

BOARD OF TRUSTEES MEETING MINUTES
INC. VILLAGE OF WESTBURY
VILLAGE HALL CONFERENCE & BOARD ROOM
THURSDAY, NOVEMBER 7, 2024
5:30 P.M.

Present: Mayor Peter I. Cavallaro
Trustee Steven L. Corte
Trustee Beaumont A. Jefferson
Trustee Vincent Abbatiello
Trustee Pedro Quintanilla

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

Mayor Cavallaro opened the Meeting of the Board of Trustees at approximately 5:30PM with a verification of a quorum.

1. Resolution to Approve Board of Trustees Meeting Minutes of October 17, 2024

On motion by Trustee Corte, seconded by Trustee Abbatiello, it was RESOLVED to approve the Meeting Minutes of October 17, 2024 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 Vincent Abbatiello	Aye
Trustee Pedro Quintanilla	Aye

2. Resolution Appoint Cleaner (Foreman)

Clerk-Treasurer Kiernan reported that she and Superintendent of Public Works Phil Fulgieri interviewed several candidates all with experience in schools or municipalities.

After discussion, on motion by Trustee Abbatiello, seconded by Mayor Cavallaro it was RESOLVED to approve the Cleaner (Foreman) appointment of William LaMothe at an annual salary of \$52,000. The Board was polled, all present voting “Aye” (5-0).

Mayor Peter I. Cavallaro	Aye
Trustee Steven Corte	Aye
Trustee Beaumont Jefferson	Aye
Trustee Vincent Abbatiello	Aye
Trustee Pedro Quintanilla	Aye

3. Resolution Approving Voting Districts

On motion by Mayor Cavallaro, seconded by Trustee Jefferson, it was RESOLVED to approve the voting districts for the March 18, 2025 Village Election attached hereto as Exhibit A. The Board was polled, all present voting “Aye” (5-0).

Mayor Peter I. Cavallaro	Aye
Trustee Steven Corte	Aye
Trustee Beaumont Jefferson	Aye
Trustee Vincent Abbatiello	Aye
Trustee Pedro Quintanilla	Aye

4. Resolution Authorizing Execution of the Community Development Block Grant Subrecipient Agreement between the County of Nassau and Village of Westbury For the 50th Year

Clerk-Treasurer Kiernan reported that the Community Development Block Grant funding for the 50th year has been released to Nassau County by HUD which includes funding for streetscape improvements, sidewalks, and senior citizen programming. The Village of Westbury is a sub-recipient of Nassau County.

On motion by Trustee Abbatiello, seconded by Trustee Jefferson, it was RESOLVED to authorize the execution of the Community Development Block Grant Subrecipient Agreement between the County of Nassau and Village of Westbury For the 50th Year by Mayor Cavallaro. The Board was polled, all present voting “Aye” (5-0).

Mayor Peter I. Cavallaro	Aye
Trustee Steven Corte	Aye
Trustee Beaumont Jefferson	Aye
Trustee Vincent Abbatiello	Aye
Trustee Pedro Quintanilla	Aye

5. IT Committee Update

Clerk-Treasurer Kiernan provided an update on behalf of the IT Committed regarding primarily the Village website. No action was taken.

6. Resolution Approving Spring 2025 and Fall 2025 Westbury Business Improvement District (BID) Dates

On motion by Trustee Abbatiello, seconded by Trustee Corte, it was RESOLVED to approve Saturday, May 31, 2025 and Saturday, September 6, 2025 for the Spring and Fall BID Street Fairs on 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 Vincent Abbatiello	Aye
Trustee Pedro Quintanilla	Aye

7. Westbury BID Request for Board Room Usage on November 26th

On motion by Trustee Abbatiello, seconded by Trustee Jefferson, it was RESOLVED to approve the use of the board room in the evening on November 26, 2025 by the Westbury Business Improvement District (BID). The Board was polled, all present voting “Aye” (5-0).

Mayor Peter I. Cavallaro	Aye
Trustee Steven Corte	Aye
Trustee Beaumont Jefferson	Aye
Trustee Vincent Abbatiello	Aye
Trustee Pedro Quintanilla	Aye

8. Resolution in Support of Continued and Increased State Aid for Local Governments

Trustee Abbatiello offered the motion for the following:

WHEREAS, until 2024, cities, villages and towns had not received an increase in unrestricted state aid (AIM funding) in 15 years, significantly impacting their ability to provide essential services to their residents; and

WHEREAS, after a prolonged period without financial support, local governments finally received an increase of \$50 million in unrestricted state aid; and

WHEREAS, local officials express their gratitude for the \$50 million increase in unrestricted state aid, recognizing it as a positive step towards addressing long-standing funding challenges; and

WHEREAS, the State has referred to this new aid as Temporary Municipal Assistance, suggesting that such increase may not continue, jeopardizing the sustainability of crucial municipal programs and services; and

WHEREAS, the property tax cap further limits the ability of local governments to properly fund the programs and services their residents need; and

WHEREAS, increased and ongoing state aid for local governments is vital for maintaining infrastructure, public safety, housing and other municipal services; and

WHEREAS, the challenges of inflation, the increasing costs of labor and supplies, and the end of extraordinary federal aid only accentuate the need for consistent and

predictable funding to effectively plan for the future and meet the growing needs of their residents;

NOW, THEREFORE, BE IT RESOLVED, that the Village of Westbury calls upon the Governor and the State Legislature to commit to continuing the additional \$50 million in unrestricted state aid in the 2025-26 State Budget and beyond, and

BE IT FURTHER RESOLVED, that the Village of Westbury urges state officials to recognize the need for a long-term plan that ensures consistent and predictable increases in financial support for local governments that keep pace with inflation.

The motion was seconded by Trustee Jefferson. Motion to approve was passed; The Board was polled, all present voting “Aye” (5-0)

Mayor Peter I. Cavallaro	Aye
Trustee Steven Corte	Aye
Trustee Beaumont Jefferson	Aye
Trustee Vincent Abbatiello	Aye
Trustee Pedro Quintanilla	Aye

9. Pledge of Allegiance

Mayor Cavallaro lead the Pledge of Allegiance.

10. Board Liaison/Committee Reports

A. Trustee Steven Corte

1. Seniors – Trustee Corte reported that the Westbury Seniors will hold a Bingo fundraiser tomorrow, November 8, 2024.
2. Assessor – Trustee Corte reported that January 2, 2025 is the last day for accepting all exemption applications.

B. Trustee Beaumont Jefferson

1. Recreation– The Village Holiday Tree Lighting will be on December 7th and festivities will begin at 4pm at 348 Post Avenue, Recreation Center. This year will be the 2nd Holiday Cookie Competition. There will be an email blast on how to enter the competition. Trustee Jefferson encouraged everyone to attend the event.
2. There will be a Toy Drive and Toy giveaway on December 13th through the Iron Gates Foundation in the gymnasium.
3. On November 19th through December 18th, Santa’s mailbox will be out on Drexel Avenue and Post Avenue next to bank of America. Put your wish list in Santa’s mailbox.
4. Westbury Arts- Next week Westbury Arts will host their Pop of Color Fundraiser Gala on November 13, 2024 at Westbury Manor. Tickets and sponsorships are available on their website.

C. Trustee Abbatiello

1. Audit and Claims – Trustee Abbatiello reviewed the Claims and Expenditures for the period October 4, 2024 through November 7, 2024 in the amount of \$828,760.26, of which, \$489,682.64 is from Capital Expenses and \$339,077.62 is from the General Fund. Trustee Abbatiello made a motion to submit bills for payment, seconded by Trustee Jefferson. Motion to approve was passed; The Board was polled, all present voting “Aye” (5-0).

Mayor Peter I. Cavallaro	Aye
Trustee Steven Corte	Aye
Trustee Beaumont Jefferson	Aye
Trustee Vincent Abbatiello	Aye
Trustee Pedro Quintanilla	Aye

2. Trustee Abbatiello reported that the dates for the next semi-annual BID street fairs will be May 31, 2025 and September 6, 2025.
3. Trustee Abbatiello reminded everyone that St. Brigid’s is having a 5K event on November 30th. He also reminded everyone that with daylight savings, to change you smoke detector batteries.

D. Mayor’s Report

The Mayor reported that Laser, the Maple/Union Streetscape Contractor, is working on sidewalks on Union Avenue east to Brush Hollow Road. There is a possibility that they will finish by the end of the year. This is a project funded by Legislator, now State Senator-Elect Siela Bynoe in the amount of \$7 Million. The Village will be unveiling three additional holiday markers. We will have an open house at VFW for Veteran’s Day which is a fun event displaying military collection from Westbury families and beyond. Mayor Cavallaro noted that the VFW was donated to the Village 10 years ago by the last remaining members including 1st Deputy Mayor Steve Corte’s late dad Lou Corte. We honor those who served our community. It is a nice and interesting building with special items.

11. Public Comment

Mayor Cavallaro opened up the meeting to public comment and hearing none moved on to the public hearing scheduled for Alpine Residential.

12. Continuation of Public Hearing – Alpine Residential Transit-Oriented Application for Multi-Family Residential Development

Mayor Cavallaro opened up the Public Hearing previously adjourned at the September 5, 2024 meeting of the Board of Trustees, and asked the Clerk to re-read the public notice aloud.

Clerk-Treasurer Kiernan read the following notice aloud:

Notice is hereby given that the Board of Trustees of the Incorporated Village of Westbury will hold a public hearing on September 5, 2024, at 7:30 p.m., to consider the application of Alpine Residential, LLC, for an application for the development of a 187-unit multi-family project located at 357 Scally Place, Westbury, New York, pursuant to Article XXXIX of Chapter 248 of the Village Code. The hearing will take place at the Village Hall, 235 Lincoln Place, Westbury, NY. Interested persons may view the application and associated materials at any time between the hours of 9:00 a.m. and 4:30 p.m. at the Clerk's Office, 235 Lincoln Place, Westbury, NY.

At the hearing, all interested persons will be given an opportunity to be heard. In addition, individuals may submit comments via email to avikse@villageofwestbury.org or regular mail to 235 Lincoln Place, Westbury, New York by close of business on September 5, 2024, and such written comments will be made part of the record.

By order of the Board of Trustees.

Mayor Cavallaro then continued to report that in connection with Downtown Revitalization Grant (DRI) grant we received, one of the projects was rezoning 53 acres of property near Westbury train station for transit-oriented development (TOD). This is the third application the Board has received. Alpine Residential has proposed to develop a lot which is approximately 1.9 acres with 187 rental units. Under the TOD zoning code, those applicants come to the Board of Trustees. The Board has the authority under the Code to review all or portions of the applications and may refer parts of the applications to the Planning and/or Zoning Boards. The Board has chosen to review this application. We are starting tonight. The law requires that these applications are also submitted to the Nassau County Planning Commission.

Attorney Vikse offered the following documents into the record: Notice of Intent to Declare Lead Agency pursuant to the State Environmental Quality Review Act ("SEQRA") and affidavit of service as Village Exhibit #1; The referral to Nassau County Planning Board pursuant to General Municipal Law Section 239-m as Village Exhibit #2; The Nassau County Planning Commission resolution which defers to the local municipality to take action as it deems appropriate with no modification as Village Exhibit #3; The e-mail letter received from the Town of North Hempstead in response to the Village's Notice of Intent to Declare Lead Agency as Village Exhibit #4.

Mayor Cavallaro asked for a motion to declare lead agency pursuant to SEQRA. On motion by Trustee Corte, seconded by Trustee Jefferson, it was RESOLVED to authorize the Board of Trustees to act as lead agent under SEQRA.

Bram Weber, Attorney Representing the Applicant Alpine Resident, submitted evidence of notification to surrounding property owners to the surrounding properties (affidavit of mailing and green cards/green receipts) as Applicant's Exhibit #1.

Mayor Cavallaro then invited the Applicant to make their presentation.

Bram Weber, Attorney for the Applicant, of Weber Law Group, indicated that he would be presenting the application on behalf of Alpine Residential, LLC, and noted that a flash drive was provided to the Village with all application documents.

Attorney Weber stated that the application for development was for the following assemblage of properties: 353-363 Union Ave., 141-147 Linden Ave., 153 Linden Ave., and 357-355 Scally Pl., with a total of 1.9 acres. The Applicant builds and manages these types of properties for the long-term, so there is no intent to sell the property once it is built. The Application meets all the requirements of the MU-R5 Zone, and the only development bonus being requested is for the fourth floor. The Application is consistent with the Village's General Environmental Impact Statement ("GEIS") which was developed as part of the rezoning of the area. The Applicant does not believe that any further analysis is needed pursuant to SEQRA but would be happy to answer any particular requests. The Applicant is submitting a tax analysis in response to Trustee Corte's memo as Applicant's Exhibit 2. The parking requirements are met. 90% of the units are either micro, studio, or 1-bedrooms. 12% of units are affordable, and three will be reserved for veterans. Public benefits include the burying of utilities, traffic calming measures, and streetscape beautification via landscaping. All buildings on the site are currently vacant. They were previously industrial usage and would require significant upgrades if they were to be continue to be used for the previous usages.

Glen Cherveney, of GRCH Architects, P.C., presented the architectural plans and renderings on behalf of the Applicant. He stated that the following are proposed: 37 units on the ground floor, on Union Ave., loading spaces, 8 guest spaces, two vehicular entrances from Union Avenue, one of which would function as an exit, a second vehicular entrance and exit on Scally Place, a fitness space, a co-working space, a game-room, a pool and a terrace. Floors 2-4 are all identical to one-another, and contain an open air court and 50 apartments each. The building design is very traditional. It is 86' wide on Union Avenue. The architecture is intended to have a symmetrical design, with anchoring corners. The bottom floor is intended to have a "retail feel" so it looks like a downtown.

Amanda LaRosa, a Professional Engineer of Stonefield Engineering, presented on behalf of the Applicant. The parking meets the Village Code requirements of the minimum of 1.1 parking spaces per unit. There are 187 units, and therefore 206 spaces are required, which is the amount of parking that will be provided. The western driveway on Union Avenue is a two-way driveway. There is loading spaces provided on Union Avenue, as required by the Village Code, serviced by an entrance only driveway on Union Avenue to the east. On Scally Place, there is a full-service driveway. The Village's General Environmental Impact Statement ("GEIS") evaluated a 15-year build-out, and the present application will be about 15% of the estimated total. In all seven intersections looked at in the Village GEIS, all of those intersections will be within the Village's projections if this project is built. It is proximate to the downtown and to the LIRR station, and we project fewer than 1 vehicle trip per minute during peak commuter time. Therefore, this project will not significantly impact traffic in the area beyond what was in the GEIS.

Further, Ms. LaRosa stated that the Applicant is proposing an all-way stop control on the intersection of Linden and Union Avenues. Two of the all-way stop control warrants are met: the crash statistics and the traffic amount. We are also proposing crosswalks on the Western side, and flashing warning signs at the curve on Union Avenue and rumble strips prior to the stop sign which will warn motorists. Their team has reached out to Nassau County DPW and they have agreed in concept to the plan as presented.

Robert Retinouer, a Landscape Architect with RDA Landscape Architecture, presented on behalf of the Applicant. Their primary goal is to complement the building with lush aesthetic in small space, with a four-season diversity of plant material. 1/3 of the landscaping is proposed to be native landscaping which will be friendly to pollinators. There will be a walkway with benches, a turf area for outdoor exercise, and plantings in the parking courtyard on either side. The trees will include deciduous trees, evergreen trees, perennials, evergreen and deciduous shrubs.

Mayor Cavallaro thanked the Applicant for their presentation. He said that the Village also has some experts to present but wanted to first begin with the SEQRA consistency analysis. Attorney Vikse will follow up with Attorney Weber for necessary documentation. The letters of utility availability must be refreshed. There was a discussion about the fire codes, and whether the Westbury Fire District had opined on the project, and whether any comments had been incorporated into the plan. Attorney Weber stated that their comments are not yet incorporated but will be. He further stated that there will be ladder access only to the sides of the building which are street facing. There was a brief discussion of the Phase 2 environmental reports.

Upon inquiry, Attorney Weber stated that no sound attenuation was required because no HUD funds are being used. However, the Applicant is considering including sound attenuation and will update the Village.

Mayor Cavallaro expressed concern that there was too short a sight-line around the curve on Union Avenue to the proposed stop sign, and that the entrance to the driveway may be too close to the curve as well, both of which may cause rear-end collisions. It may be advisable to remove the eastern driveway.

Ms. LaRosa stated that the line of sight from the curve to the stop sign may be insufficient, which is the reason that the rumble strips and advanced warning sign are proposed 180 feet from the stop sign, which will be sufficient warning.

Trustee Abbatiello inquired as to whether it would be possible to add in a mid-block stop sign. Ms. LaRosa replied that a mid-block stop sign might slow down traffic.

Frank Pearson, Professional Engineer, of Greenman-Pedersen, Inc., presented on behalf of the Village. He stated the sight distance warrant for the stop sign is met. If the properties on the curve are redeveloped, the sight line to the stop sign should be considered when determining the necessary set back of the buildings. He warned that the relative lack of traffic coming from Linden Avenue meant that the Union Avenue stop sign may have less compliance than is

desirable, possibly leading to unnecessary traffic crashes. Nassau county would have final approval on traffic calming and traffic signals/signage. Mr. Pearson also evaluated the level of service for the proposed driveways and determined that both will operate at an acceptable level of service. No parking zones should be considered surrounding the driveways. Nassau County will have to approve any curb cuts on Union Avenue. Mr. Pearson submitted his report for the record as Village Exhibit #5. A parking signal at the corner of Union and Linden Avenues would not be appropriate because of the low volume of traffic on Linden Avenue.

Upon a question from the Board, Mr. Chervenky stated that the vehicular entrance to the building from Union Avenue is required because the long ramp is necessary to get to the lower level of parking.

Upon a question from Mayor Cavallaro, Mr. Pearson stated that there is sufficient sight distance from the curve on Union Avenue to the location of the proposed stop sign. However, excessive speed and ignoring the stop sign would be a concern.

Ms. LaRosa stated that vehicles should be able to move into the eastern driveway fairly quickly, and that both driveways will be visible. She stated that the driveways will be at an acceptable level of service. She also opined that adding an additional stop sign on Union would slow traffic, but that Nassau County would have to agree to it. She agreed that the levels of traffic do not warrant a stop sign. She stated that it would not be desirable to remove the eastern driveway because it services the loading section and the parcel delivery area.

There was a discussion of the possibility of putting the long driveway on Linden Avenue, but the irregular shape of the lot does not permit such a design.

Mayor Cavallaro stated that further discussion about the traffic design was necessary.

Ms. LaRosa then presented a response to the letter sent by the Town of North Hempstead.

William Sklar, AICP, Environmental Planner of VHB, presented on behalf of the Applicant with regard to certain environmental concerns outlined by the Town of North Hempstead. Any concerns that were raised in the Phase 2 evaluations will be addressed in accordance with all relevant regulations and requirements. Attorney Weber noted that the Phase 1 and 2 Environmental Analyses were done voluntarily as part of the Applicant's due diligence process.

Trustee Corte presented his responses to the PILOT and tax relief report submitted by the Applicant, which was prepared by Cronin & Cronin PC. Trustee Corte stated that the report done was a tax analysis and not an appraisal, because the preparer had treated this as a tax certiorari matter instead of attempting to come to a fair market value by an income or other approach. Other issues included the Cap Rate and was missing the affordable units in the calculation. The comparables provided do not match the income and expenses.

Mayor Cavallaro stated that this point probably needs further work prior to the next hearing. Attorney Vikse and Trustee Corte will contact Attorney Weber.

Eric Alexander of Vision Long Island presented on behalf of the Village. Mr. Alexander stated that he looked at the proposed public benefits and compared them to several other communities on the island. He submitted a report titled "Public Benefit Analysis" as Village Exhibit #6.

Elissa Kyle of Vision Long Island summarized the findings contained in the report. She stated that several of the benefits identified by the Applicant needed to be subtracted in order to arrive at a fair analysis. Their analysis concluded that the proposed benefits exceeds the developer benefit value. While the Cornerstone projects approved by the Village show a \$1200 and \$1600 value per unit, once the appropriate public benefits are included, the proposed Alpine benefits are approximately \$1300 per unit. One notable issue is that the proposed extra affordable units are at 120% of AMI, as opposed to 80% of AMI.

Mr. Alexander outlined potential additional options for public benefit, such as a contribution to the School District, a contribution to a parking fund, a downtown fund, etc.

Mayor Cavallaro stated that this needs further work, but the Board agrees that the following should be included as public benefits: burying utility lines, affordable units above the required 10%, veterans preferred units, installation of the stop sign, and landscaping above and beyond what is required. Attorney Weber stated that they are considering a contribution to the School District.

Upon questioning by Mayor Cavallaro, Attorney Weber outlined the school district analysis, which shows 5-12 additional students per year to the school district. The annual cost would be much less than the increase in property taxes/PILOT payment to the School District. Mr. Alexander opined that there will be a small increase in the number of students of 0-10 children per year.

There was a brief discussion regarding the PILOT payment

Mayor Cavallaro opened the floor for Public Comment.

Westbury Fire Department Lt. Craig Stewart Westbury, 355 Maple Avenue, and Chief of Dept. Leshawn Carr expressed concerns electric charging in below grade or interior parking lots and asked for consideration of their location.

On motion by Mayor Cavallaro, seconded by Trustee Abatiello the public hearing was adjourned to December 5, 2024.

On a motion duly seconded, the Meeting was adjourned at 10:45 p.m.

Submitted by: Chrissy Kiernan, Village Clerk-Treasurer