

**Board of Trustees
Minutes
March 28th, 2016**

Meeting called to order at 7:36pm

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
Code Enforcement Officer, Thomas Whalen
1st Assistant Chief, Jeff Erath
Village Attorney, Richard Handler
Clerk Treasurer, Dina Shingleton
Administrative Assistant, Katie DeGraff

The salute to the flag was led by Chief Slack and Chris Nehring

Mayor Wandell welcomed everyone to the March 28th meeting of the Board of Trustees

Upon motion of Trustee Smith as seconded by Trustee LaLota, minutes of the regular meeting of the Board of Trustees held on **March 14, 2016**, copies of which were distributed to all members of the Board, were TABLED. Deputy Mayor Bernius has a few provisions she would like to make to them.

Deputy Mayor Bernius gave the “Good News” report:

On Saturday March 26th the dedication of street to John, “Jack” Robertson took place and was a pleasure to attend; The Easter service at the Beach was wonderful along with the Easter egg hunt at Peterkin Park that took place on Sunday March 27th; Saturday April 2nd, 2016 starting at 6:00pm the 16th annual Chinese Auction is being held; On Sunday April 3rd the Amityville Teachers Association will be hosting the Walk for Autism from 9:00am-12:00pm at the Amityville beach; On Saturday April 9th the “Stuff a Truck” food drive will be taking place, its such a great event that we as a community can get involved in; Mayor Wandell stated they have great news, they have been working with North Shore to increase the pilling budget from \$200,000 to \$250,000 which is great for our Village; Mayor Wandell was also pleased to announce that starting June 8th the Village is proud to announce that they will hosting the Farmers Market from 2:00pm to 7:00pm at Village Hall with parking allotted across the street at Park Ave school, there are vendors lined up and high hopes for this event;

There being no further “good news”, Mayor Wandell continued with agenda items:

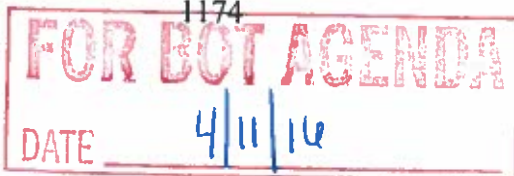
Landscaper Licenses:

Carlos Lizama for **Lizama Landscaping**, 2 Croydon Rd. Amityville, NY 11701

Taxi-Cab Company License:

John Tomitz for **JTE Enterprises Inc.**, d/b/a/ Lindy’s Taxi. 390 Suffolk Ave, Islandia, NY

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Taxi-Cab Driver- New:

Fred Wadlington, 2608 West End Avenue, Baldwin, NY for **Lindy's Taxi**

Taxi-Cab Driver – Renewal:

Michael High, 78 Meister Blvd, Freeport for **Lindy's Taxi**

Tyron Williams, Office Manager for Lindy's Taxi introduced himself and represented the business; Trustee LaLota stated that he remind his drivers to not use Wellington Place as a cut through from Oak street; Tyron has told his drivers and will continue to remind them about this; Trustee Siry asks that when these applicants come to pick up their landscape licenses that we make sure they know that they are not allowed to throw out the cuttings if it is more than 24 hours from garbage pickup, also that they are not to throw and or leave the bags with the cuttings or leaves in the street;

MOTION to APPROVE with above stipulations 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

Deputy Treasurer:

Approval of Treasurer's Abstract

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 for **Budget Modification** in amount of \$12,000 from A.9950.700/Capital Projects to H3410.200/FD Facilities & Property for the Capital Project LED conversion of Firehouse at 55 West Oak Street.

Trustee LaLota commended Trustee Siry for all his hard work on this project and states that they had set aside money in the budget and is glad to be able to put this to good use now and is ready to see savings within 13 months; Deputy Mayor Bernius also thanks Ed Moore for all of his hard work on this project;

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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 from Village Assessor:

United States Post Office SCTM 101-5-2-36, amendment to settlement submitted to Board November 2015

Trustee LaLota states that the public should know that we are trying to knock a few of these claims off each month so the list will get shorter and shorter and be taken care of; Village Attorney Richard Handler explained that if there was no change in the 3 year moratorium there will be no change in the time frame; Ed Moore, 79 Wood Ave asks for clarification that the Post Office is not a federal building;

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

Requests from Clerk/Treasurer:

Request to retain **Skinnon & Faber CPA's PC** for audit services for the year end May 31, 2016 in the amount of \$17,750 (A.1325.440)

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

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Request from the **Amityville Chamber of Commerce** to hold a farmer's market on Friday afternoons between the hours of 2:00 PM – 7:00 PM from June 8th – November 18, Village Hall Parking Lot, 21 Ireland Place

Trustee Smith states that he is sad to see that the BVCA had not been contacted about this; Trustee LaLota stated that this was the topic of the last two or three work sessions; Deputy Mayor Bernius stated that the BVCA has announced that they were not able to put up a market anymore so we took it on ourselves to continue this; Barbara Strict, 190 Merrick Rd stated that yes the BVCA said they were not able to do the market anymore, but thinks the BVCA should have been contacted and involved in this process to work as a community; Trustee Siry ask Chief Slack about the issue with the market being set up on the west side of Village Hall, and suggests that we clear that up with the Chief as soon as we can so there is no interference with the Farmers Market;

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	nay
Motion Carried:	4 ayes	1 nay

Request for usage of Village Entranceway Signs, **Amityville Chamber of Commerce** to advertise their Chinese Auction; march 21 – April 1st. \$50.00 renewal fee

MOTION to APPROVE was made by Trustee Smith 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 for usage of Village Entranceway Signs, **Amityville Historical Society** for its 47th Annual Heritage Fair. Signs requested from June 2nd – June 12th; 50.00 renewal fee

Dorris Renolds, 190 Merrick Rd, introduces herself, she is the chairperson of the fair, she states that she doesn't remember there being a fee that went along with this and asks how that should be paid, will they get a bill? Village Clerk/Treasurer answers yes a bill will be sent to the P.O Box; Trustee Smith asks if the signs are already made; Superintendent of Public Works, Bruce S. Hopper answers yes they are and the money that comes along with this goes towards the changing of the date on the six signs they will be using;

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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 the **St. Martin of Tours School**, 30 Union Avenue Amityville, to hold field days at the Amityville Beach field May 9th, 10th, 11th, 12th and 13th from 8:45 am – 2:15pm

Deputy Mayor Bernius stated that this is a standard thing and has no problems with this;
Trustee Siry stated the fee is usually waived for this;

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 **Michele Paladino** to use Pearsall Park for wedding photographs on September 10, 2016 at 3:30pm, fee of \$100

Trustee LaLota states that we use the policy and stipulations that we came up with from previous grants of this to make sure everything stays uniform and in order;

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 from the **LI Storm** to use the Beach North Field for softball April 24th – August 21st from 8:30 am – 12:30pm

Request from **St.Martin of Tours Usher Society** for the Beach North, Lighted Field for softball on Wednesdays 4/20/16 – 8/31/16 pending fee and deposit

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Request from **St. Martin of Tours Usher Society** for the South Softball beach field Sundays 8:30 am – 4:30pm March 20th – August 31, 2016 pending fee and deposit

Trustee Siry states that the organizers of the leagues have worked it out and all the insurance papers are in order; Trustee LaLota ask what day the LI Storm will be using the field; Village Clerk/ Treasurer answers that it is for Sundays;

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 the Police Department:

Request to install a “NO PARKING HERE TO CORNER” sign on the northwest corner of Richmond and Riverleigh

Deputy Mayor Bernius thanks Chief Slack for taking care of this safety issue so quickly; Trustee Smith thinks that this is a good move;

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 from the Fire Department:

Request to approve new member, **Kayla Pryz** of 20 Braham Avenue, Chemical Hose #3 and reinstate **Erik Lee**, 14 Marion Road, Hose Co. #4

MOTION to APPROVE was made by Trustee Smith 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

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Request from the Building Department:

Request for Canopy from Universal Signs and Service for New York Beanery, 114 Merrick Road Amityville

Vincent Chen and Donna Sue, the owners of the business introduced themselves and explained that they will be selling latte's, espressos, coffee, pasty's, and other bites to eat, also that they are looking to open within 4-6 weeks;

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 from the Village Attorney:

Request to pay Lamb & Barnosky, LLP \$19,324.51 for services rendered through February 29, 2016

Trustee Siry states that he has an issue with one of the items we are paying them for but he understand that they did their job and they need to be paid for that; Deputy Mayor Bernius states that she sat in one of the negotiations they had and was pleased with how civil and positive the atmosphere was; Trustee LaLota breaks down for the public exactly how the \$19, 324.51 fee we are paying them;

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 to pay **Richard G. Handler** \$450 in connection with Skinnon & Faber opinion letter

Trustee LaLota states that this is money that the Village Attorney had laid out and would like to be reimbursed for; Village Attorney Handler explained the work he did;

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

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	Trustee Smith	aye
Motion Carried:	5 aye	0 nays

Resolution:

Resolution 16-03-28-01, to establish a **Board of Assessment review** to hear and determine assessment complaints

**RESOLUTION
No. 16 – 03 – 28 - 01**

WHEREAS, Real Property Tax Law (RPTL) §1408 commands that a Board of Trustees constitute itself as a Board of Review to hear complaints relating to commercial and residential assessments, unless a separate Board of Assessment Review is established; and

WHEREAS, RPTL §523 authorizes a Village to establish a Board of Assessment Review; and

WHEREAS, the evaluation of assessment challenges should be considered by a Board consisting of qualified individuals having knowledge of property values within the Village, and by those who are required by law to receive training as prescribed by the New York State Commissioner of Taxation and Finance; and

WHEREAS, a separate Board of Assessment Review is governed by various disclosure requirements under RPTL §523(3) to avoid the possibility of conflicts of interest, and members are subject to statutory penalties for a violation thereof;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees hereby establishes a Board of Assessment Review to hear and determine assessment complaints and to assume all duties prescribed under RPTL §523 and other provisions of law, said Board to commence its duties as of October 1, 2016; and

BE IT FURTHER RESOLVED, that the Board of Assessment Review shall consist of three (3) members, all of whom shall have knowledge of property values in the Village. The term of each member shall be five (5) years, except in the case of the first Board appointed hereunder, where the terms shall be of such length that not more than one (1) will expire in each of the first five (5) years successive after the members of such Board are appointed; and

BE IT FURTHER RESOLVED, that the members of the Board of Assessment Review shall designate their own Chairperson, they shall establish its own general rules and procedures and the Village Clerk shall notify the Suffolk County Director of Real Property Tax Service of the appointments or designations within twenty (20) days of the appointment of such person(s); and

BE IT FURTHER RESOLVED, that the Mayor shall appoint and the Board of Trustees shall approve an alternate member to act in cases where a regular member is absent or cannot serve due to a conflict.

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BE IT FURTHER RESOLVED, that the Board of Trustees, by Resolution duly adopted, shall fix the amount of compensation for such member's service.

Mayor Wandell read the resolution in entirety; Trustee LaLota explained this resolution and how the Board and the Village is involved; Trustee Smith states that this isn't something they have agreed to, he asked is to pass this resolution then create an alternate position or do we increase it to a five person board?; Trustee LaLota thinks that creating an alternate position would be in good judgement; Deputy Mayor Bernius states that the Board of Assessment review gets along well, and that the members of that board done need to be Village residents, she also agrees with Trustee Smith and Trustee LaLota that an alternate would be a good idea; Trustee LaLota clears up that the members of the Board of Assessment review board cannot be a current Village Official; Barbara Strict, 190 Merrick Rd ask if there will be compensation for this alternate position, Trustee LaLota answers yes there will be, but not a lot; Jeff Erath, 81 Braham expresses his concern that this position is more than just knowing property values and that there should be a certification process for them to take to make sure they can do the best job they can; Village Attorney Handler states that there is a section of the law that does state they have to go through a certification course, if they don't pass this course they become disqualified from service; Mayor Wandell adds the stipulation that they appoint an alternate to this Review Board and polls the board;

MOTION to APPROVE with the above stipulation was made

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 16-03-28-02, to reduce greenhouse gas emissions

Ed Moore, 79 Wood Ave stated the steps they are taking to help the environment and the Village. The board members each expressed their concerns and uncertainties that come along with this resolution. The Board felt they needed to gather more information on this resolution before passing it so they agreed to table this item till the next meeting of the Board of Trustees.

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

Janet Colletti, 17 Wellington Place stated that she appreciates the DPW for cleaning up the park on Easter, but they through branched in the corners of the park instead of getting rid of them, she asked that the park be kept clean from corner to corner, She explains that she read Trustee LaLota's article about Wellington Pl but the 25mph speed limit sign

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isn't working, residents she has spoken to are afraid to walk with their pets and children because it is so dangerous with the taxis cutting through and the speeding; Chief Glenn Slack states that they have all the information from a traffic study that was done and doesn't recommend to make it a dead end, they can see about possibly making it a one way street but there will be more police enforcement in April to try and alleviate this issue at hand; Janet explained how the park was decorated so nicely for Easter and someone cut up the Bunny decorations that were in the park and feel like we need security cameras installed to keep the Village and the park safer; Trustee LaLota stated that there will be research done on these issues and that there will be a vote on making Wellington Pl a one way street on Monday June 13th at the Board of Trustees meeting;

Mayor Wandell appointed **John Bach** as Associate Justice starting April 1st, 2016 with the stipulations that this appointment will not exceed a period of 6 months and will be getting an hourly rate of \$1,000 a month;

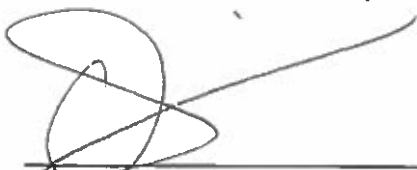
MOTION to APPROVE with above stipulations was made by Deputy Mayor Bernius and seconded by Trustee LaLota

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

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

Meeting adjourned at 9:22pm



Clerk/Treasurer, Dina Shingleton