

BOARD OF TRUSTEES MEETING MINUTES  
INC. VILLAGE OF WESTBURY  
VILLAGE HALL MEETING ROOM AND CONFERENCE ROOM  
THURSDAY, JULY 20, 2023  
4:30 P.M.

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

Excused: Trustee William B. Wise

Staff present: Chrissy Kiernan, Village Clerk-Treasurer  
Anna Vikse, Village Attorney

**Mayor Cavallaro opened the Meeting of the Board of Trustees at approximately 4:30PM with a verification of a quorum.**

**1. Meeting with Resident Gary Perodin and Business Partners from Lyfted Essentials**

Village Resident Gary Perodin, requested to meet with the board regarding interest in opening a cannabis business in the Village of Westbury. Mr. Perodin was joined by his business partners Lance Binyard, Jonathan Whitaker and Brian Bass. Mr. Binyard introduced the group to the Board. Mr. Binyard then explained the mission of his business, Lyfted Essentials, which was proceeded by a presentation on adult-use cannabis retail sales. Mr. Binyard explained the legalization of cannabis by the State, specifically the establishment of the Marihuana Regulation & Taxation Act, and associated regulations. Mr. Binyard then gave an overview on business operations, primarily focusing on ID verification, physical security measures, product sourcing and testing, staffing, inventory management, product packaging and labeling, advertising, education and awareness, community partnerships, and compliance and regulations. Community impact as it relates to the tax implications and breakdown by percentage to various entities was described, as well as local economic impact, job creation, and new business opportunities. The presentation was followed by questions from the board.

Mayor Cavallaro asked about the business's conditional license to sell cannabis products. Mr. Binyard explained that Lyfted Essentials is a Conditional Adult Use Retail Dispensary ("CAURD") license recipient, and has a soft deadline of one year to obtain a brick-and-mortar retail dispensary location or establish a delivery business. Lift Essentials, the business, was granted their CAURD license on January 24, 2023.

Mayor Cavallaro asked if the business has looked anywhere else other than Westbury, and noted that the options for locations were very limited in Nassau County and Long Island generally. Mr. Binyard replied that Riverhead and Brookhaven were other options. Mr. Binyard noted that Kings Point did not opt out, but does not have a commercial/business district. Mr. Binyard then pointed out that businesses from Albany are delivering to residential locations in Nassau and Suffolk currently.

Mayor Cavallaro noted that the Village of Westbury, like most Nassau villages had opted out of the sale of cannabis. He discussed his concern of authorizing the sale of recreational cannabis and what it would look like if multiple businesses concentrated themselves into the Westbury community. Mr. Perodin pointed out that you cannot have another dispensary within a mile of another licensed dispensary, under the Office of Cannabis Management’s regulations, so that would automatically limit the number of retail dispensary businesses if Westbury were to opt in.

Mr. Binyard explained different product types. Trustee Abbatiello inquired as to regulations for children entering retail establishments which was responded by with door security and checking of IDs similar to bar establishments noting that it would be more stringent because minors cannot enter at all, even if accompanied by adults.

Trustee Jefferson inquired as to retail deliveries and how that affects the economics of a brick-and-mortar store, questioning the necessity of brick and mortar stores.

Mayor Cavallaro inquired as to financing noting that only non-FDIC insured banks could assist in financing presenting challenges. Mr. Perodin responded that there are eight institutions in New York State that are non-FDIC. Credit unions are amongst them which are regulated, but not by the FDIC. Bethpage Credit Union is regulated on the local level.

**2. Resolution to Approve Board of Trustees Meeting Minutes of July 6, 2023**

On motion by Trustee Corte, seconded by Trustee Jefferson, it was RESOLVED to approve the Work Session/Regular Meeting Minutes of July 6, 2023, as prepared and distributed by Clerk-Treasurer Kiernan and amended. The Board was polled, all present voting “Aye” (4-0).

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

**3. Review and Approval of Claims and Expenditures for the Period June 16, 2023 to July 6, 2023 and for the Period July 7, 2023 to July 20, 2023**

The Board reviewed claims for the period June 16, 2023 to July 6, 2023 in the amount of \$516,914.40 of which, \$305,672.11 is from Capital Expenses and \$211,242.29 is from the General Fund; and for the period July 7, 2023 to July 20, 2023 in the amount of \$751,154.85 of which \$392,241.14 is from the Capital Fund and \$357,913.71 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 William Wise	Excused
Trustee Vincent Abbatiello	Aye

**4. Resolution to Rescind Appointment of Thomas Brandt, DPW Laborer**

Clerk-Treasurer Kiernan reported that Thomas Brandt accepted an employment position elsewhere, prior to the time he was supposed to start work with the Village. On motion by Trustee Abbatiello, seconded by Trustee Corte, it was RESOLVED to rescind the appointment of Thomas Brandt, DPW Laborer. The Board was polled, all present voting “Aye” (4-0).

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

**5. Discussion of Proposed Garbage Code, Bill 6 of 2023**

Mayor Cavallaro discussed the proposed garbage code with the Board and finalized the proposed bill language. A public hearing to hear the bill will be held on August 3, 2023 at 7:30pm at which time the public will have the opportunity to be heard.

**6. Discussion of Proposed Local Law Regarding Stop Sign on Drexel/Sylvan and Drexel/Ivy**

Mayor Cavallaro discussed with the Board the proposed local law regarding adding stop signs on Drexel Avenue at the intersection of Drexel Avenue and Sylvan Lane traveling east and west and adding a stop sign on Sylvan Lane traveling south at the intersection of Drexel Avenue, creating an all-way stop intersection. The Board also received a police report with a record of all traffic accidents at and near the intersection as of the last five years from July 1, 2018 through July 1, 2023. There were two accidents at Ivy Avenue and Drexel, one on June 24, 2021 and one on March 10, 2023. There were two accidents at Sylvan Lane and Drexel Avenue on July 4, 2018 and March 16, 2023. It was noted that one of the four accidents involved a single vehicle that went over the curb.

**7. Discuss Building Dept. Observations of Parking on Lafayette Street**

The discussion was tabled to the next board meeting, noting the absence of Building Superintendent Brillantino.

**8. Senior Citizens of Westbury – Request for Use of Facilities for October Bazaar at 360 Post Avenue (Senior Center) for Saturday, October 21, 2023**

On motion by Trustee Corte, seconded by Trustee Abbatiello, it was RESOLVED to approve the use of facilities request for 360 Post Avenue (senior center) for the purpose of an October Bazaar fundraiser for the Westbury Seniors Inc. on Saturday, October 21, 2023. The Board was polled, all present voting “Aye” (4-0).

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

**9. Westbury Business Improvement District (BID) Fall Street Fair**

On motion by Trustee Abbatiello, seconded by Trustee Jefferson, it was RESOLVED to approve the request for a Fall Street Fair by the Westbury Business Improvement District (BID) on Saturday, September 9, 2023 with a rain date of Sunday, September 10, 2023. The Board was polled, all present voting “Aye” (4-0).

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

**10. Block Party Application – Center Street between Rutland Street and Cross Street – August 19, 2023 with rain date of August 26, 2023**

The Board reviewed a block party application for Center Street between Rutland Street and Cross Street for August 19, 2023 with rain date of August 26, 2023. Mayor Cavallaro confirmed with Clerk-Treasurer Kiernan that the requisite number of signatures were collected by the applicant.

On motion by Trustee Jefferson, seconded by Trustee Abbatiello, it was RESOLVED to approve the block party application Center Street between Rutland Street and Cross Street on August 19, 2023 with a rain date of August 26, 2023. The Board was polled, all present voting “Aye” (4-0).

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

**11. Raising Kanan – Refund of Film Permit Fee of \$5,000**

Mayor Cavallaro reported that the Village has received a request for a refund from Raising Kanan Film Production due to the production being cancelled as a result of a union strike and supported refunding the permit fee.

On motion by Trustee Abbatiello, seconded by Trustee Jefferson, it was RESOLVED to refund Film Permit Applicant Raising Kanan in the amount of \$5,000.00. The Board was polled, all present voting “Aye” (4-0).

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

**12. Myrtle Parking Matter**

The Village received a resident complaint regarding parking regulations on Myrtle. Mayor Cavallaro requested further discussion at the next Board Meeting.

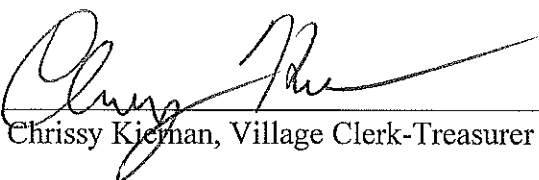
**13. Executive Session**

On motion by Trustee Abbatiello, seconded by Trustee Corte, the Board entered into Executive Session to discuss two current litigation matters and the Village’s collective bargaining agreement.

On motion by Trustee Corte, seconded by Trustee Jefferson, it was RESOLVED to authorize Village counsel to execute a stipulation of discontinuance with prejudice, as to Nassau County and Nassau County Police Activity League, Inc., in the matter of C.C. v. Village of Westbury. The Board was polled, all present voting “Aye” (4-0).

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

At 7:15pm, the Board came out of Executive Session. On a motion by Mayor Cavallaro, seconded by Trustee Corte, the meeting was adjourned.

Submitted by:   
 Chrissy Kiernan, Village Clerk-Treasurer