

**Board of Trustees
Minutes
August 14, 2017**

Meeting called to order at 7:27pm

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
1st Assistant Chief of Fire Department, Leland Greey
Superintendent of Public Works, Bruce Hopper
Building Inspector, Bryan Donato
Village Attorney, Bruce Kennedy
Clerk Treasurer, Catherine Murdock
Administrative Assistant, Katie DeGraff

The salute to the flag was led by Chief Slack.

Upon Mayor Siry's request to approve the minutes of the regular meetings of the Board of Trustees held on **June 12th, 2017** and **July 10th, 2017**, copies of which were distributed to all members of the Board

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

Mayor's Actions:

Appoint **Myra Lee, Senior Citizens Program Director** at \$16.00 per hour effective August 7, 2017 and approve residency waiver.

MOTION to APPROVE was made by Trustee LaLota 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

Appoint **Carol Seery** to the **Senior Citizen Commission**.

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

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

Appoint **Richard Ubert** as **Chairman of the Zoning Board of Appeals.**

Mayor Siry explained that this is for a one (1) year term. Trustee LaLota explained his thoughts on this Mayors Action. Trustee Bernius and Trustee LaLota abstained from voting on this Mayors Action.

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	abstained	
	Trustee LaLota	abstained	
	Trustee Whalen	aye	
Motion Carried:	3 aye	0 nays	2 abstentions

Appoint **Donald “Jerry” Pollack** as **Chairman of Planning Board.**

Mayor Siry explained that this is for a five (5) year term with one (1) year as chairperson. Trustee Bernius explained her feelings on this Mayors Action. Mayor Siry and Trustee LaLota also spoke on behalf of this Mayors Action. Trustee Bernius explained that she will be abstaining from voting on this Mayors Action.

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	abstained	
	Trustee LaLota	nay	
	Trustee Whalen	aye	
Motion Carried:	3 aye	1 nays	1 abstentions

Appoint **Christopher McCarthy** as **Alternate for Planning Board.**

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	

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Appoint **Eric Taylor** as **Alternate for Zoning Board**.

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

Before continuing on with the items on the agenda Mayor Siry announced that Wednesday nights are still going on at the Amityville Beach, there is Julies Snack Shack and beach volleyball, it's a great night everyone should come out and take advantage of the beach.

There being no further "Mayors Actions", Mayor Siry continued with the items on the Agenda:

Licenses:

Taxi Driver's License – New

Sergio Dominquez, 101 Dixon Ave, Copiague for **First Class Taxi**

Lahoucine Tahri, 102 Colonial Dr, Massapequa for **Lindy's Taxi**

Taxi Driver's License – Renewal

Theodore Brown, 55 Raceway Ave, Setauket NY for **Lindy's Taxi**

Automotive License – Renewal

John Lauria for **Coastal Collision & Towing**, 9 Deforest St., Amityville

Shen Yong for **ZSL Inc.**, 318 Merrick Road, Amityville

Automotive License – Automotive Sales – New

John Lauria for **Coastal Collision & Towing**, 9 Deforest St., Amityville

Carting License

Andre Maquart and Stephen Larice for **Mets Roll-Off Service of Riverhead**, 311 Winding Rd., Bethpage

Mary Dimatteo for **Jet Sanitation Service Corp.**, 228 Blydenburgh Rd., Islandia

Fred Martinez and Eric Turcios for **Westbury Paper Stock Corp.**, 173 School St., Westbury

Hugo Guzman for **Jamaica Ash & Rubbish Removal Co. Inc.**, 172 School St., Westbury

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Landscaper License - New

Kevin Crane for **Crane's Tree and Shrub Services Inc.**, 86 E. Cedar St., Massapequa

Mayor Siry explained that these applications are approved with the stipulations that are written on their applications. Trustee Bernius and Mayor Siry expressed their concerts with these licenses.

MOTION to APPROVE was made by Trustee Whalen 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

Bily M. Aguilar Hercules for **Bily's Landscaping & Construction**, 261 Guy Lombardo Ave., Freeport

Trustee Bernius explained that after Chief Slack reviewed this application he recommended denial of this application.

MOTION to DENY 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

Storage of Trailer- Renewal

Kevin Buchel for **NAPCO Securities Technologies**, 333 Bayview Ave, Amityville

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

Joe Egan for **Egan Consulting Co. Inc.**, 21 Merrick Road, Amityville.

Ray Caliendo 159 Broadway Amityville spoke on behalf of this application.

Joe Egan spoke on behalf of this application.

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Joan Donnison Bay Village Civic Association expressed her concerns regarding this application.

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

Bryan Greenberg for **Irving Recyclable Inc.**, 139 Dixon Ave., Amityville

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

On-Street Parking

Donna Seeberger, **11 Gaylore Dr. W**, Amityville

Mayor Siry explained this item on the agenda.

Janet Colletti 17 Wellington Pl expressed her concerns with this application

Pat Squicciarini 20 Bedell Pl explained her feeling on this application.

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

Application for Sign, Banner, Canopy, Marquee or Fixture

Tyrone Garcia for **Sucker Free Jiu Jitsu**, 134 Merrick Rd. Amityville

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Mayor Siry explained that this is approval just for the awning not the lettering on the awning, the applicant will have to gain Planning Board approval for the lettering on the awning.

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

Thom Boyle for **Tattoo Frenzy**, 127 Merrick Rd, Amityville

Mayor Siry explained that this is approval just for the awning not the lettering on the awning, the applicant will have to gain Planning Board approval for the lettering on the awning. Trustee Whalen explained he will need to go to the Planning Board for a sign variation permit. Mayor Siry stipulated that the awning has to be a cloth material.

MOTION to APPROVE with the above stipulation 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 from Deputy Treasurer:

Approval of **Treasurer's Abstract** from July 6th, 2017 to August 9th, 2017.

Trustee Bernius asked for a clarification on a few voucher items.

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

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Request from Village Assessor:

Request to approve Tax Certiorari settlement for **NAPCO Security** \$78,368.00 (A1930.440)

Village Attorney Bruce Kennedy explained this item on the agenda.

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 for refund of \$52.08 from the June 26, 2017 Small Claims Court Hearing for **329 Grand Central Ave.**, 14-01-19. (A1930.440)

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 to reinstate the senior tax exemption for **Beatrice Roskind, 29 Railroad Ave.**, Amityville

Mayor Siry explained this situation. Janet Colletti 17 Wellington Place expressed her concerns regarding this item. Trustee LaLota spoke about this item. Joseph LaMana 127 Richmond Ave spoke on behalf of this application. Mayor Siry explained that we need to do some more research on this and should table the application until next meeting.

MOTION to TABLE 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

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Request from Clerk/Treasurer:

Request from Rosemarie Dearing, President of **Amityville Rotary Club** to close Park Ave. from Ireland Pl. to Wanser Pl. and Ireland Pl from Broadway to the Municipal Lot for Annual AppleFest October 7, 2017 7am-5pm

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 for permission to use the **Entranceways signs** September 1st though October 7th 2017 to advertise for **Annual Applefest** held on October 7, 2017 7AM-5PM. Additional request to waive sign fees.

Deputy Mayor Smith commented on the item of the agenda, Superintendent of Public Work Bruce Hopper responded.

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 by the **Amityville Union Free District** to hold annual homecoming parade Saturday, October 28th, 2017. Parade lineup at 11am-LIRR parking lot; route east on Sterling, South on Rt 110, to Avon then Bayview to side entrance of the high school.

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

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Request from **St. Martin of Knights of Columbus** to use Library parking lot September 9th, 2017 8:30am-5:30pm for a Senior outing.

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 from **Prime Time Travel** to use Municipal Parking Lot #6 (west side of Rt. 110) on September 14th 2017 8am-11pm, park 15-20 cars.

Request from **Prime Time Travel** to use Municipal Parking Lot #6 (west side of Rt. 110) on October 12th 2017 8am-10pm, park 15-20 cars.

Mayor Siry stated that we need some more information we will give them a call and will table the application or poll the board after we get a response from the applicant.

Request from the **Church Emmanuel of Long Island** to hold their Fourth Annual “Walk for Jesus” on Saturday, September 2nd at 11:00am starting from 152 Broadway to Dixon Ave and back.

Mayor Siry explained that the walk will only go to Dixon Avenue as per Chief Slacks recommendation, it will start at 152 Broadway and go to Dixon Ave and back to 152 Broadway.

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 **Kevin Casey** to hold Block Party on Franklin Street August 26th, 2017 from 3PM to 9PM.

Trustee LaLota asked if insurance was needed for this, Mayor Siry stated we would look into this.

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

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

Request from **George and Diane Ortiz**, 50 S. Bay Ave. to waive building permit renewal fee No. BP-2665-15.

Request from **Kristin and Curtis Baynon**, 26 S. Bay Avenue to waive building permit renewal fee No. BP-0049-16.

Request from **Fredrick and Jacqueline Smith**, 36 Norman Ave. to waive building permit renewal fee No. BP-2922-16

Trustee Whalen explained he is 100% in favor of this.

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 Douglas Lamere from **New Pointe Estates** to use the ball field parking lot on Loudon Ave while they resurface their parking lot starting August 22nd, 2017 for 3-4 weeks, 10 -15 cars at a time.

Mr. Lamere spoke on behalf of this application.

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 to accept the firm **Cullen & Danowski, LLP** proposal for Accounting services for FYE May 31st, 2018. \$39,640.00 (A1625.440)

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

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

Request to pay **Amityville Historical Society** first half Historical Grant in the amount of \$3,500.00 (A6410.440)

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 Police Department:

Request to pay **Auto-Topia** for Vehicle Repair/ Maintenance in the amount of \$5,448.61 (A3120.231)

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 to pay **Onsolve** for CodeRed annual payment in the amount of \$5,270.00 (A3120.261)

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

Request to approve training for **Elizabeth Newman** and **PO Harold Miller** for **IMPACT training** September 12-14, 2017 in an amount not to exceed \$1,800.00 (including hotel, travel and meals) (A3120.416)

Chief Slack explained this item to the public.

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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 from Department of Public Works:

Request to pay **Sprague** for 4009 Gallons of gas in the amount of \$6,634.09 (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

Request to pay **Zampini Construction Corp.** to remove and replace concrete in the amount of \$14,750.00 (A5112.200)

Mayor Siry explained what this payment was for.

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 to pay **Bayport Flower Houses** for Hanging Baskets for 2017 in the amount of \$3,052.00 (A8510.441)

Tracey Cullen 54 South Bay Ave expressed her concerns with this item.

Superintendent of Public Work Bruce Hopper responded.

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

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	Trustee Whalen	aye
Motion Carried:	5 aye	0 nays

Conversation got off topic regarding

Request to pay **Omni Recycling of Babylon** to dump 48.3 Tons in the amount of \$3,864.80 (A8160.442)

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

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

Resolution:

Resolution No. 17-08-14-01 **Procurement Policy**

RESOLUTION NO. 17-08-10-01

A RESOLUTION ADOPTING THE FOLLOWING PROCEDURES AND POLICIES FOR THE VILLAGE OF AMITYVILLE FOR THE PROCUREMENT OF GOODS AND SERVICES NECESSARY FOR THE IMPLEMENTATION OF PROJECTS FUNDED BY THE GOVERNOR’S OFFICE OF STORM RECOVERY OF THE NEW YORK STATE HOUSING TRUST FUND CORPORATION

WHEREAS, the Village of Amityville has entered into a subrecipient agreement with the Governor’s Office of Storm Recovery, an office of the New York State Housing Trust Fund Corporation, that provides funds for eligible Community Development Block Grant – Disaster Recovery (CDBG-DR) expenditures; and

WHEREAS, the subrecipient agreement requires procurement activities funded in whole or in part with CDBG-DR funds to be conducted in compliance with applicable United States Department of Housing and Urban Development (HUD) procurement regulations as well as applicable state and local law; and

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WHEREAS, on December 26, 2013, the Office of Management and Budget (OMB) published (at 78 Federal Register 78608) the “2 *CFR Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*” that superseded the HUD procurement provisions of 24 CFR Parts 84 and 85; and

WHEREAS, HUD has issued new procurement standards as set forth in Notice: SD-2015-01: Transition to 2 CFR Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, Final Guidance* and in Notice: CPD-16-04 Additional Transition and Implementation Guidance for Recipients of Community Planning and Development (CPD) Funds for 2 CFR Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*; and

WHEREAS, the Village of Amityville desires to revise and amend its procurement procedures to be consistent with the HUD Notices on 2 CFR Part 200; and

WHEREAS, the Village of Amityville desires to apply the amended and revised procurement procedures to future CDBG-DR procurements.

NOW, THEREFORE BE IT RESOLVED by the Board of Trustees on behalf of the Village of Amityville that for CDBG-DR procurement actions undertaken on or after January 1, 2017, the Village of Amityville shall comply with the procurement standards as set forth in 2 CFR Parts 200.317 through 200.326. In the event of a conflict between State or local laws and regulations and the procurement requirements of 2 CFR Part 200, the more stringent requirements will apply.

Resolution No. 17-08-14-02 **Section 504 Policy**

**RESOLUTION NO. 17-08-10-02
A RESOLUTION ADOPTING THE FOLLOWING SECTION 504 POLICIES AND GRIEVANCE
PROCEDURES FOR THE VILLAGE OF AMITYVILLE**

SECTION 504 RESOLUTION/VILLAGE OF AMITYVILLE

WHEREAS, Section 504 of the Rehabilitation Act of 1973 prohibits discrimination on the basis of disability in programs and activities conducted by the U.S. Department of Housing and Urban Development (HUD) or by grantees that receive financial assistance from HUD, and

WHEREAS, Part 8 of Title 24 of the Code of Federal Regulations (24 CFR) requires adoption of grievance procedures to address complaints of those who feel they may have been discriminated against on the basis of disability and also requires the provision of notice of said grievance procedures, and

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WHEREAS, it is the policy of the Village of Amityville not to discriminate against any individual, person, or group on the basis of disability and the intent of the Village of Amityville to address any complaints that may arise pursuant to Section 504,

NOW, THEREFORE, BE IT RESOLVED that the Village of Amityville does hereby adopt by resolution internal grievance procedures (the "Procedure") providing for the prompt and equitable resolution of complaints alleging any action prohibited by Section 504 of the Rehabilitation Act of 1973 of the U.S. Department of Health and Human Services regulations implementing the Act, and

BE IT FURTHER RESOLVED, that the Village of Amityville does hereby designate the Village Clerk/Treasurer as the Grievance Coordinator who shall be responsible for receiving and addressing complaints pursuant to the Procedure adopted hereby and attached hereto, and

BE IT FINALLY RESOLVED, that the Village of Amityville will place its employee, the public, and potential beneficiaries of certain federal public programs on notice by undertaking certain actions that will include, but may not be limited to (1) providing a copy of the grievance procedure to its employees, (2) putting the public on notice by placing a notice in the Village of Amityville official newspaper, posting of notices in the Village of Amityville offices and facilities, placing notices in Village of Amityville publications, and/or distribution of memoranda or other written communications subsequent to adoption of this Procedure, (3) placing copies of the Procedure in the Village of Amityville for review and dissemination, and (4) adding language to federal program brochures to insure all potential program beneficiaries are aware of the Village of Amityville adopted grievance procedures.

BACKGROUND: Section 504 of the Rehabilitation Act of 1973 (the "Act") as amended prohibits discrimination on the basis of disability in programs and activities conducted by HUD or that receive financial assistance from HUD. This includes the New York State Community Development Block Grant-Disaster Recovery (CDBG-DR) Program funded by HUD, administered by the Governor's Office of Storm Recovery (GOSR), and under which the Village of Amityville has received financial assistance. The Act specifically provides that no qualified individual shall, solely by reason of his or her handicap, be excluded from program participation, including employment, be denied program benefits, or be subjected to discrimination. The Americans with Disabilities Act of 1990 (ADA) established provisions for assuring equality of opportunity, full participation, independent living, and self-sufficiency of disabled persons relative to employment, benefits and services, accommodations, commercial facilities, and multi-family housing.

SECTION 504 POLICY/COMPLIANCE: Part 8 of Title 24 of the Code of Federal Regulations (24 CFR) requires the adoption and notice/publication of ADA grievance procedures for municipalities with 15 or more employees, Sections 8.53 and 8.54, respectively. Therefore, be it known that it is the policy of the Village of Amityville not to discriminate on the basis of disability. Towards that end, the Village of Amityville has

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adopted by resolution an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) of the U.S. Department of Health and Human Services regulations implementing the Act. The subject law and implementing regulations may be examined at the Amityville Village Hall. The Clerk/Treasurer for the Village of Amityville has been designated to coordinate the efforts of the Village of Amityville with respect to Section 504 compliance. This information can also be accessed on the Internet at the following address: http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/disabilities/sect504. The Clerk Treasurer is located at 21 Ireland Place, New York. The Section 504 Coordinator can be reached at 631-264-6000.

GRIEVANCE PROCEDURE: Any person who believes he or she has been subjected to discrimination on the basis of disability may file a grievance under the procedure adopted by the Village of Amityville outlined below.

- Grievances must be submitted to the Section 504 Coordinator within 60 days of the date the person filing the grievance becomes aware of the alleged discriminatory action.
- A complaint must be in writing, containing the name and address of the person filing it. The complaint must state the problem or action alleged to be discriminatory and the remedy or relief sought.
- The Section 504 Coordinator (or her/his designee) shall conduct an investigation of the complaint. This investigation may be informal, but it must be thorough, affording all interested persons an opportunity to submit evidence relevant to the complaint. The Section 504 Coordinator will maintain the files and records of the Village of Amityville relating to such grievances.
- The Section 504 Coordinator will issue a written decision on the grievance no later than 30 days after its filing.
- The person filing the grievance may appeal the decision of the Section 504 Coordinator by writing to the Board of Trustees at the Amityville Village Hall 21 Ireland Place, Amityville NY within 15 days of receiving the Section 504 Coordinator's decision. The Board of Trustees at the Amityville Village Hall 21 Ireland Place, Amityville NY shall issue a written decision in response to the appeal no later than 30 days after its filing.
- The availability and use of this grievance procedure does not prevent a person from filing a complaint of discrimination on the basis of disability with the U. S. Department of Health and Human Services, Office for Civil Rights.

The Village of Amityville will make appropriate arrangements to ensure that disabled persons are provided accommodations, if needed, to participate in this grievance

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process. Such arrangements may include, but are not limited to, providing interpreters for the deaf, providing taped cassettes of material for the blind, or assuring a barrier-free location for the proceedings. The Section 504 Coordinator will be responsible for such arrangements.

It is against the law for the Village of Amityville to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.

Resolution No. 17-08-14-03 **Affirmative Action Plan**

RESOLUTION NO. 17-08-10-03

A RESOLUTION TO ADOPT AN AFFIRMATIVE ACTION PLAN AS REQUIRED UNDER THE NEW YORK STATE COMMUNITY DEVELOPMENT BLOCK GRANT-DISASTER RECOVERY (CDBG-DR) PROGRAM.

WHEREAS, the Village of Amityville is a subrecipient receiving New York State Community Development Block Grant-Disaster Recovery (CDBG-DR) funds, as administered by the Governor's Office of Storm Recovery (GOSR) of the New York State Housing Trust Fund Corporation (HTFC) to assist in addressing unmet needs from either Hurricane Irene, Tropical Storm Lee, or Superstorm Sandy; and,

WHEREAS, participation in the New York State CDBG-DR Program requires the adoption and implementation of an Affirmative Action Plan to meet the Equal Employment Opportunity (EEO) requirements of Executive Order 11246 and other program policies; and,

WHEREAS, the purpose of this plan is to prohibit workplace employment discrimination on the basis of age, race, color, religion, gender, creed, national origin, physical or mental disability, marital status, veteran status, disabled veteran status, or status as a member of any other protected group or activity.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees that the attached Affirmative Action Plan be hereby officially adopted for implementation in the NY Rising Community Reconstruction Program and New York State CDBG-DR Program.

Resolution No. 17-08-14-04 **Citizen Participation Plan**

RESOLUTION NO. 17-08-10-04

A RESOLUTION TO ADOPT A CITIZEN PARTICIPATION PLAN AS REQUIRED UNDER THE NEW YORK STATE COMMUNITY DEVELOPMENT BLOCK GRANT-DISASTER RECOVERY (CDBG-DR) PROGRAM.

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WHEREAS, the Village of Amityville is a subrecipient receiving New York State Community Development Block Grant-Disaster Recovery (CDBG-DR) funds, as administered by the Housing Trust Fund Corporation, Governor's Office of Storm Recovery (GOSR) to assist in addressing unmet needs from either Hurricane Irene, Tropical Storm Lee, or Superstorm Sandy; and,

WHEREAS, participation in the New York State Community Development Block Grant-Disaster Recovery (CDBG-DR) Program requires the adoption and implementation of a Citizen Participation Plan to comply with Section 508 of the Housing and Community Development Act of 1974, as amended; and,

WHEREAS, the purpose of this plan is to provide for and encourage citizen participation, with particular emphasis on participation by persons of low and moderate income who are residents of slum and blighted areas and of areas in which funds are proposed to be used.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees that the attached New York State Community Development Block Grant-Disaster Recovery (CDBG-DR) Citizen Participation Plan be hereby officially adopted for implementation in the NY Rising Community Reconstruction Program New York State CDBG-DR Program.

Resolution No. 17-08-14-05 **Section 3 Requirements**

RESOLUTION NO.17-08-10-05

A RESOLUTION ADOPTING SECTION 3 REQUIREMENTS FOR IMPLEMENTATION OF THE NEW YORK STATE COMMUNITY DEVELOPMENT BLOCK GRANT-DISASTER RECOVERY (CDBG-DR) PROGRAM.

WHEREAS, the Village of Amityville is a subrecipient receiving New York State Community Development Block Grant-Disaster Recovery (CDBG-DR) funds, as administered by the Housing Trust Fund Corporation, Governor's Office of Storm Recovery (GOSR), to assist in addressing unmet needs from either Hurricane Irene, Tropical Storm Lee, or Superstorm Sandy; and

WHEREAS, CDBG-DR federal guidelines and regulations require the Village of Amityville, as a recipient of this funding, to provide opportunities for training and employment to lower income residents of the Section 3 covered project areas to the greatest extent feasible; and

WHEREAS, as required under Section 3 of the Housing and Urban Development Act of 1968, as amended, contracts for work in connection with all projects funded by the CDBG-Disaster Recovery funds are (to the greatest extent feasible) to be awarded to eligible business concerns which are located in, or owned in substantial part, by persons residing within the covered project areas,

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NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees that the attached New York State Community Development Block Grant – Disaster Recovery (CDBG-DR) Section 3 Requirements be hereby officially adopted for implementation in the NY Rising Community Reconstruction Program and New York State CDBG—Disaster Recovery Program.

Mayor Siry explained these resolutions to the public.

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

Resolution No. 17-08-14-06 Engagement with Tritec

Resolution No. 17-08-14-06

Whereas the Board of Trustees established a Downtown Revitalization Committee (DRC) to study ways and means to revitalize the downtown business area along Broadway (Route 110) in Amityville, and

Whereas said DRC has met and considered various methods of accomplishing such revitalization, and has recommended that the Village engage a master developer to facilitate the necessary acquisition and re-development process, and has further recommended Tritec Development, Inc. as such master developer and;

Whereas the Board of Trustees has determined that engaging Tritec Development, Inc as the master developer for said downtown revitalization is in the best interest of the Village;

Now Therefore be it resolved that the Mayor be and he herby is authorized to enter into negotiations with Tritec Development, Inc. for a contract between the Village and Tritec to serve as the master developer for the revitalization of the downtown business area along Broadway (Route 110) in Amityville, NY.

It is further resolved that no contract resulting from such negotiations shall be executed on behalf of the Village without the approval of the Board of Trustees as to the terms and conditions contained therein.

This resolution shall be effective immediately.

Mayor Siry read the resolution in entirety. Trustee Whalen and Trustee Bernius spoke about this item. Joseph LaMana, 127 Richmond Ave, Donnelle Cronin 32 Mole Pl, and Tracey Cullen 54 South Bay Ave spoke in favor of this item.

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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

Resolution No. 17-08-14-08 **SEQR Notice of Intent for TOD**

RESOLUTION 17-08-14-8

SEQR NOTICE OF INTENT TO SERVE AS LEAD AGENCY
FOR A LOCAL LAW AMENDING CHAPTER 183 OF THE CODE OF THE VILLAGE OF
AMITYVILLE TO CREATE A TRANSIT ORIENTED (TO) ZONING DISTRICT, AND AN
APPLICATION TO AMEND THE VILLAGE BUILDING ZONE MAP FOR CERTAIN
PARCELS INTO SUCH DISTRICT WITH A REQUEST FOR APPROVAL OF CERTAIN
INCENTIVES AND BONUSES PURSUANT TO THE TO DISTRICT

WHEREAS, Board of Trustees of the Village of Amityville is considering creating a transit-oriented zoning district with potential applicability to any Industrial-zoned property in the Village that is located within the area bounded by Sterling Place on the north, West Oak Street on the south, Broadway on the east, and County Line Road on the west; and has received an application by Green Tek Living, LLC for an amendment of the Village Building Zone Map for two parcels into such district (235 County Line Road, 124 Greene Avenue) as well as a request for approval of certain incentives and bonuses pursuant to the TO district; and

WHEREAS, Greentek Living, LLC has provided a Full Environmental Assessment Form (Part One) and a preliminary map of the proposed area to be re-zoned as part of its application, and

WHEREAS, in accordance with the provisions of 6 NYCRR Part 617, the Board of Trustees of the Village of Amityville intends to serve as Lead Agency for the SEQR review, that the action is to be classified as Type One and will require the preparation of a Draft Generic Environmental Impact Statement (DGEIS); and

WHEREAS, the Village will undertake a Coordinated Review of this action.
Now therefore, be it

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RESOLVED, that the Board of Trustees hereby declares its intention to serve as Lead Agency for the SEQR process and directs the Village Clerk to circulate a letter stating so to all Involved Agencies with copies of the application, Full Environmental Assessment Form (Part One), draft of the proposed TO district and a preliminary map of the district area, which agencies shall be given 30 days from the mailing of the letter to state their interests or concerns regarding the selection of Lead Agency by said Board of Trustees.

This resolution shall be effective immediately.

Mayor Siry explained this resolution. Trustee Whalen further explained this resolution to the public.

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

Local Laws:

Introductory law No. 2 of 2017 to **ban public urination** in parks and other public places.

Introductory law No. 3 of 2017 to amend the Building Zone Map of the Village of Amityville, to **change the zoning** of a certain property from the industrial district to a C residence district.

Mayor Siry explained that there will be a Public Hearing for both of these Local Laws at the next Board of Trustees meeting held on September 15th, 2017.

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

Introductory law No. 4 of 2017 to **establish a transit-oriented zoning** district.

Mayor Siry explained that this Local Law will only be introduced at the next Board of Trustees meeting, they can call for a Public Hearing after they have completed the SEQR review.

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

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

There being no further items on the “Agenda” Mayor Siry opened the floor to the public:

Pat Squicciarini 20 Bedell Pl asked what is going on with the Brunswick property. Mayor Siry explained that they are coming up with a plan that they can present to the Village. Mrs. Squicciarini explained that the hay is a problem because it attracts rats and cats which she doesn’t want all over the Village and asked if it can be removed. Joseph LaMana 127 Richmond Ave explained that he works for the company who is doing the demolition work and that they should be finishing up soon the work is almost done.

Joan Donnison Bay Village Civic Association asked if there was going to be a fixed light installed at the intersection of Route 110 and Sterling Place, she is wondering if there will be signs installed warning people about the light ahead because the light is going to be blocked by the Rail Road trestle. Trustee Bernius asked if she is still involved with the Republic Airport, Ms. Donnison answered yes and gave the Board an update.

Janet Colletti 17 Wellington Pl asked what is going on with the trees on Oak Street and if they are going to be replaced. Mayor Siry explained that they are going to replace as many as they can. Joan Donnison added that the article explained that the trees are not going back in the right of way they are going on residents property if they have the room for them and want them.

Donelle Cronin 32 Mole Pl asked for an update with Security Dodge. Mayor Siry explained that they are working with their lawyers to try and come up with a plan to resolve the issue civilly. **Lauren Haffner** 294 South Bayview Ave asked if they are not allowed to be using that lot for automotive use why are we not reprimanding them or stopping them from using it in that way. Trustee Whalen and Bruce Kennedy explained that we can’t stop them from using it for that because of the law and they are researching if parking cars is considered automotive use. **Tracey Cullen** 54 South Bay Ave explained that she has done research for the Zoning Board decision and found case law that states that parking is considered automotive use.

Trustee LaLota made a motion that the Board allows Richard Handler the Attorney handling this case to brief them on this matter before they move on with anything.

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

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Vote on Motion:	Mayor Siry	nay
	Deputy Mayor Smith	nay
	Trustee Bernius	aye
	Trustee LaLota	aye
	Trustee Whalen	nay
Motion Carried:	2 aye	3 nays

Trustee LaLota made a motion that the next time a continuance is offered, the Board is to be publicly polled at a meeting.

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

Vote on Motion:	Mayor Siry	nay
	Deputy Mayor Smith	nay
	Trustee Bernius	aye
	Trustee LaLota	aye
	Trustee Whalen	aye
Motion Carried:	3 aye	2 nays

Trustee Bernius announced that the September 11th service is going to be held at the 9/11 Memorial Park, it is the 16th Anniversary of this tragic event. Joseph LaMana 127 Richmond Ave asked if there was any way to divert the traffic so it isn't so noisy during the ceremony. Chief Slack said he will look into it.

Trustee Whalen and Deputy Mayor Smith thanked Tracey Cullen for her work on the Zoning Board of Appeals as chairperson.

There being no further comments from the Board or from the Floor a MOTION to ADJOURN was made by Trustee Whalen and seconded by Trustee Bernius

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

Vote on Motion:	Mayor Siry	aye
	Trustee Bernius	aye
	Trustee LaLota	aye
	Trustee Whalen	aye
Motion Carried:	4 aye	0 nays

Meeting adjourned at 9:38pm

Catherine Murdock, Clerk/Treasurer