

BOARD OF TRUSTEES MEETING MINUTES  
INC. VILLAGE OF WESTBURY  
VILLAGE HALL MEETING ROOM  
THURSDAY, MAY 4, 2023  
6:30 P.M.

Present: Mayor Peter I. Cavallaro  
Trustee Beaumont A. Jefferson  
Trustee Vincent Abbatiello

Absent: Trustee Steven L. Corte  
Trustee William B. Wise

Staff present: Chrissy Kiernan, Village Clerk-Treasurer  
Anna Vikse, Village Attorney  
Joseph Brillantino, Superintendent of Buildings  
Phil Fulgieri, Superintendent of Public Works

**Mayor Cavallaro opened the Meeting of the Board of Trustees at approximately 6:30PM with a verification of a quorum and noted the excused absences of Trustee Steven Corte and Trustee William Wise.**

**1. Review and Approve Board of Trustees Meeting Minutes of April 20, 2023**

On motion by Trustee Abbatiello, seconded by Trustee Jefferson, it was RESOLVED to approve the Meeting Minutes of April 20, 2022 as prepared and distributed by Clerk-Treasurer Kiernan. The Board was polled, all present voting "Aye" (3-0).

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

**2. Resolution Authorizing Auction of Department of Public Works Equipment and Vehicles**

Clerk-Treasurer Kiernan circulated a list of proposed items to auction as prepared by the Superintendent of Public Works.

After discussion, on motion by Trustee Abbatiello, seconded by Trustee Jefferson, it was RESOLVED to approve the auction of the following Village vehicles and equipment: 2007 Elgin Sweeper, 2000 International Sanitation Vehicle, 1995 International Sanitation Vehicle (useable parts only), 2003 Electric Motor Car, 1995 Neil Roller, 2015 John Deere Backhoe Extension, Stump Blaster, 1983 Ford Vehicle (useable parts only), 1997 International Sanitation Vehicle (useable parts only), and Bin Sander/Salter (useable parts only). The Board was polled, all present voting "Aye" (3-0).

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

**3. Resolution to Amend the 23-24 Fee Schedule regarding Street Opening Permit Fees**

Mayor Cavallaro reviewed the Village Schedule regarding street opening permit fees. After discussion, the following resolution was adopted:

WHEREAS, the Village Code prohibits openings, cuts or excavations for a period of five years from the date that a resolution has been passed to repave a street or sidewalk (the “Moratorium Period”), except in the case of emergency which makes it essential that an excavation permit be issued; and

WHEREAS, the Moratorium Period is designed to keep newly paved streets intact as long as possible in order to protect the integrity of the street, thus extending the life of the roadway, and saving in future paving costs; and

WHEREAS, non-emergency situations frequently arise that necessitate an excavation permit on an urgent basis, which requires the Village to issue an exception to the Moratorium Period;

NOW, THEREFORE, it is hereby resolved that:

1. The Fees and Charges Schedule Effective June 1, 2023 is amended to include the following:

1. “Street Opening Permit:

Within 3 years of paving:.....	\$1,100.00 per bellhole; \$1,100 + \$6 per linear foot of trench
More than 3 years, but less than 5 years of paving:.....	\$825.00 per bellhole; \$825.00 + \$4.50 per linear foot of trench
5 Years After Paving or more: .....	\$550.00 per bellhole; \$550 + \$3 per linear foot of trench”

2. The Superintendent of Public Works is hereby directed that, as a condition of the permit, permittee shall be required to restore the surface of the street which was damaged as a result of the excavation to its original condition, as required by § 215-39 of the Code, by way of a cut-curb repaving, in the case of a bellhole or short trench, or by way of a curb-curb repaving, in the case of a longer trench. The Superintendent is further directed to consider the point at which the moratorium began when determining whether to require cut-to-curb or curb-to-curb repaving.

3. The Clerk is hereby directed to revise the relevant forms to comply with this Resolution, to be effective June 1, 2023.

Motion was made by Trustee Abbatiello for the adoption of the foregoing resolution, and seconded by Trustee Jefferson, and the roll call for adoption resulted in the following:

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

#### 4. Discussion of Village's Liability & Cyber Insurance Program Renewal

The Board discussed the proposed Insurance Renewal Report for June 1, 2023 through May 31, 2023 as provided by Salerno Brokerage Corp. The proposed annual premium to renew with the Village's current carrier, the New York State Municipal Insurance Reciprocal (NYMIR) is \$245,567.93, a \$17,055.19 increase year over. It was noted that the Village's account was sent to a number of alternative carriers for proposals, and a summary of the responses was provided by the Village's broker. The NYMIR renewal provides the same coverages as the expiring policy with the exception of the property limit increase from \$14,011,930. to \$16,909,639 per the updated statement of values and three additional vehicle that were added to the policy. In addition, the Village will consider renewing its Cyber Insurance with Cowbell Insurance Program in the amount of \$2,613.00 with no changes to the policy from the prior year.

#### 5. Discussion of Ellison Ave. Water Main Issue

Mayor Cavallaro discussed with the Board a number of emergency-related road openings by the Westbury Water District on Ellison Avenue. The Westbury Water District shared that there have been a number of pin holes in the electric static line which has affected the service and they believe this was a result of land disruption south of this location at the Long Island Rail Road station from the work done relating to the third track project. PSEG is investigating the pin hole situation since it is occurring directly above the water line crossing. The representative requested a two-week period and would follow-up.

#### 6. 615 Union Avenue LLC Tax Cert

The following Resolution was offered by Mayor Cavallaro:

**RESOLVED**, by the Board of trustees of the Incorporated Village of Westbury, to approve the following tax certiorari settlement:

Petitioner, 615 Union Avenue LLC, has brought proceedings to review the Village's real property tax assessments for the years 2015/16 through 2022/23 at

the property known as 615 Union Avenue, Westbury, NY 11590 (s/b/l 10/255/691), which will be settled for a refund of \$1,000.00, with no change in assessment.

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

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

#### **7. Discussion of Meeting with Resident Regarding Recreational Cannabis**

Mayor Cavallaro reported that he met with a resident who is interested in pursuing a recreational cannabis business in the Village of Westbury.

#### **8. Discussion of Village Code Amendment**

Mayor Cavallaro discussed with the Board the intent to amend Section 157 of the Village Code to require that any person or business within the Village that is engaged in an activity for which a license or permit would be required under federal, state or local law, to possess the relevant license or permit while engaged in such activity within the boundaries of the Village. The bill would be introduced at the next meeting.

#### **9. Pledge of Allegiance**

Mayor Cavallaro led the regular meeting with the Pledge of Allegiance.

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

Mayor Cavallaro continued 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 continuation of public hearing notice aloud.

Mayor Cavallaro then gave a brief summary of the bill, which would amend certain parking restrictions on Ward and Concord Streets, such that parking restrictions would remain on Earl Street, would remain on Ward Street to a point 300 feet east of Carle Road on the south side from 12:00 noon to 1:00 pm/weekdays and 350 feet east of Carle Road on the North side from 11:00am to 12:00 noon/weekdays, 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, a survey that was circulated to residents, email and phone communication to him and his staff, and public comment at the first public

hearing held on April 6, 2023. In addition, Sr. Building Inspector Mello visited eight homes on Ward Street who indicated that they wanted the restriction, except for one property. Mayor Cavallaro stated that he felt this was a Solomonic approach.

Trustee Jefferson added that he felt there was no perfect solution, but if there is a future issue, it can be revisited by the Board.

Mayor Cavallaro then opened up the hearing to public comment. Hearing none, Mayor Cavallaro asked for a motion to close the public hearing.

On motion by Trustee Abbatiello, seconded by Trustee Jefferson, it was RESOLVED to close the public hearing. The Board was polled, all present voting "Aye" (3-0).

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

#### **11. Resolution to Adopt Bill 3 of 2023 as Local Law 6 of 2023**

On motion by Trustee Abbatiello, seconded by Trustee Jefferson, it was RESOLVED to adopt bill 3 of 2023 as local law 6 of 2023. The Board was polled, all present voting "Aye" (3-0).

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

#### **12. Resolution Approving Durazzano Society 91<sup>st</sup> Annual Feast of St. Anthony Di Padova Event**

On motion by Trustee Abbatiello, seconded by Trustee Jefferson, it was RESOLVED to approve the permit for the Durazzano Society 91th Annual Feast of St. Anthony Di Padova on June 29, 2023- July 2, 2023 at St. Brigid's School parking grounds which will include fireworks on the evening of Saturday, July 1, 2023 and a procession in honor of Saint Anthony on Sunday, July 2, 2023 from 9:30am-11:30am. The Board was polled, all present voting "Aye" (3-0).

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

### 13. Board Liaison/Committee Reports

- A. Mayor Cavallaro noted that Trustee Steven Corte and William Wise were excused from meeting and their respective reports.
- B. Trustee Beaumont Jefferson reported that the Village and Westbury Arts host an annual free outdoor summer concert series every Thursday between June and August with performances by different musical genres. All of the events are free and open to the public and will be held in the Piazza at the corner of Maple Avenue and Post Avenue.

There will be a Modern Korean Art exhibit this Friday, May 5, 2023 at the Westbury Arts building.

The Village and Westbury Arts Summer Recreation Program begins the first week of July.

The Recreation/Parks Commission will be meeting and is looking for new ideas. Anyone with suggestions for activities should contact the Commission.

- C. Trustee Vincent Abbatiello - The Board reviewed claims for the period April 7, 2023, through May 4, 2023, in the amount of \$467,923.46, of which, \$342,097.45 is from the General Fund and \$125,826.01 is from Capital Expenses.

On motion by Trustee Abbatiello, seconded by Trustee Jefferson, the motion to submit bills for payment for the period April 7, 2023 through May 4, 2023 was approved. The Board was polled, all present voting "Aye" (3-0).

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

Trustee Abbatiello reminded residents that the Business Improvement District (BID) Spring Street Fair will take place this Saturday, May 6, 2023, on Post Avenue from 10am to 4pm. There will be a Village of Westbury/Westbury Fire Department Memorial Day Parade on May 29, 2023, kicking off at the Maple Avenue Firehouse and ending with a ceremony at the Village's Recreation Center.

#### D. Mayor's Report

Mayor Cavallaro reported that the bid for Phase III Streetscape is out which will carry out improvements to some side streets along Post Avenue. The Village hopes that the work will be complete by the end of summer. Once Phase III is complete, the Village will

have then spent all of its allocated \$10 Million in Downtown Revitalization Initiative (DRI) funds. The Village is also finalizing plans for a streetscape project funding by Legislator Siela Bynoe in the amount of \$7 Million for improvements Maple Avenue and Union Avenue, in conjunction with Nassau County. The work will be similar to the DRI streetscape. The bid for this work is expected to go out in June with work starting in the fall and carried over to next spring, summer, and fall. This project is twice the lane miles of the Post Avenue project. It will include additional crosswalks to Powells Lane School, updates to the VFW Hall, bike racks, tree plantings, sidewalks, and other beautification elements.

The Village will continue with limited paving this spring/summer as most roads have been paved and will continue its crack ceiling roadwork maintenance work. The railroad work is also near completion. The Village has worked with the LIRR to offer a program to residents whose properties were affected by the installation of the sound wall in their backyards; such residents will be eligible for reimbursement of up to \$2,000 for landscaping that was necessary as a result of the sound wall installation.

Mayor Cavallaro added that he attended the Westbury Senior Bazaar on April 29<sup>th</sup> and noted that supporting the seniors at this event now and in the future is a modest way of helping that goes a long way.

The Village is planning an event in September to have the artist that designed the art glass at the Westbury Long Island Rail Road station come and discuss his project. Mayor Cavallaro reported that he was very impressed by the artist because of all the research he did on Westbury, and that the research was evident in his proposal. For that reason, although the Mayor was a non-voting member of a panel, he advocated that the voting members choose this artist. Many other stations have generic artwork, but the art at the Westbury station included the history of the community in his work.

#### **14. Public Comment**

Lorna Hylton inquired as to a rumble strip on Middlecamp Road to slow traffic. Mayor Cavallaro responded that it is not recommended to place rumble strips on tertiary roads, but that the Village will seek spot enforcement from the Nassau County Police Department. In addition, Mayor Cavallaro directed Public Works Superintendent Phil Fulgieri who was present to place a speed monitor to test the speeds and report back.

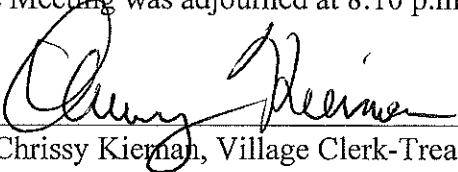
A resident reported an alleged illegal car wash/car detail business on a residential property on Baldwin Drive. Building Department Superintendent Joe Brilliantino stated that his team would investigate the matter.

A resident reported vehicles being stored at a house on Sudbury Lane. Building Department Superintendent Joe Brilliantino stated that his team would investigate the matter.

Chester McGibbon inquired as to electric charging stations at the commuter parking garage for the Long Island Railroad. Mayor Cavallaro responded that electric charging stations were at one

point under consideration, but eventually removed the plan by the MTA's contractor, 3TC. Mayor Cavallaro stated that the Village is looking for grant money to install electric charging stations on the Village's surface lots.

On a motion by Mayor Cavallaro, duly seconded, the Meeting was adjourned at 8:10 p.m.

Submitted by:   
Chrissy Kierman, Village Clerk-Treasurer