

BOARD OF TRUSTEES MEETING MINUTES
INC. VILLAGE OF WESTBURY
VILLAGE HALL MEETING ROOM
THURSDAY, APRIL 6, 2023
6:30 P.M.

Present: Mayor Peter I. Cavallaro
Trustee Steven L. Corte
Trustee Beaumont A. Jefferson
Trustee Vincent Abbatiello
Trustee William B. Wise

Staff present: Chrissy Kiernan, Village Clerk-Treasurer
Anna Vikse, Village Attorney
Joseph Brilliantino, Superintendent of Buildings
Bill Mello, Senior Building Inspector
Phil Fulgieri, Supt. Department of Public Works
Pasquale Iannucci, Dept. Supt. Department of Public Works

Mayor Cavallaro opened the Meeting of the Board of Trustees at approximately 6:30PM with a verification of a quorum.

1. Review and Approve Board of Trustees Meeting Minutes of March 16, 2023 and Special Meeting Minutes of March 22, 2023

On motion by Trustee Corte, seconded by Trustee Abbatiello, it was RESOLVED to approve the Work Session/Regular Meeting Minutes of March 16, 2023 and Special Meeting Minutes of March 22, 2023, as prepared and distributed by Clerk-Treasurer Kiernan. The Board was polled, all present voting "Aye" (5-0).

Mayor Peter I. Cavallaro	Aye
Trustee Steven Corte	Aye
Trustee Beaumont Jefferson	Aye
Trustee William Wise	Aye
Trustee Vincent Abbatiello	Aye

2. Resolution Approving Intermunicipal Agreement with the Westbury Water & Fire District Regarding Use of the District's Facility for Village Dept. of Public Works Radio Communications System

On motion by Trustee Abbatiello, seconded by Trustee Jefferson, it was RESOLVED to approve the Intermunicipal Agreement with the Westbury Water & Fire District Regarding Use of the District's Facility for Village Dept. of Public Works Radio Communications System. The Board was polled, all present voting "Aye" (5-0).

Mayor Peter I. Cavallaro	Aye
Trustee Steven Corte	Aye
Trustee Beaumont Jefferson	Aye
Trustee William Wise	Aye
Trustee Vincent Abbatiello	Aye

3. Resolution Approving Engagement Letter for Preparation of the Annual Village Audit and Justice Court Audit with Nawrocki Smith LLP for the fiscal year Ending May 31, 2023

On motion by Mayor Cavallaro, seconded by Trustee Wise, it was RESOLVED to approve the Engagement Letter for Preparation of the Annual Village Audit and Justice Court Audit with Nawrocki Smith LLP for the fiscal year ending May 31, 2023 in the amount of \$35,000. The Board was polled, all present voting "Aye" (5-0).

Mayor Peter I. Cavallaro	Aye
Trustee Steven Corte	Aye
Trustee Beaumont Jefferson	Aye
Trustee William Wise	Aye
Trustee Vincent Abbatiello	Aye

4. Resolution Approving Engagement Letter for Property Tax Consulting with Michael Haberman Associates Inc. for the 2024-2025 Tax Year

On motion by Trustee Corte, seconded by Trustee Abbatiello, it was RESOLVED to approve the engagement letter for property tax consulting with Michael Haberman Associates Inc. for the 2024-2025 year in the amount of \$26,100. The Board was polled, all present voting "Aye" (5-0).

Mayor Peter I. Cavallaro	Aye
Trustee Steven Corte	Aye
Trustee Beaumont Jefferson	Aye
Trustee William Wise	Aye
Trustee Vincent Abbatiello	Aye

5. Resolution Approving GASB 75 Retainer Agreement with Danziger & Markhoff LLP

On motion by Trustee Jefferson, seconded by Trustee Wise, it was RESOLVED to approve the GASB 75 Retainer Agreement with Danziger & Markhoff LLP whose proposal was previously approved at the March 16, 2023 Board of Trustees meeting. The Board was polled, all present voting "Aye" (5-0).

Mayor Peter I. Cavallaro	Aye
Trustee Steven Corte	Aye
Trustee Beaumont Jefferson	Aye
Trustee William Wise	Aye
Trustee Vincent Abbatiello	Aye

6. Resolution Approving Village Landscape Vendor for the 2023 & 2024 Maintenance of Grounds in Various Locations throughout the Village

Clerk-Treasurer Kiernan presented three written proposals for landscaping maintenance of grounds in various locations throughout the Village for the years 2023 and 2024. Trustee Corte recused himself.

On motion by Trustee Abbatiello, seconded by Trustee Jefferson, it was RESOLVED to approve the proposal of Simeone Landscaping, the lowest responsible proposal received for the period 2023 and 2024 for the landscaping maintenance of grounds in various locations through the Village. The Board was polled, with four voting “Aye” and one recusal.

Mayor Peter I. Cavallaro	Aye	
Trustee Steven Corte		Recused
Trustee Beaumont Jefferson	Aye	
Trustee William Wise	Aye	
Trustee Vincent Abbatiello	Aye	

7. Resolution Extending Contract for One Year Period with Prestige Lawn Care for Lawn Treatment Program

On motion by Trustee Jefferson, seconded by Trustee Abbatiello, it was RESOLVED to extend the contract with Prestidge Lawn Care for the Village’s lawn treatment program for a one year period. The Board was polled, all present voting “Aye” (5-0).

Mayor Peter I. Cavallaro	Aye
Trustee Steven Corte	Aye
Trustee Beaumont Jefferson	Aye
Trustee William Wise	Aye
Trustee Vincent Abbatiello	Aye

8. Maple Tower Condominium Parking Request

Maple Tower Condominium requested the use of fifteen Village parking spots so that they may power wash the parking garage as they have done annually.

On motion by Trustee Jefferson, seconded by Trustee Abbatiello, it was RESOLVED to approve the request of Maple Tower Condominium for the use of fifteen Village parking spots on April 12, 2023. The Board was polled, all present voting “Aye” (5-0).

Mayor Peter I. Cavallaro	Aye
Trustee Steven Corte	Aye
Trustee Beaumont Jefferson	Aye
Trustee William Wise	Aye

Trustee Vincent Abbatiello Aye

9. Approval of Westbury Seniors Bazaar Event– April 29, 2023

On motion by Mayor Cavallaro, seconded by Trustee Abbatiello, it was RESOLVED to approve the Westbury Senior Bazaar event on Saturday, April 29, 2023 in the Community Center, 360 Post Avenue. The Board was polled, all present voting “Aye” (5-0).

Mayor Peter I. Cavallaro	Aye
Trustee Steven Corte	Aye
Trustee Beaumont Jefferson	Aye
Trustee William Wise	Aye
Trustee Vincent Abbatiello	Aye

10. Acceptance of Resignation of Leslie Carroll

On motion by Trustee Abbatiello, seconded by Trustee Corte, it was RESOLVED to accept the resignation of Building Department employee Leslie Carroll effective March 31, 2023. The Board was polled, all present voting “Aye” (5-0).

Mayor Peter I. Cavallaro	Aye
Trustee Steven Corte	Aye
Trustee Beaumont Jefferson	Aye
Trustee William Wise	Aye
Trustee Vincent Abbatiello	Aye

11. Resolution to Approve Purchase of Two Village Tents

Mayor Cavallaro expressed his desire to purchase two logoed tents for use by the Village for events such as the BID Street Fair.

On motion by Mayor Cavallaro, seconded by Trustee Corte, it was RESOLVED to approve the purchase of up to two logoed tents for use by the Village for a cost not to exceed \$1,952.20. The Board was polled, all present voting “Aye” (5-0).

Mayor Peter I. Cavallaro	Aye
Trustee Steven Corte	Aye
Trustee Beaumont Jefferson	Aye
Trustee William Wise	Aye
Trustee Vincent Abbatiello	Aye

12. Resolution to Declare April as Fair Housing Month

The following Resolution was offered by Trustee Corte:

WHEREAS, April 11, 2023 marks the 55th anniversary of the passage of the U.S. Fair Housing Law, Title VIII of the Civil Rights Act of 1968, as amended, which enunciates a national policy of Fair Housing without regard to race, color, creed, national origin, sex, familial status, and handicap, and encourages fair housing opportunities for all citizens; and

WHEREAS, the Inc. Village of Westbury is committed to highlight the Fair Housing Law, Title VIII of the Civil Rights Act of 1968, and to affirmatively further fair housing within the Village, by continuing to address discrimination in our community, to support programs that will educate the public about the right to equal housing opportunities, and to plan partnership efforts with other organizations to help assure every American of their right to fair housing.

NOW, THEREFORE, the Board of Trustees of the Inc. Village of Westbury, hereby resolves that the Village of Westbury will celebrate the month of April, 2023 as Fair Housing Month, in commemoration of the passage of the Fair Housing Act, and urges all citizens to wholeheartedly recognize this celebration throughout the year.

Motion to adopt the foregoing Resolution was seconded by Trustee Jefferson and the roll call for adoption resulted in the following:

The Board was polled:

Trustee Corte	- Aye
Trustee Jefferson	- Aye
Trustee Wise	- Aye
Trustee Abbatiello	- Aye
Mayor Cavallaro	- Aye

**13. Block Party Application – Morningside Drive between Albany and Manhattan Avenue
Date: May 13, 2023 with a rain date of May 20, 2023**

Mayor Cavallaro confirmed that the requisite number of signatures were provided.

On motion by Trustee Abbatiello, seconded by Trustee Jefferson, it was RESOLVED to approve the block party application for Morningside Drive between Albany and Manhattan Avenue on May 13, 2023 with a rain date of May 20, 2023. The Board was polled, all present voting “Aye” (5-0).

Mayor Peter I. Cavallaro	Aye
Trustee Steven Corte	Aye
Trustee Beaumont Jefferson	Aye
Trustee William Wise	Aye
Trustee Vincent Abbatiello	Aye

14. Resolution Approving Village of Westbury / Westbury Arts 2023 Summer Concert Series and Short Films Festival Dates at the Ernesto Strada Piazza

The Board reviewed the dates of July 6, 13, 20, and 27 and August 3, 10, 17, 24, 31 for summer

series concerts from 5pm to 10om and September 8 with a September 9 (rain date) for the Short Film festival.

On motion by Trustee Abbatiello, seconded by Trustee Jefferson, it was RESOLVED to approve the Village of Westbury / Westbury Arts 2023 Summer Concert Series and Short Films Festival dates at the Ernesto Strada Piazza as presented. The Board was polled, all present voting “Aye” (5-0).

Mayor Peter I. Cavallaro	Aye
Trustee Steven Corte	Aye
Trustee Beaumont Jefferson	Aye
Trustee William Wise	Aye
Trustee Vincent Abbatiello	Aye

15. Public Hearing - Bill 4 of 2023 – A proposed local law to repeal Local Law 1-2023 and to repeal the override of the tax levy limit established in the General Municipal Law §3-c as it pertains to the Incorporated Village of Westbury

Mayor Cavallaro opened up the public hearing for Bill 4 of 2023, a proposed local law to repeal Local Law 1-2023 and to repeal the override of the tax levy limit established in the General Municipal Law §3-c as it pertains to the Incorporated Village of Westbury and asked the Clerk to read the notice aloud, which she then did.

Mayor Cavallaro reported that in the eleven years since the tax levy limit was established, the Village of Westbury has never breached the tax cap and has always rescinded the law after they adopted the law. Local Law 1 of 2023, adopted by the Board in January, gives the Board the ability to exceed the tax levy limit established in General Municipal Law §3-c. Mayor Cavallaro also noted that the budget was one of the toughest since becoming Mayor due to inflationary costs, but that ultimately, the Budget did not require a tax cap override.

Mayor Cavallaro asked for public comment, and seeing none, asked for a motion to close the public hearing.

On motion by Trustee Abbatiello, seconded by Trustee Wise, the public hearing was closed. The Board was polled, all present voting “Aye” (5-0).

Mayor Peter I. Cavallaro	Aye
Trustee Steven Corte	Aye
Trustee Beaumont Jefferson	Aye
Trustee William Wise	Aye
Trustee Vincent Abbatiello	Aye

16. Resolution to Adopt Bill 4 of 2023 as Local Law 5 of 2023

On motion by Trustee Jefferson, seconded by Trustee Corte, it was RESOLVED to adopt Bill 4 of 2023 as Local Law 5 of 2023. The Board was polled, all present voting "Aye" (5-0).

Mayor Peter I. Cavallaro	Aye
Trustee Steven Corte	Aye
Trustee Beaumont Jefferson	Aye
Trustee William Wise	Aye
Trustee Vincent Abbatiello	Aye

17. Public Hearing Bill 3 of 2023 – A proposed local law amending §237-80 of the Vehicle and Traffic Code

Mayor Cavallaro opened up the public hearing for bill 3 of 2023, a proposed local law amending §237-80 of the Vehicle and Traffic Code and asked the Clerk to read the notice aloud.

Mayor Cavallaro then gave a brief summary of the bill, which would amend certain parking restrictions on Earl, Ward and Concord Streets, such that the restrictions would remain on Earl Street, would remain on Ward Street to a point 400 feet east of Carle Road, but be eliminated west of that point, and would be eliminated on Concord Street. Mayor Cavallaro stated that the Village had sought feedback from residents in various ways, including an informal public meeting with residents and a survey that was circulated to residents. The Village also received emails and phone communication. Mayor Cavallaro stated that it is obvious that there are numerous opinions, but that the Village is nimble and responsive, and can always reimpose restrictions if needed. Mayor Cavallaro then opened up the hearing to public comment.

Ms. Parisi of 144 Concord Street spoke in favor of lifting the restrictions, and stated that most people on Concord Street from Carle Road to Longwood Avenue had signed her petition to eliminate the restrictions. She submitted the petition for the record.

Ms. Schmuck of 133 Concord Street spoke in favor of keeping the restrictions.

Mr. Thompson, of 109 Concord Street, stated that he does not see a negative effect from workers on Westbury Avenue or from commuters, but that he felt for people who do see such effects. He stated that he would like to see resident permits.

Ms. Judge of 132 Ward Street, stated that she would also like to see resident permits.

Mayor Cavallaro stated that an act of the state legislature is needed for resident permits, and the state legislature only does this very rarely, in extenuating circumstances, such as the UBS Arena, or Nassau Community Hospital.

Mr. Caputo of 146 Ward Street asked whether handicapped people could be allowed to have an on street handicapped space. Mayor Cavallaro responded that the Village has rarely done this, but could look into it if the situation calls for it.

Ms. Grzybowski of 125 Concord Street stated that the restrictions are an inconvenience and a burden.

Mr. Kennedy of 119 Ward Street asked for clarification about where the restrictions would end, and stated that he is worried about people parking in front of his house, and that he has been happy with the restrictions.

Mr. Schmuck, of 133 Concord Street, stated that he did not believe that the petition submitted actually was a majority of the people on that block.

Ms. Schmuck, of 133 Concord Street, stated that she believed that removing the restrictions on Concord but not on Earl or Ward would have an adverse effect on Concord Street, which might impact children playing.

Mayor Cavallaro asked everyone to remember that keeping the restrictions could be more burdensome to some people than other people, such as people who work night shifts, the handicapped, and the elderly, who may have more trouble moving their cars during the day. He said that it is important to remember that these are streets, meant for travelling by car and parking cars, not parkland or playgrounds for children.

Mr. Desiderio asked whether the Town of North Hempstead might help with some of these issues, since there are employees of businesses located in the Town, and commuters going to the Carle Place train station. Mayor Cavallaro stated that the Village had inquired in the past, but that the Town was not amenable to changing their stance.

Mayor Cavallaro asked for a motion to continue the hearing to an unspecified date in the future. On motion by Trustee Jefferson, seconded by Trustee Abbatiello, it was RESOLVED to continue the hearing to an unspecified date and to keep the record open. The Board was polled, all present voting "Aye" (5-0).

Mayor Peter I. Cavallaro	Aye
Trustee Steven Corte	Aye
Trustee Beaumont Jefferson	Aye
Trustee William Wise	Aye
Trustee Vincent Abbatiello	Aye

18. Public Hearing to consider the Budget for the fiscal year commencing June 1, 2023 and ending May 31, 2024

Mayor Cavallaro opened up the public hearing for the Budget for the fiscal year commencing June 1, 2023 and ending May 31, 2024.

Mayor Cavallaro reported that the hearing to rescind the local law that would authorize the Village to exceed the tax levy limit established in the General Municipal Law §3-c took place earlier in the meeting. This year's tax cap permits the Village to raise taxes up to 3.72%. The allowable property tax levy growth factor is equal to the lesser of 2% or inflation factor plus a

portion of carryover from the prior year. Mayor Cavallaro noted that this was a difficult budget due to economic conditions. Some factors included New York state based healthcare costs which rose dramatically, fuel and gas costs rose 20%, pension costs rose 17%, and general liability insurance increased approximately 12%. The Mayor also noted that the budget includes a 0% payroll increase for our unionized employees because we are negotiating a new agreement which will not become effective until after this budget is adopted. Mayor Cavallaro also reported that given the circumstances as presented, the average increase in taxes to a household will be only \$48.00 annually. Mayor Cavallaro then asked the Board if they had anything to add.

Trustee Jefferson was recognized. Trustee Jefferson noted that a \$48.00 per household annual increase comes out to be \$4 per month, noting that the Village provides many services such as garbage pick-up, street sweeping, and noted that this is a nominal increase in this inflationary economy given the substantial number of services that the Village provides. Trustee Jefferson shared that he is very comfortable and confident that the budget appropriations are set to the right level. He also noted that being fiscally responsible does not include always keeping tax rates the same; sometimes an increase is necessary.

Trustee Corte was then recognized. Trustee Corte thanked the Mayor and Clerk-Treasurer Kiernan for their work. He then noted that the budget increase comes out to \$.14 a day and added that he too was comfortable with the budget as presented.

Mayor Cavallaro then opened the public hearing to public comment and recognized resident Chester McGibbon. Mr. McGibbon asked if covid relief funds were still accessible and would be allocated. Mayor Cavallaro responded that a majority of the funds have already been spent or allocated and that the Village has until December 31, 2024 to encumber the remaining funds.

Mayor Cavallaro also noted that other contributing factors to keep the budget under the state mandated tax cap included a temporary hiring freeze and appropriating fund balance. Mayor Cavallaro noted that the Village has a healthy fund balance and will be revising its fund balance policy accordingly.

Hearing no other comments from the public, Mayor Cavallaro asked for a motion to close the public hearing.

On motion by Trustee Jefferson, seconded by Trustee Abbatiello, it was RESOLVED to close the public hearing. The Board was polled, all present voting "Aye" (5-0).

Mayor Peter I. Cavallaro	Aye
Trustee Steven Corte	Aye
Trustee Beaumont Jefferson	Aye
Trustee William Wise	Aye
Trustee Vincent Abbatiello	Aye

19. Adoption of the Tentative Budget for the Fiscal Year Commencing June 1, 2023 and ending May 31, 2023

The following resolution was offered for adoption by Trustee Corte:

WHEREAS, the Budget Officer filed the Tentative Budget for fiscal year 2023-2024 with the Village Clerk on March 20, 2023, and

WHEREAS, said the Village Clerk/Treasurer presented the Tentative Budget to the Board of Trustees, who reviewed and revised the same, and noticed a public hearing to be held on the Tentative Budget, as revised, on April 6, 2023,

NOW THEREFORE BE IT RESOLVED that the Adjusted Base Proportion as calculated for the fiscal year 2023-2024 Village budget is 78.77% for Homestead, and 21.23% for Non-Homestead;

FURTHER RESOLVED that pursuant to Village Law §5-508(4), that the said Tentative Budget, as presented and revised, is hereby adopted as the official Village of Westbury Budget for the for the fiscal year 2023-2024.

Motion to adopt the foregoing Resolution was seconded by Trustee Wise and a roll call for adoption resulted in the following:

Mayor Peter I. Cavallaro	Aye
Trustee Steven Corte	Aye
Trustee Beaumont Jefferson	Aye
Trustee William Wise	Aye
Trustee Vincent Abbatiello	Aye

20. Board Liaison/Committee Reports

- A. Trustee Steven Corte reported that the Final Assessment Roll was published on April 3, 2023. It is available to be viewed at the Clerk's office.

The Westbury Seniors will be having a Bazaar fundraiser on Saturday, April 29, 2023 from 9am to 4pm in the Community Center, 360 Post Avenue.

- B. Trustee Beaumont Jefferson reported that the Village's Easter Egg Hunt will held on the rain date of April 8, 2023 at 10 a.m.

The Village and Westbury Arts has 52 participants and 14 children on a waiting list for the Westbury Arts Summer Program which runs for 6 weeks from the week of July 3rd through the week of August 7th.

Westbury Arts will be hosting a wine tasting event on April 28, 2023.

- C. Trustee Wise reported that he has not received a March report from the Nassau County Police Department Third Precinct.
- D. Trustee Vincent Abbatiello - The Board reviewed claims for the period March 3, 2023, through April 6, 2023, in the amount of \$751,860.42, of which, \$109,736.35 is from the General Fund and \$642,124.07 is from Capital Expenses.

On motion by Trustee Abbatiello, seconded by Trustee Jefferson, the motion to submit bills for payment for the period March 3, 2023 through April 6, 2023 was approved. The Board was polled, all present voting "Aye" (5-0).

Mayor Peter I. Cavallaro	Aye
Trustee Steven Corte	Aye
Trustee Beaumont Jefferson	Aye
Trustee William Wise	Aye
Trustee Vincent Abbatiello	Aye

Trustee Abbatiello reminded residents that the BID Spring Street Fair will take place on Saturday, May 6, 2023, on Post Avenue.

E. Mayor's Report

Mayor Cavallaro reported that Phase II of the Downtown Revitalization Initiative Streetscape Project is substantially complete. The bid for Phase III is out now. The Village is also finalizing plans for a streetscape project on Maple Avenue and Union Avenue, in conjunction with Nassau County. The Village has some roadwork upcoming, including some paving work, crack sealing, pothole repairs, and drainage work.

Westbury Fire Department is holding a blood drive on April 13, 2023.

21. Public Comment

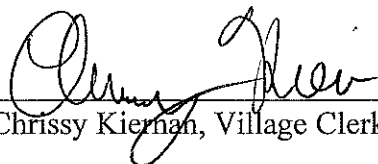
Chester McGibbon inquired as to roadwork and curb repair. Mayor Cavallaro noted that we only do curbs when needed with roadwork. We have a scheduled priority list that we work off of. Sidewalks are done as needed each year and a list is also maintained.

A resident inquired as to a bank of streetlights out on Advent Street by the cemetery. Dept. Supt. of Public Works Pasqual Iannucci responded that he would drive by after the meeting.

Resident Ray Muntz inquired about illegal cannabis sales and a new smoke shop on Post Avenue. Mayor Cavallaro noted that the Village had opted out of cannabis sales, and therefore, no one would be allowed to sell cannabis in the Village at this point. Mr. Muntz also noted that the Library budget was approved.

On a motion by Mayor Cavallaro, duly seconded, the Meeting was adjourned at 8:45 p.m.

Submitted by:



Chrissy Kiernan, Village Clerk-Treasurer