

January 22, 2019

A Regular Meeting of the Board of Trustees of the Village of Old Westbury was held at the Village Hall on the above date at 7:10 p.m.

Present: Fred J. Carillo - Mayor  
Marina Chimerine - Deputy Mayor  
Cory Baker - Trustee  
Leslie Fastenberg - Trustee  
Michael Sahn, Esq. - Village Attorney  
Brian S. Ridgway - Village Administrator / Clerk-Treasurer  
Michael Malatino - Superintendent of Buildings  
Daniel Alves - Superintendent of Public Works  
Robert Glaser - Chief of Police

Also Present: Joshua D. Brookstein - Attorney, Sahn Ward Coschignano, PPLC  
Paul Stevens - Village Engineer, LiRo Engineers, Inc.

Absent: Edward Novick - Trustee  
Thomas O'Connor - Superintendent of Water

The Mayor called the meeting of the Board of Trustees to order.

#### APPOINTMENT of Village Auditor

1. On motion of Trustee Baker, seconded by Trustee Chimerine and carried unanimously, approval was granted to appoint **Michael J. Mars** to the position of Village Auditor effective February 4, 2019.

On the motion by Trustee Baker, seconded by Trustee Fastenberg and carried unanimously, the Board approved the minutes of the Regular meeting and Board of Assessors meeting held on December 17, 2018.

On motion by Mayor Carillo, seconded by Trustee Chimerine and carried unanimously, the Board approved the amount of bills listed below:

<u>ABSTRACT</u>	<u>ACCOUNT</u>	<u>AMOUNTS</u>
8	General	\$1,083,129.52
8	Water	\$161,588.87
8	Trust	\$159,606.04
8	Capital	\$916,071.10

On motion by Trustee Baker, seconded by Trustee Fastenberg and carried unanimously, the Board accepted the Chief of Police report for the month of December 2019. *Trustee/Police Commissioner Baker thanked Old Westbury Police Officer **Matthew Martines** who was present for his actions taken on a recent incident on Pine Tree Lane.*

On motion by Trustee Chimerine, seconded by Trustee Fastenberg and carried unanimously, the Board accepted the Superintendent of Public Works report for the month of December 2018.

## **PUBLIC HEARINGS:**

1. Application of the Lubavitch of Old Westbury: On motion by Trustee Chimerine, seconded by Trustee Baker and carried unanimously, the Public Hearing related to The Lubavitch of Old Westbury application in their request for Board of Trustees relief for the following nine (9) variances: Lot Area, Lot Width & Depth, Front Yard Setback, Side Yard Setback, Rear Yard Setback, Lot Coverage, Undeveloped Space, Off-Street Parking and Place of Worship pursuant to Section 216-111.2 of the Village Code will be continued.
2. Consideration of Local Law# 2-2018 ó At the request of Mayor Carillo, Village Engineer Paul Stevens provided a overview of the proposed Local Law. Following a lengthy discussion. On the recommendation of Trustee Fastenberg and on motion by Trustee Fastenberg, seconded by Baker and carried unanimously, the Board agreed moving forward to fully disclose and post all proposed Zoning Changes or proposed Local Law items on the Village's website that the Board is considering. On the motion by Trustee Chimerine, seconded by Trustee Baker and carried, the Public Hearing in consideration of Local Law to Amend Article X, Section 216-89 of Chapter 216, Zoning, of the Code of the Incorporated Village of Old Westbury, entitled "Permits" as it relates to Requirements and Standards for permits for Retaining Walls was approved subject to a change made to Section 1 / F-2. The vote on the foregoing was as follows:

Fred J, Carillo, Mayor	-	Aye
Marina Chimerine, Trustee	-	Aye
Cory Baker, Trustee	-	Aye
Leslie Fastenberg	-	No

On motion by Trustee Fastenberg, seconded by Trustee Baker and carried unanimously, the Public Hearing was closed.

3. Application of the Old Westbury Hebrew Congregation in their request to modify its existing special use permit in order to construct additional structures on the property, including event pavilion, storage building and valet booth at 21 Old Westbury Road. On motion by Trustee Baker, seconded by Trustee Fastenberg and carried (*Trustee Chimerine abstained*) the application will be continued pending the recommendation of the Planning Board.
4. Application of the Life Lutheran Church in their request for renovation and expansion of their on-site parking lot, including a net increase of 48 paved spaces, drainage improvements, landscape screening and new site lighting at 1 Old Westbury Road. On motion by Trustee Chimerine, seconded by Trustee Baker and carried unanimously, the application will be continued pending the recommendation of the Planning Board.

## **NEW BUSINESS:**

1. Mr. Michael Dombek of 207 Jericho Turnpike appeared before the Board seeking relief related to various Village Code Violations on his property. On motion by Trustee Chimerine, seconded by Trustee Baker and carried unanimously, the Board extended the appeal and continued to reserve decision.
2. On motion by Trustee Chimerine, seconded by Trustee Baker and carried unanimously, the Board approved the following two internal accounting transfers:

- National Grid Gas Main Replacement Project: Receivable Account# 0A-0380.0000 \$26,272.66 to OWPD Overtime Account# 0A-3120.1020 - \$23,084.08 General Revenue Account# 0A-1589.1000 - \$3,188.58.
3. On motion by Trustee Chimerine, seconded by Trustee Baker and carried unanimously, authorization was granted to approve a renewal Fire Protection Contract with the Roslyn Fire Companies (Rescue Hook & Ladder Company #1 and Roslyn Highlands Hook & Ladder, Engine & Hose Company) for a term commencing on January 2, 2019 through December 31, 2019 in the amount of \$558,361.00 and authorize the Mayor to sign such related Contract.

**RESOLUTION:**

1. On motion by Trustee Baker, seconded by Trustee Fastenberg and carried unanimously, the Board introduced Local Law #1-2019: A Local Law amending Chapter 139 of the Code of the Village of Old Westbury, and setting the date of Tuesday, February 19, 2019 for the Public Hearing relating to the Prohibition and Penalties for Offenses Relating to Nuisance Parties.
2. On motion by Trustee Fastenberg, seconded by Trustee Baker and carried unanimously, the Board approve the retention of Kevin Dwarka, LLC, for Consultant Services in connection with the review of the Village's Comprehensive Land Use Plan at the amount not to exceed \$23,000.00 (\$5,000.00 for Market Analysis and \$18,000.00 for Fiscal Impact Analysis).

On motion of Trustee Baker, seconded by Trustee Chimerine and carried unanimously, the Board meeting was adjourned at 8:35 p.m.

For a complete record of the meeting, see the transcript of the stenographer.

Brian S. Ridgway  
Village Administrator/Clerk-Treasurer