

Board of Trustees
Minutes
July 13, 2020

Meeting called to order at 7:30 PM

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

ALSO PRESENT: Acting Chief of Police Bryan Burton
AFD Chief Rob Waegerle
Superintendent of Public Works Bruce S. Hopper
Building Inspector Bryan Donato
Village Attorney Bruce Kennedy
Clerk/Treasurer Catherine Murdock
Deputy Treasurer Tiffany Ladd
Assistant to the Mayor Wendy O'Neill

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

Mayor Siry welcomed everyone to the July 13th meeting of the Board of Trustees, which was conducted online and telephone via Zoom Meeting. He reminded everyone of the 3-minute limit for public comments.

He advised the next meeting would be a Special Meeting on July 23 at 8:15 a.m. to pay bills.

The Mayor reminded everyone that the Beach passes for Village residents only (due to Covid-19) are available at the beach entrances and at Village Hall.

The Village will be hosting a Drive-in Concert, at which attendees will be asked to follow Covid safety protocols. It takes place this Saturday night for Village residents only, featuring the band Radio Flashback. Tickets are available on Eventbrite.com and via the Amityville.com website and our Facebook page, Amityville Village Hall.

We are planning another drive-in movie on July 22nd, with generous sponsorship from the Amityville Junior League. The film will be "Back to the Future".

Mayor Siry called for June Committee Reports from the Trustees:

- **Department of Public Works** (Trustee O'Neill): Made signage for the court room and the village parks for social distancing/face coverings, watering flower boxes and hanging baskets, grass cutting, maintenance, and weeding; poured footings and helped install lighted bollards for the 9/11 memorial at the firehouse. Readied the beach for the season (distance markers for the sand, rest room signs, seaweed cleanup, unclogged a sewer blockage), working on an emergency repair of the washout on the walkway to the western fishing pier, added 40 cubic yards of sand to the beach, and installed volleyball nets. Worked with the TOB contractor at the end of Norman Ave. by replacing rocks; removed and seeded tree stump on Ocean Ave.; installed Bay Village Civic Association farmers market signs; installed no organized ball playing signs/no pavilion usage signs and locked the entrance to the fields, including the "B" field on County Line Rd. to prevent unauthorized use. Mayor Siry asked Chief Burton to also increase patrols of the field to make sure no one is playing on the field.
- **Justice Court** (Trustee Bernius) A total of \$6,607.50 was reported to the State, less than normal since Court has been closed due to Covid. 11 charges for penal/criminal, vehicle & traffic and Village Ordinances were processed, 14 charges were closed out, and \$3,182.50 was collected in fines and surcharges. There were 7 parking tickets written to process by

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the office, 20 tickets were collected on, and \$3,425.00 was collected in fines and penalties, collectively. Good News – the Court will reopen on July 28th, with physical distancing maintained and court capacity limited.

- **Beach Committee** (Trustee Bernius): The beach is running well, and whistles/shirts are in.
- **Building Department** (Deputy Mayor Smith): June revenue was \$27,286.75. There were 29 permits issued and 21 inspections performed. Good News: The application to renovate the old Bull Dog restaurant has been filed.
- **Amityville Police Dept.** (Deputy Mayor Smith) 8 arrests, 426 blotters, 53 cases, 7 citations, 2 impounds, 59 medically aided, and 28 Motor Vehicle Accidents. Deputy Mayor Smith and Mayor Siry also gave credit to Chief Burton for their handling of the recent gatherings and peaceful marches.
- **Amityville Fire Dept.** (Chief Waegerle): Chief Waegerle reported that fire calls are down, and they have had a higher volume of calls for less severe, minor ailments, like headaches.

Mayor's Actions:

Mayor Siry requested the approval of the Board of Trustees minutes from June 22nd, 2020

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 O'Neill	aye
Motion Carried:	4 aye	0 nays

Landscaper License -Renewal

Jose Dominguez, 154 Westwood Dr., Brentwood, NY 11717 for **Dominguez Landscaping Corp.**

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

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

Automotive License – Renewal

Jesse Little, 22 Elm Pl., Amityville, NY for **Just Brakes Plus.**

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

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

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John Vigorito, 344 Merrick Rd., Amityville, NY for **Security Dodge**

Trustee Bernius voiced concern about cars blocking the entrances to the lot and the need for additional parking blocks/stops. She cited instances of power washing being done in the lot as early as 5 a.m. on Saturday. The Mayor explained that in the past, the dealership has fired workers over this, and pointed out that no work is to be done on the property, according to the stipulations.

Building Inspector Donato noted that the current application expires at the end of August. Trustee O'Neill proposed tabling the application, however, Mayor Siry preferred to vote on the existing application with stipulations. That gives them a month to get a new buffer zone and adding curb stops/blocks to prevent cars protruding.

Mr. Donato observed that the stipulations had been met when it was last inspected. If they were to purchase the property from the Suffolk County Land Bank there would be additional stipulations to enforce as owners.

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

Vote on Motion:	Mayor Siry	aye
	Deputy Mayor Smith	aye
	Trustee Bernius	aye
	Trustee O'Neill	aye
Motion Carried:	3 aye	1 nay

License to Peddle or Hawk – Ice Cream Vendor

Ahmet Dursun, 149 Terrace Ave., West Babylon, NY 11704 for John's Soft Ice Cream

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

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

Storage of Trailer

Irwin Mintz, 24 Burch Ave., Amityville, NY for **Mr. Grade A.**

John McGee, 400 Sunrise Highway, Amityville, NY, for **The Long Island Home** (dba South Oaks Hospital)

Todd Brice, 144 Ocean Ave., Amityville, NY for **Yacht Service**

Christopher Pearson, 109 Carmen Pl., Amityville, NY (for the 249 Broadway location)

MOTION to APPROVE all four applications (Agenda items a. through d.) was made by Trustee O'Neill and seconded by Deputy Mayor Smith

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

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Deputy Treasurer

Request to approve the abstract from June 18th – July 8th

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

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

Request from Clerk/Treasurer

Request to approve a retainer agreement with **Siegel & Sitrler, PLLC**, 150 Motor Parkway, Hauppauge, NY 11788 to provide legal services at the hourly rate of \$250 per hour

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

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

Request to pay **Total Technology Solutions** for Invoice #60859 – monthly billing for July 2020 - \$3,214.75 (A1625.440)

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

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

Request to pay **Cullen & Danowski, LLP** for Accounting services for FYE 2020 in the amount of \$11,100.00 (A1410.440)

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

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

Request to pay **Louis K. Mclean Associates Engineers & Surveyors** for project 19153.000 Security Dodge Traffic Impact Assessment (reimbursement received from SD) in the amount of \$4,450.00 (A1420.440)

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

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

Request to pay **Nelson & Pope** for Phase 3 Construction Oversight & Mgmt. in the amount of \$39,660.00 (A1410.440)

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

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

Request to pay **Nelson & Pope** for Amityville Pavement Mgmt. in the amount of \$11,735.00 (HR5110.5)

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

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

Request to pay **Coastal Contracting** second claim for outfall check valves in the amount of \$223,136.95 (A1410.440)

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

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

Request to pay **Coastal Contracting** fourth claim for roadway and drainage improvements in the amount of \$66,620.18 (A1410.440)

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

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

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Request from Police Department

Request to pay **Total Technology** for July DATTO in the amount of \$3,056.00 (A3120.261)

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

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

Request from Fire Department

Request by Chief Waegerle to surplus one generator from main firehouse

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

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

Request to pay **Stryker Sales Corp.** for Invoice #8425063 DM-medical supplies in the amount of \$4,007.92 (A3410.412)

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 O'Neill	aye
Motion Carried:	4 aye	0 nays

Request to pay **MSC Industrial Supply Co.** for tools and battery kits - invoices 63765412, 63765482, 59665722, 59667082 in the amount of \$3,204.41 (A3410.250)

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

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

Request from Department of Public Works

Request to pay **Bayport Flower Houses, Inc.** for baskets for 2020 in the amount of \$3,157.50 (A8510.441)

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

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

Request to pay **Omni Recycling of Babylon**, dumped 48.68 tons in the amount of \$6,428.26 (A8160.442)

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 O’Neill	aye
Motion Carried:	4 aye	0 nays

Resolution

Resolution No. 20-07-13-01 retaining The LIRO Group to perform engineering services for the Avalon Bay Project

RESOLUTION 20-07-13-01

Resolution retaining The LIRO Group to perform engineering services for the Avalon Bay Project

WHEREAS Avalon Bay Communities has submitted an application to the Planning Board of the Village of Amityville for site plan review of a proposed 317 unit apartment complex and 21 townhouse units at 366 Broadway, Amityville, NY and

WHEREAS as part of its review of said application, it is in the best interests of the Village to retain the assistance of outside professionals to review and make recommendations regarding such application, and

WHEREAS Chapter 6, sections 6-1 and 6-2 of the Code of the Village of Amityville authorize the retention of said independent consultants and requires the applicant to pay the cost of such services, and

WHEREAS The LIRO Group, 3 Aerial Way, Syosset, NY 1 1791 has the necessary professional engineering expertise to perform said services on behalf of the Village,

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1) The LIRO Group, 3 Aerial Way, Syosset, NY 1 1791 be and hereby is retained by the Village of Amityville to perform professional engineering and related services in reviewing and

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making recommendations regarding the site plan application of Avalon Bay Communities, Inc. for premises 366 Broadway, Amityville, NY, pursuant to the proposed Agreement attached hereto.

2) Avalon Bay Communities shall pay the actual and usual charges of The LIRO Group for performing said services pursuant to said Agreement as authorized by SS 6-2 of the Code of the Village of Amityville.

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

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

Resolution No. 20-07-13-02 authorizing temperature monitoring for the Village Justice Court

Resolution 20-07-13-02

Resolution authorizing temperature monitoring for the Village Justice Court

WHEREAS the Village Justice has requested that the Board of Trustees authorize the use of a temperature monitoring device for persons appearing in the Village Justice Court room in Village Hall, and

WHEREAS the use of such device will help detect persons appearing in Village Court who may have COVID-19, and

WHEREAS the use of said temperature monitoring devices has been authorized by the State Office of Court Administration and it has also authorized funds for the purchase of such devices
NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1) The Village Justice is hereby authorized to obtain one or more temperature monitoring devices with funds from the New York State Office of Court Administration for use to screen all persons appearing in the Village Justice Court in the Courtroom on the third floor of Village Hall, 21 Ireland Place, Amityville, NY

2) Said screening shall be performed by Court officers or other personnel designated by the Village Justice in accordance with protocols established by the Office of Court Administration

3) This Resolution shall be effective immediately.

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 O'Neill	aye
Motion Carried:	4 aye	0 nays

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Public Comments and Discussions:

Deputy Mayor Smith thanked Trustee O’Neill for his well-written letter to the editor (published in the Amityville Record, July 8, 2020) summing up the Trustees’ sentiments about the July 4th parade and equality and justice walks in the Village.

Lisa Strollo, 80 New Point Pl., asked for an update on the Bayside Place Marina situation on behalf of herself and Al Strollo – 84 Meadow La. and Rand Strollo 34 Meadow La. This was regarding issues they raised at the June 22nd Board of Trustees meeting concerning quality of life issues caused by the addition of finger boat slips, increased traffic, noise, etc. She again told the Board that she has lost her view of the bay and feels her home has lost value.

Building Inspector Bryan Donato explained that the marina must seek site plan approval from the Planning Board. He assured them that residents within 200 ft. of the property would be notified by certified mail as to when the meeting would occur.

Al Strollo, 84 Meadow La., asked why the residents’ quality of life was not a factor in the decision to approve the new finger slips. He referred to an Army Corps application in 2000, for which the then Mayor Imbert opposed the project. Mayor Siry explained this is an entirely different project, and unlike the 2000 application, the Village was not approached to have input. He stressed that the Village does not have jurisdiction over the bulkheads. Mayor Siry also maintained that he and the Board care deeply for the residents.

Clerk/Treasurer Catherine Murdock reinforced that the Board of Trustees is not in a position to review or make a decision on the property use, nor were they afforded the opportunity.

Building Inspector Donato went further to say there is no procedure on the books for the Village to deny a project that has been approved by the DEC.

Mayor Siry reminded them that the property has been a boatyard since the 1920s, and it is the DEC not the Board of Trustees that has jurisdiction over the bulkheads.

Mr. Strollo claimed this dockage was “shoved down their throats,” and commented that the property is owned by LandTek which he alleged bears influence on the issue.

Trustee O’Neill expressed that the Board is in fact very sympathetic about the residents’ quality of life but stressed that the DEC issued this approval without any knowledge of or input from anyone on the Board. He underscored that it is the Planning Board that is the appropriate channel for their concerns about property use, and that the accusations against the Board are misdirected.

Jack Magnani, 75 Meadow Lane, said he is disappointed in the Village that his quality of life has declined as a result of the nine new slips. He acknowledged that there has been a little improvement since the Village has gotten involved. However, there is insecurity about having people out in the street and people smoking pot. Deborah Magnani asked that stipulations be placed on the property, and to have their voices heard. She asked why they are permitted to use the front portion of the parking lot before getting approval.

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Mayor Siry and Trustee O'Neill explained that the Planning Board will conduct a site plan review for the parking lot and surrounding residents will be getting a certified letter notifying them of when the meeting is to occur. They should make their concerns known before the Planning Board at that time.

Chief Burton said he will check the records on the calls that have come in.

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

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

Meeting was adjourned at 8:48 p.m.

Catherine C. Murdock
Clerk/Treasurer