

BOARD OF TRUSTEES MEETING MINUTES
INC. VILLAGE OF WESTBURY
VILLAGE HALL CONFERENCE & BOARD ROOM
THURSDAY, OCTOBER 3, 2024
6:30 P.M.

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

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

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

1. Resolution to Approve Board of Trustees Meeting Minutes of September 5, 2024

On motion by Trustee Corte, seconded by Trustee Jefferson, it was RESOLVED to approve the Meeting Minutes of September 5, 2024 as prepared, and distributed by Clerk-Treasurer Kiernan. The Board was polled, all present voting "Aye" (5-0).

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

2. Resolution Regarding Legal Shield Benefits

Mayor Cavallaro explained that a member of the Westbury/Carle Place Chamber of Commerce had reached out to meet with him about employee benefits for identity theft and legal services. He then asked the company to meet with Clerk-Treasurer Kiernan and Local CSEA Unit President Joe Yulo. There has been interest in entering into an agreement with LegalShield to provide employee benefits at no cost to the Village of Westbury. The benefit would be a voluntary payroll deduction on an employee's payroll which can be cancelled at any time.

The following Resolution was offered for adoption by Trustee Abbatiello:

WHEREAS, LegalShield is a company that provides certain legal, identity protection and other related services to individuals who become members; and

WHEREAS, LegalShield proposes to offer membership to their program to certain employees of the Village of Westbury to provide such services; and

WHEREAS, membership and access to said benefits will be on a voluntary basis, to be paid for solely by employee payroll contribution, at no cost to the Village; and

WHEREAS, the Board of Trustees believes the benefits proposed to be provided by LegalShield are worthwhile, and wants to give interested employees the opportunity to avail themselves of such services and is willing to accommodate such employee wishes by allowing the elective employees to pay for the services via payroll deduction;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees directs the Clerk/Treasurer to fill out the Group Authorization Form for LegalShield, accept applications from interested employees for LegalShield membership, and make the appropriate payroll deductions for employees who opt in and provide the requisite authorization.

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

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| Mayor Cavallaro | Aye |
| Trustee Corte | Aye |
| Trustee Jefferson | Aye |
| Trustee Abbatiello | Aye |

3. Westbury Soccer Club Lease Agreement

On motion by Trustee Jefferson, seconded by Trustee Corte, it was RESOLVED to approve the draft lease agreement as presented by Village Attorney Vikse between the Village of Westbury and Westbury Youth Soccer Club, Inc., a 501(c)(3) corporation for the rental of office space located at 346 Post Avenue, Westbury, NY. The Board was polled, all present voting "Aye" (4-0).

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

4. Resolution Approving St. Brigid's/Our Lady of Hope School 7th Annual 5K Event on Saturday, November 30, 2024

On motion by Trustee Abbatiello, seconded by Trustee Jefferson, it was RESOLVED to approve the St. Brigid's/Our Lady of Hope School 7th Annual 5K Event on Saturday, November 30, 2024. The Board was polled, all present voting "Aye" (4-0).

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| Mayor Peter I. Cavallaro | Aye |
| Trustee Steven Corte | Aye |

Trustee Beaumont Jefferson Aye
Trustee Vincent Abbatiello Aye

5. Refund of Employee Dental Contribution

Clerk-Treasurer Kiernan explained that an employee of the Village, Michael Sforza, had been paying into the Village’s CSEA Dental Fund, but had not been enrolled into the plan with coverage beginning April 1, 2021. When Mr. Sforza went for dental services in May of 2024, he discovered he was not under the Village’s plan and contacted the Village office. The dental carrier agreed to retroactively add Mr. Sforza to the Village’s policy beginning January 1, 2024 and cover his costs for the visit. Village Clerk-Treasurer Kiernan then consulted with NYCOM labor counsel John Mancini, and was advised that the Village should pay back the benefit that was not received by the employee for the previous months noting that the Village was also not covering its side of the benefit.

WHEREAS, employees of the Village are eligible to participate in the dental benefits of the CSEA Employee Benefit Fund, for which employees are required to make a contribution via a payroll deduction; and

WHEREAS, Michael Sforza elected to participate in the dental benefits on or about April 1, 2021, and the requisite payroll deductions began to be taken out of his account; and

WHEREAS, due to a paperwork error, Mr. Sforza was never actually enrolled in the CSEA Employee Benefit Fund, which issue was discovered in December of 2023; and

WHEREAS, from April 1, 2021 through December 22, 2023, a total of \$3,704.95 has been deducted from Mr. Sforza’s payroll but not transmitted to CSEA Dental Fund;

NOW, THEREFORE, BE IT RESOLVED that the Treasurer is authorized to process a refund to Mr. Sforza in the total amount of \$3,704.95 (which represents 7 contributions of \$46.39 from April 2, 2021 through June 25, 2021, 53 contributions of \$50.94 from July 9, 2021 through July 7, 2023, and 12 contributions of \$56.70 from July 21, 2023 through December 22, 2023).

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

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

The Board was polled, all present voting “Aye” (4-0).

6. Discussion Regarding Veteran’s Exemption

Trustee Corte discussed with the Board, the impact of increasing the maximum allowable exemption for Veteran's as authorized by New York State Real Property Tax Law § 458-a(d)(ii) and its shift on the Village tax roll.

7. Student Volunteers at the Westbury Recreation After-School Program

Trustee Jefferson discussed with the Board, the Recreation Department's request to have student honor society volunteers work with students during the after-school program. The Mayor and Board would allow the volunteers to obtain background checks through the Village's background check system. Clerk-Treasurer Kiernan reported that she would find out how to add minors into the system and will report back.

8. Parking Enforcement Staff Request

Trustee Jefferson shared that the Recreation Department seeks parking enforcement staff to patrol the area around the recreation campus between 3:20pm and 3:30pm Monday through Friday to assist with safety patrols of the area.

9. Post Avenue Sidewalk Cleaning

Mayor Cavallaro expressed his desire to engage in a professional cleaning service in the spring to address sidewalks for a certain street limit to be determined on Post Avenue. No action was taken.

10. Pledge of Allegiance & Moment of Remembrance for the Late Trustee William Wise

Mayor Cavallaro led the Pledge of Allegiance which was followed by a Moment of Remembrance for Trustee William Wise who passed away on September 13, 2024.

Mayor Cavallaro remarked that Trustee Wise started as a member of the Planning Board in 1989 just shortly after he himself joined the Planning Board. Trustee Wise served on the Planning Board until he was appointed as a member of the Village Board of Trustees in 2006, where he served as Trustee until his passing. Mayor Cavallaro quipped that Trustee Wise was known on the Planning Board for asking applicants to create a berm and plant arborvitae for both sound attenuation and aesthetics.

11. New Business

A. Public Hearing – Bill 6 of 2024, a proposed local law to amend Section 223-32 of the Village Code, which would increase the real property tax exemption available to veterans

The Mayor opened the hearing and asked the Clerk to read the legal notice aloud. Clerk-Treasurer Kiernan read the following notice:

Notice is hereby given that the Board of Trustees of the Inc. Village of Westbury will hold a Public Hearing at the Village Hall, 235 Lincoln Place, Westbury, New York, on Thursday, October 3, 2024, at 7:30 p.m. The Board will consider Bill No. 6 of 2024, a proposed local law to amend Section 223-32 of the Village Code, which would increase the real property tax exemption available to veterans. At the hearing, all interested persons will be given an opportunity to be heard. By Order of the Board of Trustees.

Trustee Corte explained that in order to recognize the significant sacrifice that veterans have made for their service, the Village Board of Trustees believes that it is in the best interests of the Village to increase the maximum allowable exemption to that authorized by New York State Real Property Tax Law § 458-a(d)(ii). The following amendments to Village Code Section 223-32B were presented:

- (1) The maximum exemption allowable to qualifying residential real property exempt from taxation under § 458-a of the New York State Real Property Tax Law to the extent of 15% of the assessed value shall be increased to \$75,000, subject to the increase in said amount by the amendment of § 458-a as from time to time may occur.
- (2) The maximum exemption allowable to veterans who served in a combat theatre or combat zone of operations, as documented by the award of the United States Campaign Ribbon or Service Medal, under § 458-a of the New York State Real Property Tax Law to the extent of 10% of the assessed value is hereby increased to \$50,000, subject to the increase in said amount by the amendment of § 458-a as from time to time may occur.
- (3) The maximum exemption allowable, as an additional exemption available to a veteran who has received a compensation rating from the United States Veterans' Administration or the United States Department of Defense because of a service-connected disability, calculated as the product of the assessed value multiplied by 50% of the veteran's disability rating under § 458-a of the New York State Real Property Tax Law, is hereby increased to \$250,000, subject to the increase in said amount by the amendment of § 458-a as from time to time may occur.

Trustee Corte provided a Veterans Exemption Synopsis entered into the record as "Exhibit A" and attached hereto. The synopsis illustrates the percentage of exemption change for non-combat, combat, and cold war veterans. In addition, Trustee Corte pointed out that with a total tax levy of \$6,450,762, the total tax shift would be \$10,211 which is .001583 of the total Budget. This tax shift impact on homestead properties becomes several cents per tax bill.

Mayor Cavallaro then opened up the hearing to public comment and recognized Pedro Quintanilla. Mr. Quintanilla inquired as to whether you can apply for the exemption if you own

commercial property. Trustee Corte responded that the exemption does not apply to commercial property owners, and it is only applicable for your single primary residential property.

Mayor Cavallaro then asked if anyone else in the public had additional comments, and hearing none, he called 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" (4-0).

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

B. Adoption of Bill 6 of 2024 as Local Law 6 of 2024

Trustee Corte motioned to adopt the Bill 6 of 2024 as follows:

Section 1. Legislative Intent

In order to recognize the significant sacrifice that veterans have made for their service, the Village Board of Trustees believes that it is in the best interests of the Village to increase the maximum allowable exemption to that authorized by New York State Real Property Tax Law § 458-a(d)(ii).

Section 2. Amendment to Section 223-32(B)

B. Maximum exemption.

- (1) The maximum exemption allowable to qualifying residential real property exempt from taxation under § 458-a of the New York State Real Property Tax Law to the extent of 15% of the assessed value shall be increased to \$75,000, subject to the increase in said amount by the amendment of § 458-a as from time to time may occur.
- (2) The maximum exemption allowable to veterans who served in a combat theatre or combat zone of operations, as documented by the award of the United States Campaign Ribbon or Service Medal, under § 458-a of the New York State Real Property Tax Law to the extent of 10% of the assessed value is hereby increased to \$50,000, subject to the increase in said amount by the amendment of § 458-a as from time to time may occur.
- (3) The maximum exemption allowable, as an additional exemption available to a veteran who has received a compensation rating from the United States Veterans' Administration or the United States Department of Defense because of a service-connected disability, calculated as the product of the assessed value multiplied by 50% of the veteran's disability rating under § 458-a of the New York State Real Property Tax Law, is hereby increased to \$250,000, subject to the increase in said amount by the amendment of § 458-a as from time to time may occur.

Section 3. Severability

If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged to be invalid by any court of competent jurisdiction, such judgment shall not affect, impair or invalidate any other part of this Local Law, or the remainder thereof, but shall be confined in its operation to the section or provision or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 4. Effective Date

This Local Law shall be effective immediately upon filing with the Secretary of State. The motion was seconded by Trustee Abbatiello and the roll call for adoption resulted in the following (“Ayes” 4-0):

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

12. Board Liaison/Committee Reports

A. Trustee Steven Corte

1. Assessor – Trustee Corte reported that applications for all Village real property tax exemptions are available for the upcoming year. The applications are available in the Clerk's office and are due by January 2, 2025.
2. Seniors – Trustee Corte reported that the Westbury Seniors will hold Bingo on November 8, 2024.

B. Trustee Beaumont Jefferson

1. Trustee Jefferson reported that the Westbury Arts Summer Concert Series and the Asbury Shorts Film Festival were a great success.
2. The Westbury Arts Council will host their Pop of Color Fundraiser Gala on November 13, 2024 at Westbury Manor. Tickets and sponsorships are available on their website.
3. Recreation- The Village’s annual tree lighting and holiday cooking competition will take place on Saturday, December 7, 2024, on the Recreation Campus. Festivities begin at 4:00pm. The Santa mailbox will be out next month.
4. St. Brigid’s School will host a 5K fundraising event on Saturday, November 30, 2024 at 9:00am.
5. The Annual Bocce Tournament on Sunday, September 22, 2024 was a fun event and was well attended.

C. Trustee Abbatiello

1. Audit and Claims – Trustee Abbatiello reviewed the Claims and Expenditures for the period September 6, 2024 through October 3, 2024 in the amount of \$700,393.34, of which, \$205,438.51 is from Capital Expenses and \$494,954.83 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” (4-0)

Mayor Peter I. Cavallaro Aye
Trustee Steven Corte Aye
Trustee Beaumont Jefferson Aye
Trustee Vincent Abbatiello 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 it is fire prevention month so please change your smoke detector batteries, and please continue to drive safely on the roads.

D. Mayor's Report

1. NCPD 3rd Precinct Report – Mayor Cavallaro reported that there were four traffic accidents, four burglaries, and four moving violations for the month of September 2024 as reported by the Nassau County Police Department 3rd Precinct. Mayor Cavallaro added that for \$7.5 Million in police tax paid by residents of the Village, the Village received a sector car and a half in police protection. It is a constant concern of his.
2. Finance & Public Works – Mayor Cavallaro reported that \$7 million Maple and Union Avenues Streetscape Project funded by Nassau County Legislator Siela Bynoe is going well and a lot of progress has been made.
3. Mayor Cavallaro stated that the Village has a good reputation for timely reimbursement of community development block grant funding and was awarded an additional \$750,000 this year. That roadwork is substantially completed with a few punch list items remaining.

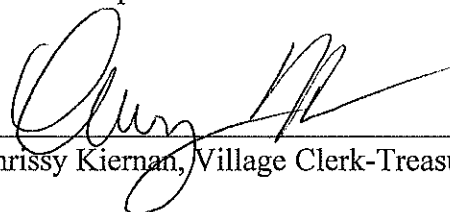
13. Public Comments

Mayor Cavallaro opened the meeting up to public comments.

- A. Resident, Chester McGibbon, 502 Alicia Drive – Mr. McGibbon inquired about whether there would be rapid flashing beacon lights at the Westbury train station crosswalk that was placed by the LIRR as part of the Maple/Union streetscape project. Mayor Cavallaro did not believe so, but would check the plans with Building Supt. Brillantino after the meeting.
- B. Chris Heiskell, 47 Locust Street -Mr. Heiskell reported that his vehicle had a catalytic converter theft and that the perpetrators ran interference with neighborhood cameras making their identity on neighbors' videos undetectable. He asked for additional patrols on the street. Mayor Cavallaro responded that he agreed with the need for additional police patrols.

On a motion duly seconded, the Meeting was adjourned at 8:15 p.m.

Submitted by: _____


Chrissy Kiernan, Village Clerk-Treasurer