

BOARD OF TRUSTEES MEETING MINUTES
INC. VILLAGE OF WESTBURY
VILLAGE HALL CONFERENCE & BOARD ROOM
THURSDAY, JULY 6, 2023
6:30 P.M.

Present: Mayor Peter I. Cavallaro
Trustee Steven L. Corte
Trustee Beaumont A. Jefferson
Trustee William B. Wise

Excused: Trustee Vincent Abbatiello
Superintendent of Buildings Joe Brillantino

Staff present: Chrissy Kiernan, Village Clerk-Treasurer
Anna Vikse, Village Attorney
Bill Mello, Senior Building Inspector
Phil Fulgieri, Supt. of Dept. 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 July 6, 2023

On motion by Trustee Corte, seconded by Trustee Wise, it was RESOLVED to approve the Work Session/Regular Meeting Minutes of July 6, 2023 as prepared and distributed by Clerk-Treasurer Kiernan. 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	Aye	
Trustee Vincent Abbatiello		Excused

2. Executive Session

Mayor Cavallaro made a motion to enter into Executive session to discuss a personnel matter regarding a potential promotion within the building department, which was seconded by Trustee Corte.

At 6:37 p.m., Mayor Cavallaro stated that no motion was taken during said executive session. On a motion, duly seconded, the Board exited executive session and resumed the public meeting.

3. Resolution to Appoint Brian Moreno, Laborer

On motion by Trustee Abbatiello, seconded by Trustee Wise, it was RESOLVED to appoint Brian Moreno as a full-time Laborer with a 6-month probationary period at starting salary of \$37,919.34. 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	Aye	
Trustee Vincent Abbatiello		Excused

4. Resolution to Appoint Thomas Brandt, Laborer

On motion by Trustee Corte, seconded by Trustee Wise, it was RESOLVED to appoint Thomas Brandt as a full-time Laborer with a 6-month probationary period at starting salary of \$37,919.34. 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	Aye	
Trustee Vincent Abbatiello		Excused

5. Discuss IT Server Upgrade Proposal

Clerk-Treasurer Kiernan reported that the Village's servers are outdated, and that, as of June, the Village is 6 months away from the end-of-life date for Windows Server 2012. After October 2023, Microsoft will no longer provide critical patching and updates for security vulnerabilities, which will put the Village at cyber-security risk. As a result, TCI Technologies provided quotes for replacement servers and related software and hardware and an updated monthly estimate, which includes the upgrades with the Village's IT provider. The new monthly amount will be \$3,315.00. The quote for the new hardware and software is a one-time cost of \$8,969.00. On motion by Trustee Jefferson, seconded by Trustee Corte, it was RESOLVED to approve the purchase of and new monthly maintenance for new servers as per the proposal provided by TCI Technologies. 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	Aye	
Trustee Vincent Abbatiello		Excused

6. Discuss Resident Stop Sign Request at Drexel Avenue and Sylvan Lane

The Board discussed a letter sent by resident Sadaf Syad, requesting that all way stop signs be installed at the intersection of Drexel Avenue and Sylvan Lane. There is concern that there may

be too many stop signs in the area already. The Board requested that the Superintendent of Buildings request a report from Nassau County Police Dept. showing any accidents at the intersection during the last five years. The Board asked the Village Attorney to draft a local law for the stop signs and set a public hearing date for the matter on August 3, 2023.

7. Discuss Parking on Lafayette Avenue

The Board discussed letters sent by resident Mike Dwine, and business owner Ali Sari, both of which observed that there was some long-term parking occurring on Lafayette Avenue. The Board discussed the history of parking restrictions in that area and asked the Building Department to take some observations the next day.

8. Approval of Tax Certiorari- ZMS46, LLC f/k/a Vital Realty 89-99 Post Avenue

Attorney Vikse presented the following proposed tax certiorari petition: Petitioner, ZMS46, LLC f/k/a Vital Realty, has brought proceedings to review the Village’s real property tax assessments for the years 2011/12 through 2022/23 at the property known as 89-99 Post Avenue, Westbury, NY 11590 (s/b/l 10/126/101), which will be settled for a refund of \$8,000.00, with a change in assessment from \$1,601,260 to \$1,350,000. On motion by Trustee Corte, seconded by Trustee Jefferson, it was RESOLVED to approve the tax certiorari settlement as presented by Attorney Vikse. 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	Aye	
Trustee Vincent Abbatiello		Excused

9. Discussion of Alpine Application

Senior Building Inspector Mello presented a zoning analysis of the updated application by Alpine Residential at 353 Union Avenue. He described the proposed public benefits, and the reduced size of the project as compared to the past application. This application also has a significant proportion of two and three bedroom units, which may impact the school district. The proposal is for the maximum amount of units, and the only other relief needed would be for the height of peaks (the average height of gables is just over the 65 foot maximum. It appears to have the required parking, but we need to see a full plan for the parking, to ensure that the size of parking spaces and aisle widths meet the code, We will also need to engage a traffic consultant. In the past we have used GPI, who also performed the traffic analysis for the DGEIS for the adoption of the Code.

10. Pledge of Allegiance

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

11. Raising Kanan Film Permit Application

Clerk-Treasurer Kiernan presented an application for Filming in the Village from Kanan Productions, Inc., for permission to film at 835 Brush Hollow Drive, ICLI, on July 18, 2023 with a rain date of July 27, 2023. They have submitted the required \$3,000 fee, a parking plan, and the required insurance and indemnification. On motion by Trustee Jefferson, seconded by Trustee Corte, it was RESOLVED to approve the film permit application of Kanan Productions. 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	Aye	
Trustee Vincent Abbatiello		Excused

12. Board Liaison/Committee Reports

- A. Trustee Steven Corte reported that August 1, 2023 will be the beginning of “exemption season.” The Village will produce and distribute renewal and initial senior citizen and other exemption applications, and will them mail with instructions.

The Senior Citizens of Westbury will host a second bazaar for fundraising in October.

- B. Trustee Beaumont Jefferson stated that he wanted to personally thank Gail Reese and her staff and the DPW staff for getting the recreation facilities ready for the summer recreation program, which started on Monday, with 35 campers. During the summer, we will have up to 40 campers.

Westbury Arts kicked off their free summer concert series tonight with the Hambones, a country music performer. In addition, UB40 is playing at The Space Theater tonight. Westbury Arts will be hosting “Westbury Got Talent” at the Westbury Arts building this weekend. The tennis courts at middle school will be open for residents in about two weeks.

- C. Trustee William Wise reported on the NCPD 3rd Precinct Report, which stated that during the month of June, there were 4 auto accidents, 2 moving violations, and 12 parking violations.

- D. Trustee Vincent Abbatiello - not present

- E. Mayor’s Report

Mayor Cavallaro gave the floor to Superintendent of Public Works, Phil Fulgieri, who reported that paving had started today, that milling already been completed, and that

sidewalks would be completed starting in the late summer/fall. The sidewalk replacement list is still being compiled, so residents should reach out to the Department of Public Works (DPW) for sidewalk assessment. In addition, DPW will be planting trees in the fall where we completed new paving and other areas where we can add trees.

Mayor Cavallaro reported that, as some residents may have seen in the paper, the Cornerstone building at 461 Railroad Avenue is almost complete. They are in the process of doing pre-leasing with the first residents moving in the fall. The article in Newsday had to do with commencement of the lottery to select tenants for 18 affordable units in both buildings. The lottery has been open for a week and already received 520 applications. The lottery will be open until July 24th and there is a huge demand for affordable units. The developer included preferential plan for veterans honorable discharged in the US armed forces, and there are also housing shortages for veterans in Nassau County, so this is a special incentive for developer to use to include a program to benefit the community.

Mayor Cavallaro stated that the Village is wrapping up the final DRI project, Phase III of the Streetscape. 3TC is wrapping up the LIRR's Third Track project. We will be commencing a new streetscape project on Union and Maple Avenues in the fall. The bid for a contractor will go out in early August, with the bid opening at the end of August. Minor work will begin in the fall, but work will begin in earnest in the spring, summer, and fall of next year.

Mayor Cavallaro urged residents to take advantage of the concert series. In the past, the Board would approve a few concerts, but now that Westbury Arts is in charge of the concert series, there are concerts every Thursday in the summer and a film presentation in September. You can see the details on the brochure that we mail on behalf of Westbury Arts. There are many different genres of music for all to enjoy— country, blues, salsa, latin, etc.

F. Public Comments-

Chester McGibbon inquired about whether there are any plans to offer home ownership in the TOD zone or in the new development that will be opening soon. Mayor Cavallaro stated that the developments at 425 and 461 Railroad Avenue are completely rental— there is a tremendous demand and need. Nationwide there is a six-million-unit deficit. Mr. McGibbon inquired as to whether it is a part of the Governor's housing plan. Mayor Cavallaro stated that although it is in line with what Governor Hochul had proposed, the development is not part of that proposal, and that plans were put in effect well before the Governor announced her intention to force municipalities to provide more housing. Even before these developments had been approved, the Village had approved 800 units of housing on Post Avenue, on the Village's own initiative. The Board felt that the Governor's proposal was unnecessary, heavy handed, and probably illegal. It would be better to incentivize such goals, rather than force them.

Mr. McGibbon asked whether there were any plans for a ceremony with the DRI. Mayor Cavallaro responded that we were asked by the Department of State to plan something for the fall with the Secretary of State. We will include the Planning Committee. The streetscape work is 95% done, the last piece being done is Phase 3 to extend the streetscape work on the side streets of Post Avenue. All DRI projects will be completed as of Fall 2023.

Linda Mobius thanked the Village for responding to the problem of the trucks on Union Avenue and reported that there has not been one parked there in weeks. Mayor Cavallaro thanked police and Village staff for their help in the matter. Mrs. Mobius suggested that the Village implement an informational marquis, like they have in East Meadow in front of the firehouse on Carman Avenue.

Ray Muntz inquired whether we own the Fulton Avenue bridge, and stated that parking near the bridge causes people to have to cross over the yellow lines.

A resident inquired about repairing the sidewalks in front of 627 Duke Street which was addressed by Superintendent Fulgieri.

13. Introduction of a New Solid Waste Code (chapter 211 of the Village's Local Law), Bill 6 of 2023

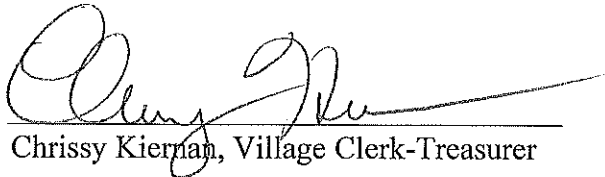
Superintendent Fulgieri and Deputy Superintendent Iannucci recommended that we replace Chapter 211 with an entirely new code, which would include modern definitions and garbage collection methods, as the old code is very outdated. The Board reviewed a draft, and asked questions and made recommendations.

14. Discussion of Permitting Use of Recreation Campus Baseball Field

The Board discussed whether to allow outside groups to use the field. The Board determined that the Village will require users to have participants sign individual waivers, to be provided it to us, in addition to having the organization indemnify the Village and waive any claims or rights against the Village. The Village is awaiting a report by the Village's liability insurance carrier on safety recommendations.

On a motion by Mayor Cavallaro, duly seconded, the Meeting was adjourned at 8:55 p.m.

Submitted by:



Chrissy Kiernan, Village Clerk-Treasurer