

**Board of Trustees
Minutes
February 22, 2021**

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

MEMBERS PRESENT: Mayor Dennis Siry, Deputy Mayor Kevin Smith, Trustee Jessica Bernius, Trustee Whalen, Trustee O'Neill
ALSO PRESENT: Village Attorney Bruce Kennedy
AFD Chief Rob Waegerle
APD Chief Bryan Burton
Superintendent Bruce Hopper
Building Inspector Bryan Donato
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 February 22nd Meeting of the Board of Trustees, conducted via Zoom Meeting. He thanked the Village DPW, AFD and APD for their readiness and work in getting through the recent snowstorms.

With the Covid death toll at half a million, Mayor Siry reminded residents to remain vigilant by double-masking and avoiding crowds.

Mayor Siry reminded everyone that there will be a second public informational meeting for the Police Reform Plan on Tuesday, Feb. 23rd at 7 pm. He encouraged residents to complete the Police questionnaire and spread the word. The goal is to have as much community input as possible.

Tomorrow, at 5 p.m., the MTA will conduct a budget meeting on capital projects/station improvements. On the agenda for the Zoom Meeting is an elevator at the Amityville LIRR station, which the Village has been requesting for several years. You must sign up in advance if you wish to speak. Senator John Brooks has been a great proponent of the elevator project, and we have also enlisted support from other officials.

The Great South Bay Creek Defender clean-up of Ketcham's Creek will take place April 10th. Go to Savethegreatsouthbay.org to register to participate. We will also share information on our website.

Deputy Mayor Smith announced that the Village Tax Sale, which was to take place on March 12th, has been postponed with a date to be determined after May 1st, per an Executive Order.

Mayor Siry reminded the attendees that at the next Board Meeting on March 8th there will be a Public Hearing for two introductory local laws: 1) for plumbing in accessory buildings, and 2) for the Police Reform Plan.

Mayor Siry opened the agenda for Mayor's Actions.

Mayor's Actions:

Approve Board of Trustees Minutes from the February 8th, 2021 meeting

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

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

Motion Carried: 5 aye 0 nays

**Board of Trustees
Minutes
February 22, 2021**

Licenses:

Landscape License -Renewal

Marc Simonetti for **Simonetti Landscape Service**, 4 Austin Ave., Amityville, NY

Jose Sivirian for **Sivirian's Landscaping Company**, 765 Great Neck Rd. Copiague, NY

Santos Ramos Chicas for **SFR Landscaping**, 169 Twins Ave., Brentwood, NY 11717

Bernedett Reyes for **Green Horizon Landscaping Inc.**, P.O. Box 276, Lindenhurst, NY 11757

Dunia Estrada Alfaro for **Evergreen Landscaping of NY Inc.**, 420 Jefferson St., Massapequa, NY 11758

Michael Kaplan for **MDG Landscaping, D/B/A Giannini's Landscaping Inc.**, P.O. Box 854, Lindenhurst, NY

Braublio Castillo for **Ernesto's Landscaping**, 48 Maple Pl., Amityville, NY 11701

John Johnson for **Quality Tree & Lawn**, 162 Homestead Ave., Amityville, NY 11701

MOTION to APPROVE the above eight applications (a. through h. on agenda) was made by Trustee Whalen and was seconded by Trustee O'Neill

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

Motion Carried: 5 aye 0 nays

Cabaret License Renewal

Luis Bermeo for **Sophia Italian Bistro**, 71 Merrick Rd., Amityville, NY 11701

Mayor Siry invited nearby residents in attendance to discuss noise complaints which they say are affecting their quality of life. Representatives of the restaurant were asked to address the issue.

Daniel Robitaille, 39 Riverleigh Pl., Amityville commented that he has called APD several times about loud music that can often be heard inside his home as late as 10:30 p.m., even with the windows closed When he has called Sophia's to ask that it be lowered, they oblige but it is soon raised back up.

Arthur Smith, 33 Riverleigh Pl., Amityville, concurred and pointed out that the restaurant is not being a good neighbor. For the first time in 58 years of living there, he is unable to enjoy his back porch due to the loud music. He proposes that outdoor music be prohibited.

John DePetrillo, representing Manager Luis Bermeo (also present) acknowledged complaints over the summer when the bands were situated outside of the tent. Now, they are keeping the music inside, he stated. When asked if the restaurant offers live music on Sundays, he replied no, however, it was later acknowledged that live music was featured on Valentine's Day, Sunday, February 14th. Mr. DePetrillo requested permission for inside and outside music four nights a week, including bands and DJs. He explained that the tent has side enclosures to reduce noise. The Board declined to negotiate on those terms and Trustee Whalen recommended that the vote be made on indoor music only.

Mayor Siry and the applicant agreed upon having a follow-up meeting to discuss the issue and future options.

MOTION to APPROVE for indoor music only was made by Trustee Whalen and was seconded by Trustee O'Neill (applicant may request outdoor music at a later date)

Mayor Siry will conduct a meeting with the applicant to discuss outdoor music plans.

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

Motion Carried: 5 aye 0 nays

**Board of Trustees
Minutes
February 22, 2021**

George Romano for **JJ's Tavern**, 139 Merrick Rd., Amityville, NY 11701

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

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

Motion Carried: 5 aye 0 nays

Taxicab Driver License - Renewal

Nathaniel Adams, 10 Miller Ave., Amityville, NY 11701

Ellen Holliday, 30 Leanore Dr., Farmingdale, NY 11735

Anthony McFarland, 96 Tryconnell St., Amityville, NY 11701

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

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

Motion Carried: 5 aye 0 nays

Taxi Company - Renewal

John Tomitz for **JTE Enterprises Inc. D/B/A Lindy's, Yellow Cab & Reliable**, 390 Suffolk Ave. Islandia, NY

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 Whalen	aye
	Trustee O'Neill	aye

Motion Carried: 5 aye 0 nays

Request from Deputy Treasurer

Request to approve abstract from February 3rd – February 17th

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 Whalen	aye
	Trustee O'Neill	aye

Motion Carried: 5 aye 0 nays

**Board of Trustees
Minutes
February 22, 2021**

Request from Clerk/Treasurer

Request from Joan Donnison for **Bay Village Civic Association** to host a Shredder Event on Saturday, April 17, 2021 from 10 a.m. to noon in the parking lot of 9/11 Memorial Park on Broadway

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

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

Motion Carried: 5 aye 0 nays

Request from Vicar David Thomas of **St. Paul's Lutheran Church** to conduct an Annual Easter Dawn Service, at the south pavilion at James A. Caples Park on Sunday, April 4, 2021, from 5:30 a.m. to 7:30 a.m.

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

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

Motion Carried: 5 aye 0 nays

Request to pay **Total Technology Solutions** for Invoice #67417 – monthly billing for March 2021 in the amount of \$3,837.75 (A1625.440)

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 Whalen	aye
	Trustee O'Neill	aye

Motion Carried: 5 aye 0 nays

Request to pay **Bond, Schoeneck & King, PLLC** for Legal services rendered through 1/31/21 in the amount of \$4,103.50 (A1420.440)

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

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

Motion Carried: 5 aye 0 nays

**Board of Trustees
Minutes
February 22, 2021**

Request to pay **Coastal Contracting Corp.** for the revised third claim for Bid No. 19-05, Nelson & Pope No. 18001 in the amount of \$180,576.30 (A1410.440)

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

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

Motion Carried: 5 aye 0 nays

Request to pay **Nelson & Pope** for Project N18X002.001.000 Amityville Storm Sewer & Drainage Improvements in the amount of \$23,015.00 (A1410.440)

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

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

Motion Carried: 5 aye 0 nays

Request to pay **Rosemar Contracting, Inc.** for final claim for resurfacing work in the amount of \$3,271.76 (H5110.401 - \$816.71; and A5110.490 - \$2,455.05)

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

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

Motion Carried: 5 aye 0 nays

Request from Pat DeLuca to approve a 30-day waiver for an amended liquor license application by **Brownstones Coffee**, 55 Merrick Road, Amityville, to include an outdoor patio/seating

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

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

Motion Carried: 5 aye 0 nays

**Board of Trustees
Minutes
February 22, 2021**

Request from Police Department

Request to pay **Total Technology Solutions** for March support including DATTO in the amount of \$3,384.50 (A3120.261)

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 Whalen	aye
	Trustee O'Neill	aye

Motion Carried: 5 aye 0 nays

Request to pay **Total Technology Solutions** for 20-hour time block in the amount of \$3,700.00 (A3120.261)

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 Whalen	aye
	Trustee O'Neill	aye

Motion Carried: 5 aye 0 nays

Request from Fire Department

Request to pay **Stryker Sales Corp.** for Invoice #3263227 M 1/11/21 assembly, gateway 4g in the amount of \$3,615.00 (A3410.450)

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

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

Motion Carried: 5 aye 0 nays

Request to pay **VESO LIFE** for annual term life insurance premium policy LINY40090 02293 in the amount of \$6,515.75 (A1910.430)

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 Whalen	aye
	Trustee O'Neill	aye

Motion Carried: 5 aye 0 nays

**Board of Trustees
Minutes
February 22, 2021**

Request to pay **Al's Oil Service Inc.** for Bennett Place fire house – New Boiler in the amount of \$6,700.00 (A1624.460)

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

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

Motion Carried: 5 aye 0 nays

Request from Department of Public Works

Request to pay **Omni Recycling of Babylon** for 48.87 dumped tons in the amount of \$5,742.83 (A8160.442)

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 Whalen	aye
	Trustee O'Neill	aye

Motion Carried: 5 aye 0 nays

Request to pay **Sprague** for 2000 gallons of gas in the amount of \$3,557.00 (A1625.410)

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

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

Motion Carried: 5 aye 0 nays

Mayor Siry opened the floor to public comments:

Debbie Magnani, 75 Meadow La., asked that the Village consider the quality of life of the neighbors of the marina on Meadow Lane, and inquired about its nonconforming use and fence permit.

There being no further agenda items or discussions:

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

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

Motion Carried: 5 aye 0 nays

Meeting adjourned at 8:32 p.m.

Catherine C. Murdock
Clerk/Treasurer