayshore, NY 11706; said assessment to be added to the tax bill for said premises for the fiscal year commencing June 1, 2019.

RESOLUTION 19-03-11-03

RESOLVED that the record having shown that there has been due compliance with the procedure for assessing clean-ups of unsightly property as provided in Chapter 97, Article 1 of the Village code and that the cost of such clean-up was fair and reasonable. The sum of \$2,779.59 is hereby assessed against the real property known as SCTM 101-1-1-2 to the owner of record known as Robert & Katie Bullard located at 595 County Line Rd., Amityville, NY 11701; said assessment to be added to the tax bill for said premises for the fiscal year commencing June 1, 2019.

RESOLUTION 19-03-11-04

RESOLVED that the record having shown that there has been due compliance with the procedure for assessing clean-ups of unsightly property as provided in Chapter 97, Article 1 of the Village code and that the cost of such clean-up was fair and reasonable. The sum of \$1,322.12 is hereby assessed against the real property known as SCTM 101-7-4-23 to the owner of record known as Glengreen Associates LLC. located at 92 Wildwood Rd., Great Neck, NY 11023; said assessment to be added to the tax bill for said premises for the fiscal year commencing June 1, 2019.

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RESOLUTION 19-03-11-05

RESOLVED that the record having shown that there has been due compliance with the procedure for assessing clean-ups of unsightly property as provided in Chapter 97, Article 1 of the Village code and that the cost of such clean-up was fair and reasonable. The sum of \$832.65 is hereby assessed against the real property known as SCTM 101-13-10-4 to the owner of record known as Anton Peer located at 13 Unqua Pl., Amityville, NY 11701; said assessment to be added to the tax bill for said premises for the fiscal year commencing June 1, 2019.

RESOLUTION 19-03-11-06

RESOLVED that the record having shown that there has been due compliance with the procedure for assessing clean-ups of unsightly property as provided in Chapter 97, Article 1 of the Village code and that the cost of such clean-up was fair and reasonable. The sum of \$2,101.15 is hereby assessed against the real property known as SCTM 101-3-3-60 to the owner of record known as Tricia C. Roberts located at 289 County Line Rd., Amityville, NY 11701; said assessment to be added to the tax bill for said premises for the fiscal year commencing June 1, 2019.

RESOLUTION 19-03-11-07

RESOLVED that the record having shown that there has been due compliance with the procedure for assessing clean-ups of unsightly property as provided in Chapter 97, Article 1 of the Village code and that the cost of such clean-up was fair and reasonable. The sum of \$5,463.23 is hereby assessed against the real property known as SCTM 101-5-4-35 to the owner of record known as Deutsche Bank National Trust located at 1675 Palm Beach Lakes Blvd., Suite 402, West Palm Beach, FL, 33401; said assessment to be added to the tax bill for said premises for the fiscal year commencing June 1, 2019.

Resolutions are for the following properties:

SCTM# 101-13-10-15 – 85 Norman Ave.
SCTM# 101-6-3-73 – 6 Belmont Ct.
SCTM# 101-1-1-2 – 595 County Line Rd.

SCTM# 101-7-4-23 – 90 Merrick Rd.
SCTM# 101-13-10-4 – 21 Norman Pl.
SCTM# 101-3-3-60 – 289 County Line Rd.
SCTM# 101-5-4-35 – 161 County Line Rd.

MOTION to APPROVE Resolutions 19-03-11-01 Through 19-03-11-07 was made by Trustee LaLota and seconded by Trustee Bernius

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

Resolution 19-03-11-08 to set the date of the **Organizational Meeting** of the Board of Trustees

Resolution 19-03-11-08

Resolved that the Organizational meeting of the Board of Trustees shall take place on Monday, April 8th, 2019, at 7:30 pm at the Village Hall, Third floor courtroom, 21 Ireland Place, Amityville, NY.

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MOTION to APPROVE Resolution 19-03-11-08 was made by Trustee Bernius and seconded by Deputy Mayor Smith

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

Mayor Siry then invited any additional comments from the audience, before announcing the Board would be entering Executive Session.

MOTION to ENTER Executive Session to discuss a personnel matter was made by Deputy Mayor Smith and seconded by Trustee LaLota

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

MOTION to CLOSE Executive Session to discuss a personnel matter was made by Deputy Mayor Smith and seconded by Trustee LaLota

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

MOTION to REOPEN the public meeting was made by Trustee LaLota and seconded by Trustee Bernius

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

MOTION to CLOSE the public meeting and ADJOURN was made by Trustee LaLota, seconded by Deputy Mayor Smith

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

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Meeting adjourned at 8:32 p.m.

Catherine Murdock, Clerk/Treasurer