

**Board of Trustees  
Minutes  
April 10, 2017**

Meeting called to order at 7:30pm

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

ALSO PRESENT: Chief of Police, Glenn Slack  
Superintendent of Public Works, Bruce S. Hopper  
Code Enforcement Officer, Robert Alweis  
Chief of Fire Department, Jeff Erath  
Village Attorney, Bruce Kennedy  
Deirdre L. Parker, Deputy Village Clerk  
Administrative Assistant, Katie DeGraff

The salute to the flag was led by Chief Slack

Mayor Siry welcomed everyone to the April 10<sup>th</sup> meeting of the Board of Trustees

**Mayor's Actions:**

Approve minutes from the **March 27th** Board of Trustees Meeting

Trustee Whalen abstained from voting on these minutes due to the fact he was not a trustee at the time of this meeting.

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 Bernius	aye
	Trustee LaLota	aye
	Trustee Whalen	abstained
Motion Carried:	4 aye	0 nays

Approve **April 3rd** Board of Trustees **Organizational Meeting** and the **April 3rd** Board of Trustees **Special Meeting**

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 Bernius	aye
	Trustee LaLota	aye
	Trustee Whalen	aye
Motion Carried:	5 aye	0 nays

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Approve the **appointment** of the following:

**Deirdre L. Parker**, Deputy Village Clerk and Deputy Registrar  
**Tiffany Ladd**, Deputy Village Treasurer, Village Auditor and Registrar  
**Johanna Rogers**, Deputy Registrar

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

Vote on Motion:	Mayor Siry	aye
	Deputy Mayor Smith	aye
	Trustee Bernius	aye
	Trustee LaLota	aye
	Trustee Whalen	aye
Motion Carried:	5 aye	0 nays

Mayor Siry announced to the public that there will be a special Board of Trustees meeting held next Monday April 17, 2017 to discuss the tentative 2017-2018 Village of Amityville budget.

There being no further “Mayor’s Actions”, Mayor Siry continued with the items on the Agenda:

**Application for Licenses:**

Taxi Driver’s License – New

Sherrlyn Daramola, 30 Sunshine Lane, Amityville, for **Lindy’s Taxi**

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 Bernius	aye
	Trustee LaLota	aye
	Trustee Whalen	aye
Motion Carried:	5 aye	0 nays

Cabaret License –Renewal

Steven Damiani, 139 W. 3<sup>rd</sup> St, West Islip, for **Revolution Bar**

Chief Slack explained that Detective Smith notified Steve as well as Village Hall that they need to clean up the parking lot after hours.

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 Bernius	aye
	Trustee LaLota	aye
	Trustee Whalen	aye
Motion Carried:	5 aye	0 nays

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Landscaper License – New

Lawrence Swanson, P.O. Box 209, Wantagh for **Environmental Landscaping & Design, Inc.**

Mayor Siry asked Deputy Clerk Deirdre Parker to throw in a letter to each landscaping company if they are approved by the board stating that they are not allowed to throw out clippings 24 hours before scheduled pick up, Deputy Clerk Deirdre Parker stated she has been doing that and will continue to;

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 Bernius	aye
	Trustee LaLota	aye
	Trustee Whalen	aye
Motion Carried:	5 aye	0 nays

On-Street Parking – Renewal

Walter Gero, **40 Central Ave.**

Mayor Siry explained that the reason for this request is that their son is home from college for the summer; Janet Colletti 17 Wellington Pl asked how long this is for, Mayor Siry answered till their son goes back to school in September; Trustee Bernius states that the application states that is is till the year 2020, Mayor Siry states that this is only for a 1 year period;

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 Bernius	aye
	Trustee LaLota	aye
	Trustee Whalen	aye
Motion Carried:	5 aye	0 nays

On-Street Parking – New

Stephanie Rutigliano, 124 N. Suffolk Ave., Massapequa (Request to park at **60 Norman Ave.**, Amityville)

Mayor Siry explained that there is a mold situation in her home in Massapequa so she has to stay with her parents until that is resolved, she will be able to move back into her home in about 6 months;

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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 Bernius	aye
	Trustee LaLota	aye
	Trustee Whalen	aye
Motion Carried:	5 aye	0 nays

**Request from Deputy Treasurer:**

**Approval of Treasurer's Abstracts**

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 Bernius	aye
	Trustee LaLota	aye
	Trustee Whalen	aye
Motion Carried:	5 aye	0 nays

**Request from Clerk/Treasurer:**

Request to pay **Law Office of Vincent Toomey** for services rendered in the amount of \$3,127. (A1420.440)

Mayor Siry explains that they have been helping us with a Civil Service case;

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 Bernius	aye
	Trustee LaLota	aye
	Trustee Whalen	aye
Motion Carried:	5 aye	0 nays

Request from **Timber Ridge at Amityville H.O.A.** to use the 3<sup>rd</sup> floor Court Room to hold their annual meeting on Wednesday, May 24, 2017 from 7pm – 9:30pm.

Trustee Bernius sees no reason not to approve this request;

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

Vote on Motion:	Mayor Siry	aye
	Deputy Mayor Smith	aye
	Trustee Bernius	aye
	Trustee LaLota	aye
	Trustee Whalen	aye
Motion Carried:	5 aye	0 nays

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Request from **Kathleen Thorn – Autism Awareness event** to waive fee for Beach Pavilion use on Sunday, April 30, 2017 and to use the softball field on the same date.

Mayor Siry explained that there is a softball league that is going on at the Beach and he is trying to work with them so they are able to use the fields, if they cannot change the league the people at the Autism event can use the Amityville High School softball field, everyone is welcome to attend this event;

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

Vote on Motion:	Mayor Siry	aye
	Deputy Mayor Smith	aye
	Trustee Bernius	aye
	Trustee LaLota	aye
	Trustee Whalen	aye
Motion Carried:	5 aye	0 nays

Request to accept **Cullen & Danowski, LLP's** Proposal for Accounting Services for fiscal year ending May 31, 2017 in the amount of \$39,640. Option to renew for the fiscal years ending May 31, 2018 and May 31, 2019 each in the amount of \$39,640.

Mayor Siry explained that they are looking at our books and bank reconciliations and should be done by June or July. He is looking to have them come in every month to reconcile the books, they just closed the 2017 books;

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 Bernius	aye
	Trustee LaLota	aye
	Trustee Whalen	aye
Motion Carried:	5 aye	0 nays

Request to pay **Fort Orange Press Inc.** for Election ballot printing in the amount of \$3,779.90 (A1450.440)

Trustee Bernius states that this is something that needs to be done;

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 Bernius	aye
	Trustee LaLota	aye
	Trustee Whalen	aye
Motion Carried:	5 aye	0 nays

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Request to pay **Harris Computer Systems** for Impact and Microfund annual maintenance in the amount of \$5,091.45 (\$2,009.33 and \$3,082.12, respectively) (A1625.440)

Trustee LaLota asked Deputy Clerk Deirdre Parker to bring us up to speed on this, Deputy Clerk Deirdre Parker explained that this system us used by the tax clerk and Deputy Treasurer; Trustee Whalen explained that this is payment from the years 2015-2016; Trustee LaLota asked if this was going to be a yearly payment, Deputy Clerk Deirdre Parker stated that she will need to look into that; Trustee Whalen explained that they still need to pay for the years 2016-2017;

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

Vote on Motion:	Mayor Siry	aye
	Deputy Mayor Smith	aye
	Trustee Bernius	aye
	Trustee LaLota	aye
	Trustee Whalen	aye
Motion Carried:	5 aye	0 nays

Request to pay **Skinnon & Faber** 3<sup>rd</sup> installment for annual audit in the amount of \$7,286.25 (A1325.440)

Mayor Siry explained that this is an annual thing that they have been doing since 2002;

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

Vote on Motion:	Mayor Siry	aye
	Deputy Mayor Smith	aye
	Trustee Bernius	aye
	Trustee LaLota	aye
	Trustee Whalen	aye
Motion Carried:	5 aye	0 nays

Request to pay **Skinnon & Faber** final installment for annual audit in the amount of \$4,426.25 (A1325.440)

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 Bernius	aye
	Trustee LaLota	aye
	Trustee Whalen	aye
Motion Carried:	5 aye	0 nays

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Request of **St. Martin of Tours School** to hold field days at the Amityville Beach during the hours of 9am-2:15pm on May 15, May 16, May 18 and May 23.

Mayor Siry explained that this is an annual event that they do; Trustee Bernius stated that she is in favor of field day;

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

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

Motion Carried: 5 aye 0 nays

**Request from Fire Department:**

Request to hold annual **Easter egg hunt** at Peterkin Park on Sunday, April 16, 2017

Mayor Siry explained that this is going to start at 11:00am;

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 Bernius	aye
	Trustee LaLota	aye
	Trustee Whalen	aye

Motion Carried: 5 aye 0 nays

**Request from Department of Public Works:**

Request for **Olsen Brothers** to treat trees in the amount of \$900. (A7110.441)

Mayor Siry explained that this was brought to his attention by Richard Handler for the trees on Oak Street on Route 110, they are going to try and save them by injecting them with tree medicine. They tried to have the Arborist we hired can take care of this but Olsen gave them a better price;

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 Bernius	aye
	Trustee LaLota	aye
	Trustee Whalen	aye

Motion Carried: 5 aye 0 nays

Request to pay **Atlantic Salt** for salt in the amount of \$9,996.10 (A5142.419)

Mayor Siry explained that this is for the salt the DPW uses to clear the snow and that it needs to be ordered at a certain time each year and this is that time; Superintendent Hopper explained that this is for 120 tons of salt to be used for the upcoming year;

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

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

Motion Carried: 5 aye 0 nays

Request to pay **Mohawk Resources Ltd.** for lift installation in maintenance building in the amount of \$15,419.84 (A5112.200)

Mayor Siry explained that this is a lift that is going into the maintenance DPW building and that it is coming from the CHIP money account as well as surplus money; Trustee LaLota asked how they came across this, Superintendent Hopper explained that it was from a State bid and that this is a good asset for the Village;

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

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

Motion Carried: 5 aye 0 nays

Request to pay **Sprague** for 2,000 gallons of gas in the amount of \$3,194 (A1625.410)

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 Bernius	aye
	Trustee LaLota	aye
	Trustee Whalen	aye

Motion Carried: 5 aye 0 nays

**Resolutions:**

Resolution 17-4-10-01 regarding **disciplinary charges** against a Village Court employee.

Mayor Siry read the resolution in entirety for the record; Ed Moore 79 Wood Ave asked if every human resource action required a board vote/resolution; Village Attorney Bruce Kennedy answered that civil service positions differ, it depends on those positions if they are still in the “probational period” as to whether the board has to act on this or not;

**Resolution 17-04-10-01**



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BE IT SO RESOLVED, that the probationary appointment of employee number 7208, a Village Court employee is hereby terminated upon the recommendation of the Village Justice, effective April 11, 2017,

BE IT FURTHER RESOLVED, that the Board of Trustees hereby imposes a penalty of termination of employment effective April 11, 2017.

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 Bernius	aye	
	Trustee LaLota	aye	
	Trustee Whalen	aye	
Motion Carried:	5 aye		0 nays

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

**Joan Donnison** BVCA formally welcomed, congratulated, and wished good luck to Mayor Siry and the Trustees; **Frank Cruthers** 25 Towne Street asked based on the Article 78 that is filed about the Security Dodge Camio lot the determination was that the parking wasn't approved for that lot why are they still being allowed to park there and what action are they taking to enforce that decision and if Mr. Kennedy is going to recuse himself being that he represented Security Dodge; Mayor Siry answered that they are working on that and they are telling them they are not allowed to park there; Trustee Whalen added that once a ZBA application has been submitted there is a stay on the property; Mayor Siry explained that they are looking into retaining council either Richard Handler or another firm to handle this being that Bruce Kennedy is going to have to recuse himself; Mr. Cruthers states that the Village is going to waste the tax payers time and money getting a new agency up to speed on this case when Richard Handler has been involved with this from the beginning; Trustee LaLota stated that they are due in Supreme Court in April they need council for, and Bruce Kennedys recusal is a full recusal; Trustee Whalen abstained from voting on this because he was involved with proceedings regarding this item; Tracey Cullen 54 South Bay ave agreed with Trustee Whalens decision to abstain from this, and feels confident in the Villages position on this matter based on the law due to the effort Richard Handler and herself have put in; Trustee LaLota adds that any settlement would have to be ratified by the Board of Trustees; Deputy Mayor Smith stated that if he was given the adjourned the hearing he would choose that; Mayor Siry is going to see about keeping Richard handler if they don't need him they don't have to use him

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MOTION to RETAIN Richard Handler at his current rate was made by Trustee LaLota and seconded by Trustee Bernius

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

Vote on Motion:	Mayor Siry	aye
	Deputy Mayor Smith	aye
	Trustee Bernius	aye
	Trustee LaLota	aye
	Trustee Whalen	aye
Motion Carried:	5 aye	0 nays

Meeting adjourned at 8:09pm

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Deirdre Parker, Deputy Clerk