

BOARD OF TRUSTEES MEETING MINUTES
INC. VILLAGE OF WESTBURY
VILLAGE HALL CONFERENCE & BOARD ROOM
THURSDAY, JULY 11, 2024
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
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 June 20, 2024

On motion by Trustee Corte, seconded by Trustee Abbatiello, it was RESOLVED to approve the Meeting Minutes of June 20, 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 William Wise	Aye
Trustee Vincent Abbatiello	Aye

2. Resolution Approving Draft Storm Water Illicit Discharge Enforcement Response Plan

On motion by Trustee Abbatiello, seconded by Trustee Corte, it was RESOLVED to approve the Draft Storm Water Illicit Discharge Enforcement Response Plan as prepared by the Village's MS4 Reporting Consulting Engineer, The LiRo Group. 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. Tax Certiorari Settlement Resolution– Whitney Arms of Westbury, Inc., and CVS Albany, LLC

The following Resolution was offered by Trustee Corte:

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

Petitioner, Whitney Arms of Westbury, Inc., has brought proceedings to review the Village’s real property tax assessments for the years 2020/21 through 2024/25 (Petitioner agrees to withdraw the filings for 2017/18-2019/20 assessment) at the property known as 320 Post Avenue, Westbury, NY 11590 (s/b/l 10/L/406-407, 419), which will be settled for a refund of \$5,700.00, with a change in assessment from \$4,104,300 to \$3,400,000.

Petitioner, CVS Albany, LLC #777-01, has brought proceedings to review the Village’s real property tax assessments for the years 2018/19 through 2022/23 at the property known as 307 Post Avenue, Westbury, NY 11590 (s/b/l 10/181/1-5, 24-27), which will be settled for a refund of \$5,500.00, with no change in assessment.

Motion to adopt the foregoing Resolution was seconded by Trustee Wise, and the 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

4. Scheduling of Public Hearing –Applicant, Alpine Residential, LLC for Development in the Maple Union Transit Oriented Development (TOD) District

The Board scheduled a Public Hearing for Thursday, September 5, 2024, at 7:30pm to hear the Application of Alpine Residential, LLC for Development in the Maple Union Transit Oriented Development (TOD) District.

5. Vision Long Island – Consulting Proposal

In connection with the application submitted by Alpine Residential LLC, the Board deemed it appropriate to hire an analyst to perform an economic analysis of the proposed development. Vision Long Island provided a proposal for a total of \$15,000.00. This analysis constitutes a professional service, exempt from the competitive bidding requirements of Section 103 of the General Municipal Law. On motion by Trustee Jefferson, seconded by Trustee Corte, it was unanimously RESOLVED to approve the proposal of Vision Long Island. 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 Cost for Water Pump Repair in Village Piazza Waterfall

The Board reviewed estimates for water pump repair in the Village Piazza Waterfall. On motion by Trustee Abbatiello, seconded by Trustee Jefferson, it was unanimously RESOLVED to approve a cost not to exceed \$3,775.00, the lowest estimate received conditioned on information regarding whether replacing four pumps is necessary or if there is another alternative. 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

7. Review Proposal for Extension of Contract with Village Exterminator for additional services at Village Piazza located at the corner of Post and Maple Avenues

The Village received a proposal from the Village Exterminator to extend the contract for additional services at the Village Piazza located at the corner of Post and Maple Avenues. The maintenance service includes repellents, baits, traps, inspections, addressing burrows, and issuing recommendations along the way. The initial price is \$1995.00, with a Bi-Monthly Service to follow at \$80.00 per Visit (\$160.00 a Month) and discounted rates for any additional visits.

On motion by Trustee Abbatiello, seconded by Trustee Corte, it was unanimously RESOLVED to approve the additional contracted services proposal for exterminator services 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

8. Historic Marker Plaques

Mayor Cavallaro reported that three historic marker plaques will be added in the Village. One of the plaques will be located at the VFW on Maple Avenue, another west of the Post Office on

Maple Avenue where there was a baseball field, and the last in Breezy Hill to be placed near Fifth, Lenox, and Bedford.

9. Block Party Application Uses

The Board discussed block party application uses and decided that the block party application is to be amended to state that block party applications are for the traditional use of a block party on the street and not for the purpose of the closing the street for a private party or function.

10. Discuss Resident Request for “Children at Play” Signage on Frances Drive

The Board discussed a resident request for “Children At Play” Signage on Frances Drive. On motion by Trustee Corte, seconded by Trustee Jefferson, it was RESOLVED to approve the installation of a “Children at Play” sign on Frances Drive. 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

Deputy Public Works Superintendent Pasquale Iannucci will coordinate sign placement and follow-up with the resident.

11. Village Auto Body Works Parking Request

The Board discussed a request from Village Auto Body Works for on-street parking changes. Village Auto Body is an autobody shop that also tows vehicles and has three large tow trucks. This usage, while permitted, is not consistent with, and is more intense than the surrounding uses in the area. In the Board’s view, changing the regulations would merely exacerbate the already difficult traffic and parking issues that already exist in that area. Therefore, the Board declined to change the parking regulations as requested.

12. There will be no Mayor’s hours on July 18th from 5 to 7pm.

13. Resolution Authorizing Mayor’s Execution of Settlement for C.C. vs. VOW

On motion by Trustee Corte, seconded by Trustee Abbatiello, it was RESOLVED to authorize Mayor Cavallaro in the name of the Village to execute the settlement for the litigation of C.C. vs. Village of Westbury, and further RESOLVED to authorize the Clerk-Treasurer to issue a check to CC in the amount of \$860,000.00 in connection with such settlement. 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. Pledge of Allegiance

Mayor Cavallaro led the Pledge of Allegiance.

15. New Business

Westbury School District Homecoming Parade Request for Saturday, September 21, 2024– The Board reviewed a request from Westbury School District to host its annual homecoming parade on Post Avenue beginning at Bedford traveling north on Post Avenue to the High School.

On motion by Trustee Abbatiello, seconded by Trustee Jefferson, it was RESOLVED to approve the date of Saturday, September 21st at Noon for the Westbury School District Homecoming Parade 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 William Wise	Aye
Trustee Vincent Abbatiello	Aye

16. Board Liaison/Committee Reports

A. Trustee Steven Corte

1. Assessor – Trustee Corte reported the annual exemption procedures will begin in August.
2. Seniors – Trustee Corte reported that the Westbury Seniors will be hosting the final Bingo Night Fundraiser on July 12, 2024 at 7pm in the Community Center.
3. Trustee Corte shared that the Annual Senior Bazaar will take place on October 26, 2024. On motion by Trustee Corte, seconded by Trustee Abbatiello, it was unanimously RESOLVED to permit the Westbury Seniors to use the Community Center at 360 Post Avenue and Recreation Center at 348 Post Avenue for the purpose of their Semi-Annual Senior Bazaar on October 26, 2024. 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

B. Trustee Beaumont Jefferson

1. Recreation – Trustee Jefferson reported that the six-week Summer Recreation Program with Westbury Arts which runs from July 8 through August 16 began this past Monday and is now fully registered. Trustee Jefferson shared that he is looking forward to another great year!
2. Westbury Arts Summer Concert Series – The Westbury Arts Summer Concert Series began last night on Wednesday, July 10, 2024 in the Piazza. It was well-attended; both he and the Mayor were present.

C. Trustee William Wise

1. NCPD 3rd Precinct Report – Trustee Wise reported 3 accidents, 2 moving violations and 3 parking violations issued for May.

D. Trustee Vincent Abbatiello

1. Audit and Claims – Review and approval of Claims and Expenditures for the period June 7, 2024 through July 11, 2024 in the amount of \$768,577.20 of which, \$38,767.28 is from Capital Expenses and \$729,809.92 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 William Wise	Aye
Trustee Vincent Abbatiello	Aye

2. Trustee Abbatiello observed that Maple Avenue and the front of the VFW is looking great because of the Maple/Union Streetscape Project commencing.

E. Mayor’s Report

1. Finance & Public Works – Mayor Cavallaro reported that the Maple and Union Avenues Streetscape Project funded by a \$7 million grant from Nassau County Legislator Siela Bynoe has begun and will carry-over into next year. The Contractor has completed sidewalks along the south side of Maple Avenue to Brush Hollow Road and began on the north side of Maple Avenue this week. They will then work on Union Avenue.
2. The Village has completed most of its roadwork completed for this year. Three Village parking lots will also be paved. The sidewalk program also started earlier this year.
3. On September 5, 2024, there will be an application from Alpine Residential, LLC for a transit-oriented housing development project in the Maple/Union zone. The project is located near the post Office near Linden and Union Avenues. The project will upgrade existing degraded properties and will realize additional tax revenue for the Village. If the project meets the code, then it will have a material benefit to taxpayers and will be another piece in the puzzle to have 52 acres developed to compliment what we are doing.

17. Public Comments

Mayor Cavallaro opened the meeting up to public comments.

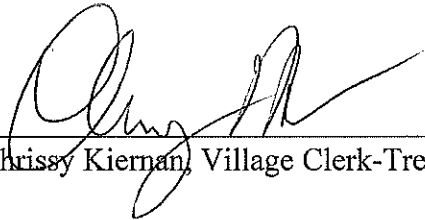
- A. Resident, Chester McGibbon, 502 Alicia Drive – Mr. McGibbon inquired about AirBnB enforcement. Mayor Cavallaro responded that we do not permit short-term rental including AirBnB and when they are reported to us, we have enforcement by the Building Department.
- B. Mr. McGibbon also inquired as to overgrown vegetation that obstructs sidewalks. Mayor Cavallaro responded that the Village staff patrol the Village and respond to any complaints in a timely manner. In addition, we proactively will make sure that there are no obstructions to line of sight for motorists.
- C. Mr. McGibbon also inquired as to the Application of Alpine Residential, LLC. Mayor Cavallaro responded that there will be a hearing to discuss the project to make sure it is consistent with the Village Code, that it is the right size, that if any relief is sought through public benefits that it is appropriate. The Board invested time and resources to come up with a concept to rezone 52 acres in the Maple-Union TOD zone for the purpose of investing in the community and transform degraded properties.
- D. Denash Forbes, 60 Sudbury Lane- Inquired as to the location of the Alpine Residential Application. Mayor Cavallaro responded that it is next to the taxi stand on Union Avenue along the curve up to Scally Place. We will be conducting an economic impact assessment. The school district will be contacted for their feedback. A traffic analysis will be conducted.
- E. Byron Campbell, Resident- Mr. Campbell inquired as to a guardrail on state property at the of Pepperidge in disrepair, as well as a guardrail on Nelson Place missing a bolt also on state property. Deputy Superintendent Iannucci replied that he would look into it.
- F. Resident – A resident inquired as to landscapers working on Sundays. Mayor Cavallaro responded that we added code enforcement on Sundays. The resident inquired as to whether you can blow grass or debris in the street. Mayor Cavallaro replied that it is a code violation, but it can only be enforced if we see it happen.
- G. Resident- A resident inquired as to a stop light on Advent Street and Jericho Turnpike. Mayor Cavallaro responded that the state regulates Jericho Turnpike. The resident also inquired as to the stop sign on Advent Street and Post Avenue. Mayor Cavallaro responded that residents are supposed to stop at the stop sign.
- H. Byron Campbell, Resident – Mr. Campbell addressed the Board about a broken garden light on his property as a result of sidewalk work done by the Village last year. The Village will look into the matter. Mr. Campbell also inquired as to whether the Village monitors the GPS of its code enforcement staff observing that a code enforcement vehicle was near Briarcliff. Deputy Superintendent Iannucci responded that certain areas of the Village can only be accessed by exiting and reentering the Village such as this location. Clerk-Treasurer Kiernan added that the Supervisors receive notification emails if a Village vehicle exits the Village. Mr.

Campbell also inquired as to a landscaping truck parked on the wrong side of the street which was ticketed by the Village. Mr. Campbell asked the Mayor if the Village shared the complainant's information in which he responded that we do not.

- I. Sonya Curry, 519 Benine Road, Resident- Ms. Curry inquired as to her sidewalk, in which the Village Department of Public Works will schedule a visit to look at it.
- J. Lorna Hylton, Resident – Ms. Hylton inquired as to whether an anonymous complaint about a landscape working on a Sunday would be followed up with. Mayor Cavallaro responded that as long as the Village has identifying information such as a timestamped photo or video or if we see it, we can follow-up.
- K. Resident- A resident inquired about an application for a road closure for a birthday party. Mayor Cavallaro responded that we only permit road closures for legitimate public party usage, i.e. a traditional block party.
- L. Resident- 68 Asbury Avenue- Inquired about a car that frequently parks near her house, playing loud music and smoking. Mayor Cavallaro responded that this would be a police matter, although our parking enforcement personnel could address any illegally parked cars.

On a motion duly seconded, the Meeting was adjourned at 8:30p.m.

Submitted by:



Chrissy Kiernan, Village Clerk-Treasurer