

**Board of Trustees
Minutes
January 11, 2021**

Meeting called to order at 7:30 p.m.

MEMBERS PRESENT: Mayor Dennis Siry, Deputy Mayor Kevin Smith, Trustee Jessica Bernius, Trustee O'Neill

ALSO PRESENT: Village Attorney Bruce Kennedy
AFD Chief Rob Waegerle
APD Chief Bryan Burton
Superintendent Bruce Hopper
Clerk/Treasurer Catherine Murdock
Assistant to the Mayor Wendy O'Neill

The salute to the flag was led by Chief Bryan Burton.

Mayor Siry welcomed everyone to the January 11th Meeting of the Board of Trustees, conducted via Zoom Meeting. He reminded residents that the Covid-19 pandemic is still a real concern and they should remain vigilant in protecting themselves. The Covid-19 vaccine has been offered to Phase 1a and 1b of eligibility. First responders and frontline personnel, residents of nursing homes, teachers, police and public safety/transit workers and people 75 and over are included. For information on scheduling a vaccine go to the website NY.gov/vaccine or call 1-833-NYS-4VAX.

Deputy Mayor Smith reported good news: The **Save the Great South Bay Society** will conduct a Bay Friendly Yards webinar on Jan. 16th at 10 a.m. with additional online events coming up. Check the Amityville.com website and Amityville Village Hall Facebook page to register.

Mayor Siry invited the Trustees to present their committee reports for December:

Department of Public Works (Trustee O'Neill):

- Carted and disposed of 9.67 tons of burnable garbage.
- Carted and disposed of 28.82 tons of C&D, including disposal of E-waste and tires to recycler.
- Working with the engineer on the flooding condition at Purdy Lane (per the Mayor's concerns), crews will dig out and clean the filter on the Folkstone Rd. storm drain which is loaded with leaves and debris. *NOTE: While it is natural for leaves and organic debris to fall into the street, it is a challenge for the street sweeper to keep the storm drains clear of leaves. The problem is compounded by landscapers and homeowners blowing leaves and debris into the roads which wind up in storm drain system. Every drain that empties into the Great South Bay in the Village is equipped with a tide valve and a filter screen, and when the screen is clogged, the water flow becomes slow.*
Please refrain from blowing any debris into the roadways.
- Disinfecting/spraying ongoing for the main firehouse, Bennett Place fire dept. facility and Village Hall including the highway department shop and offices.
- Completed the sump for fuel tanks.
- Completed the stump grinding various locations
- Potholes being filled throughout Village at various locations; parks also continue to be cleaned.
- Parking lot windblown trash and leaves being cleaned.
- Sign repairs and replacement ongoing, the parking lot sign for parking lot #6 was repaired and rebuilt.
- Repairing of snow removal equipment ongoing, to prepare for the next winter event.
- Yard housekeeping ongoing to keep the shop and yard working smoothly.
- The holiday lights and holiday decorations being removed and stored for next season.
- Streetlight repairs ongoing.
- Repaired snow plow damage on the corner of Grand Central and Perkins Ave.
- Worked with the pump truck to pump the grease trap at the fire house (annual requirement)
- Street-sweeping continues weather permitting.

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- Repaired a collapsed storm drain in the highway yard.
- The department had a retirement send-off for retiring D.P.W. employee Thomas D'Amato who had 35 years of service with the department. The entire department wishes him a happy retirement.

Mayor Siry added that the Village is working on a solution to the West Jetty erosion at the Beach.

Justice Court (Trustee Bernius): The following was reported to the State: For November -- **\$11,553.00 - Village Justice; \$4,274.50 – Assoc. Village Justice; \$7,400.00 – Parking Violations. Penal/Criminal, Vehicle & Traffic, and Village Ordinances: 186** charges were processed by the office; **96** charges were closed out; and, **\$15,827.50** was collected in fines and surcharges. **Parking: 71** Tickets were processed by the office; **64** tickets were collected on; and, **\$7,400.00** was collected in fines & penalties collectively. Bail was ordered, posted, and processed on **5** cases in the amount of **\$2,036.00**. The remaining bail was processed as follows: Applied: **\$1875.00** on **7** cases - to outstanding fines and surcharges; and, Returned: **\$3,012.50** on **5** cases.

For December – **\$213.00 – Assoc. Village Justice; \$6,430.00 – Parking Violations; Penal/Criminal, Vehicle & Traffic, and Village Ordinances: 75** charges were processed by the office; **94** charges were closed out; and, **\$11,918.00** was collected in fines and surcharges. **Parking: 65** tickets were processed by the office; **66** tickets were collected on; and, **\$ 6,430.00** was collected in fines & penalties collectively. Bail was ordered, posted, and processed on **5** cases in the amount of **\$2,036.00**. The remaining bail was processed as follows: Applied: **\$1875.00** on **7** cases - to outstanding fines and surcharges; and, Returned: **\$3,012.50** on **5** cases.

All in-person appearances have been paused once again. Due to this change, the Court was able to obtain a laptop through the NYS Office of Court Administration, at no cost, for the purpose of virtual capabilities. Therefore, Court will commence Virtual sessions on Tuesday, January 12, 2021 via Microsoft TEAMS, following our 2021 schedule. With the approval of Catherine and the assistance of Deirdre, they were able to update the Village website, in a user-friendly fashion, advising that Court has transitioned to Virtual appearances, along with instructions on how to proceed. Since reducing foot-traffic into the Municipality is encouraged, the Court expects to process more mail-in pleas on violation matters only. These matters will be forwarded to the Assistant District Attorney, who will be tasked with reviewing and making an application for the Judge's approval.

Trustee Bernius also noted that an annual audit was conducted in November and a report is expected soon.

Building Department (Deputy Mayor Smith): December Revenue: **\$12,655.00; 29** Permits Issued; **34** Inspections Performed; **22** Notices of Violation Issued; **15** Violations Corrected; Fire Marshal performed **4** Fire Safety Inspections; Fire Marshal responded to **3** Call-outs and **3** plan reviews. For the calendar year 2020, revenue totaled **\$312,876.44** (up 3.8% from previous year); **314** Total Permits Issued (down 25% from previous year); **43** Zoning Board Applications Filed (down 7% from previous year); **20** Planning Board Applications Filed (up 17.5% from previous year); **399** Scheduled Inspections Performed (down 2% from previous year); **242** CO Searches Completed by Building Department Staff (up 4% from previous year).

Amityville Police Department (Deputy Mayor Smith): Totals for December/Year to Date: Arrests 10/139; blotter 394/5315; Cases 43/549; Citations 66/958; Field Interviews 1/5; Juveniles 0/1; Medically Aided 85/942; Traffic Accidents 21/283. Chief Burton thanked the Board for its recent approval to hire two new police officers. Officers Eickelberg and Fitzgerald are undergoing field training. Mayor Siry noted that Chief Burton and Sgt. Frank Caramanica are busy working on the NYS-mandated Police Reform Plan which is due to be submitted on April 1, 2021.

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Mayor's Actions:

Appoint **Mac Flores** as Department of Public Works Laborer, at the 6-month probationary salary of \$37,470.98 effective January 21, 2021.

MOTION to APPROVE was made by Trustee O'Neill and was seconded by Trustee Bernius

Vote on Motion:	Mayor Siry	aye
	Deputy Mayor Smith	aye
	Trustee Bernius	aye
	Trustee O'Neill	aye
Motion Carried:	4 aye	0 nays

Mayor Siry then presented a retirement plaque, virtually, to **Thomas "TJ" D'Amato**, General Foreman, Department of Public Works, recognizing his 35 years of service. When you think about DPW, you think about T.J. D'Amato, he stated. The Trustees all offered their hearty congratulations and expressed their gratitude for all he has done for the Village, as did Joan Donnison on behalf of the Bay Village Civic Association.

Approve Board of Trustees Minutes from the December 14, 2020 and December 30, 2020 meetings

MOTION to APPROVE was made by Trustee Bernius and was seconded by Trustee O'Neill

Vote on Motion:	Mayor Siry	aye
	Deputy Mayor Smith	aye
	Trustee Bernius	aye
	Trustee O'Neill	aye
Motion Carried:	4 aye	0 nays

Licenses:

Landscaper License -Renewal

John Kirsch, 91 Philadelphia Ave., Massapequa Park, NY 11762 for **Green Supreme Inc.**

Kevin Cammeyer, 48 Sequams Way, W. Islip, NY 11795 for **Bayway Lawn Service**

MOTION to APPROVE both of the above applications was made by Trustee Bernius and was seconded by Deputy Mayor Smith

Vote on Motion:	Mayor Siry	aye
	Deputy Mayor Smith	aye
	Trustee Bernius	aye
	Trustee O'Neill	aye
Motion Carried:	4 aye	0 nays

Tow Truck License Renewal

Peter Litvinoff, 91 Merrick Rd., for **Richmond Auto Body**

MOTION to APPROVE was made by Trustee O'Neill and was seconded by Deputy Mayor Smith

Vote on Motion:	Mayor Siry	aye
	Deputy Mayor Smith	aye
	Trustee Bernius	aye
	Trustee O'Neill	aye
Motion Carried:	4 aye	0 nays

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Temporary Storage Container

Justin McElmoyl, 46 Forrest Place, for a maximum duration of 90 days

MOTION to APPROVE was made by Trustee O'Neill and was seconded by Deputy Mayor Smith

Vote on Motion:	Mayor Siry	aye
	Deputy Mayor Smith	aye
	Trustee Bernius	aye
	Trustee O'Neill	aye

Motion Carried: 4 aye 0 nays

Request from Deputy Treasurer

Request to approve abstract from December 29th – January 6th

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

Vote on Motion:	Mayor Siry	aye
	Deputy Mayor Smith	aye
	Trustee Bernius	aye
	Trustee O'Neill	aye

Motion Carried: 4 aye 0 nays

Request from Department of Public Works

Request to pay **Sprague** for 2000 gallons of gas in the amount of \$3114.80 (A1625.410)

MOTION to APPROVE was made by Trustee Bernius and was seconded by Trustee O'Neill

Vote on Motion:	Mayor Siry	aye
	Deputy Mayor Smith	aye
	Trustee Bernius	aye
	Trustee O'Neill	aye

Motion Carried: 4 aye 0 nays

Resolution

Resolution 21-01-11-01:

That the GENERAL VILLAGE ELECTION for the Village of Amityville will be held in said Village Tuesday, the 16th day of March 2021 with the polls open between the hours of 7:00 am in the forenoon and 9:00 pm in the afternoon of that day, and that the places of voting in each of the eight (8) Election Districts in said Village shall be as follows:

- | | | |
|------------------|-------------------|---------------------------------------------------------------------------|
| 7 th | Election District | - AUFSD, Park Avenue School Gym, Park Avenue and Wanser Place (rear) |
| 8 th | Election District | - AUFSD, Park Avenue School Gym, Park Avenue and Wanser Place (rear) |
| 9 th | Election District | - AUFSD, Park Avenue School Gym, Park Avenue and Wanser Place (rear) |
| 17 th | Election District | - AUFSD, Amityville Memorial H.S. Gym, Merrick Road, (rear west entrance) |
| 26 th | Election District | - AUFSD, Amityville Memorial H.S. Gym, Merrick Road, (rear west entrance) |
| 63 rd | Election District | - AUFSD, Park Avenue School Gym, Park Avenue and Wanser Place (rear) |

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117th Election District - AUFSD, Amityville Memorial H.S. Gym, Merrick Road, (rear west entrance)

122nd Election District - AUFSD, Amityville Memorial H.S. Gym, Merrick Road, (rear west entrance)

MOTION to APPROVE was made by Deputy Mayor Smith and was seconded by Trustee O’Neill

Vote on Motion:	Mayor Siry	aye
	Deputy Mayor Smith	aye
	Trustee Bernius	aye
	Trustee O’Neill	aye

Motion Carried: 4 aye 0 nays

Public Hearing

Conduct a public hearing for **Introductory Local Law No. 5 of the year 2020** to add Chapter 80 “Filming and Photography” to the Village Code regulating filming and photography for movies, television and commercials in the Village

MOTION to OPEN the Public Hearing was made by Trustee O’Neill and was seconded by Trustee Bernius

Vote on Motion:	Mayor Siry	aye
	Deputy Mayor Smith	aye
	Trustee Bernius	aye
	Trustee O’Neill	aye

Motion Carried: 4 aye 0 nays

Mayor Siry stated that it is in the best interest of the Village to put language into the Village Code concerning filming and photography. While we cannot regulate filming on private property in the Village, the Trustees agreed that residents should notify Village Hall if the production will impact public property or neighbors. Trustee O’Neill explained that this would be the case if equipment like production trucks and portable generators are involved. Deputy Mayor Smith agreed that when there are intrusive sounds and activity the Village should be notified in advance. Village Attorney Bruce Kennedy agreed and pointed out that we can tailor the terms of the permit to the situation.

Mayor Siry reported that local resident, Erin Reyes who works for Suffolk County Economic Development and Planning/Film & Cultural Affairs, has been very helpful. She has shared best practices and resources and feels the Village offers an attractive backdrop for projects involving film studios located on Long Island.

Christopher Garvey, 16 Nicoll Ave., pointed out that movies can be shot simply on cell phones with no disruption of traffic. The law should differentiate between these videos and more intrusive activities and respect the First Amendment. He offered to submit copy revisions to reflect this. Mayor Siry thanked him for his offer. Mr. Garvey also asked if the law would apply to filming on the waterways, to which Mayor Siry said it would not.

MOTION to CLOSE the Public Hearing was made by Trustee O’Neill and was seconded by Trustee Bernius

Vote on Motion:	Mayor Siry	aye
	Deputy Mayor Smith	aye
	Trustee Bernius	aye
	Trustee O’Neill	aye

Motion Carried: 4 aye 0 nays

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Public Comments

Debbie Magnani, 75 Meadow Lane, asked for an update Bayside Marina on Meadow Lane. She asked about an upcoming Court date for their violations and a Planning Board appearance. She was advised to check with the Village Court as Covid-19 may affect scheduling. Mayor Siry and Building Inspector Donato also stated that nearby residents must be notified by certified mail receipt, 10 days before a Planning Board Hearing Date is scheduled. Meetings are on the first Thursday evening of the month. Mr. Donato stated that he is hopeful that they submit a Planning Board application in the coming days/weeks.

Al Strollo, 84 New Point Place, brought up a complaint he made with the Coast Guard and EPA regarding an oil spill. He also asked the Mayor for a recap of the marina's Planning Board application and Court appearance. Mayor Siry reported he has no additional information but shared that Building Department issues going before the Court are generally heard on the first Tuesday of the month.

Joan Donnison, 150 South Ketcham Ave., asked about the minimum size of the wording on Public Notice signs for the Planning Board. The signs are not always legible from a distance. Building Inspector Bryan Donato pointed out that there are space limitations on the signs. Bruce Kennedy said there is a distance requirement for sign placement so that the sign can be read from the street.

On another matter, **Trustee Bernius** reported that she has seen bags of dog waste being left on lawns in the Village, and she urged residents to curb their dogs. Mayor Siry and Deputy Mayor Smith stated we have a dog curbing law on the books and Quality of Life officers and APD will keep an eye out for offenders.

There being no further agenda items or discussions:

MOTION to ADJOURN was made by Trustee O'Neill and seconded by Trustee Bernius

Vote on Motion:	Mayor Siry	aye
	Deputy Mayor Smith	aye
	Trustee Bernius	aye
	Trustee O'Neill	aye
Motion Carried:	4 aye	0 nays

Meeting adjourned at 8:33 p.m.

Catherine C. Murdock
Clerk/Treasurer