

April 15, 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 7:15 p.m.

Present: Fred J. Carillo - Mayor
Marina Chimerine - Deputy Mayor
Cory Baker - Trustee
Leslie Fastenberg - Trustee
Edward Novick - 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

Absent: Thomas O'Connor - Superintendent of Water

Also Present: Joshua D. Brookstein - Attorney, Sahn Ward Coschignano, PPLC
Thomas McKeivitt - Attorney, Sahn Ward Coschignano, PPLC
Paul Stevens - Village Engineer, LiRo Engineers, Inc.
John Ellsworth - Chief Environmental Planner, VHB

BUDGET HEARING: The Mayor called the meeting of the Board of Trustees to order and introduced Trustee Novick who presented the Tentative General and Water Budgets for the 2019/2020 fiscal year. On motion by Trustee Chimerine, seconded by Trustee Baker and carried unanimously, the Budget Hearing was closed. On motion by Trustee Novick, seconded by Trustee Chimerine and carried unanimously, the Tentative General and Water Budgets for the 2019/2020 fiscal year were approved as presented.

On motion by Trustee Baker, seconded by Trustee Novick and carried unanimously, the Board approved the minutes of the Board of Assessors and Board of Trustees meetings held on March 18, 2019.

On motion by Trustee Novick, 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> |
|-----------------|----------------|----------------|
| 11 | General | \$1,043,616.42 |
| 11 | Water | \$200,694.09 |
| 11 | Trust | \$285,852.64 |
| 11 | Capital | \$191,254.98 |

On motion by Trustee Baker, seconded by Trustee Fastenberg and carried unanimously, the Board accepted the Chief of Police report for the month of March 2019.

On motion by Trustee Chimerine, seconded by Trustee Baker and carried unanimously, the Board accepted the Superintendent of Public Works report for the month of March 2019.

PUBLIC HEARINGS:

1. Application of the Lubavitch of Old Westbury: 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. John Ellsworth, VHB provided comment to the Board and addressed questions from the Board on the application. On motion by Trustee Baker, seconded by Trustee Novick and carried unanimously, the Board Adopted the Resolution of Positive Declaration under SEQRA and Adopted a Determination of Significance and Motioned to continue the application.
2. 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. Al Sutton, Architect was present to represent the applicant. The Board was advised that the material for the roof of the proposed main building was being changed and when result in an improved sound barrier. On motion by Trustee Novick, seconded by Trustee Baker and carried (*Trustees Chimerine and Fastenberg abstained*) the Board adopted a Negative Declaration and directed Counsel to draft the approval Resolution for the application.
3. 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. Walter Seiber, Cameron Engineering & Associates presented on behalf of the applicant and John Ellsworth, VHB and Paul Stevens, LiRo Engineers, Inc, provided comments on behalf of the Village. Topics reviewed included parking, drainage and lot coverage. On motion by Trustee Chimerine, seconded by Trustee Baker and carried unanimously, the Board Adopt a Negative Declaration under SEQRA and directed Counsel to draft the approval Resolution for the application.
4. Application of Bolla Operating, L.I., 3 Jericho Turnpike in the request for Amendment and Renewal of Special Use Permit. There was no representation for the applicant. On motion by Trustee Baker, seconded by Trustee Novick and carried unanimously, the application will be continued.
5. Consideration of a Local Law creating a New Chapter 176 of the Code of the Village of Old Westbury, relating to Small Wireless Facilities. Thomas Mckevitt, Esq. present to the Board a summary and need for a Local Law. On motion by Trustee Chimerine, seconded by Trustee Novick and carried unanimously, the Board closed the Public Hearing and adopted the proposed Local Law.
6. Application of New York Institute of Technology ó request to install an Underground Water Infiltration/ Storage System. Angelo Laino, P.E. VHB Engineers, was present to represent the applicant. Paul Stevens, Village Engineer commented that the proposed

application is an overall improvement to what had been submitted for the same project several years ago. On motion by Trustee Novick, seconded by Trustee Baker and carried unanimously, the Board approved a Resolution to hire James Antonelli, P.E. to review and advise the Board of the proposed project and to continue the application.

7. Mr. Michael Dombek of 207 Jericho Turnpike seeking relief related to various Village Code Violations on his property. On motion by Trustee Novick, seconded by Trustee Fastenberg and carried unanimously, the Board continued to reserve decision.

On motion of Trustee Baker, seconded by Trustee Chimerine and carried unanimously the Public Hearing were closed.

NEW BUSINESS:

1. On motion of Trustee Novick, seconded by Trustee Baker and carried unanimously, the Board approved the amount of \$9,000.00 be added to the *Wire to Water, Inc.* contact for the Water Department SCADA project that was awarded by the Board at their meeting held on December 17, 2018. There had been a clerical error by D&B Engineers that did not properly record the proper award amount of \$597,320.00.
2. On motion of Trustee Chimerine, seconded by Trustee Fastenberg and carried unanimously, the Board authorized the Village Administrator on behalf of the Board of Trustees to appointment Election Inspectors prior to May 9th that will be used in the Village Election scheduled for June 18, 2019 per Election Law section 15-116.
3. On motion of Trustee Novick, seconded by Trustee Baker and carried unanimously, the Board authorized the Village Administrator to levy the unpaid water rents on the Villages 2019/2012 tax roll.
4. On motion of Trustee Novick, seconded by Trustee Fastenberg and carried unanimously, the Board introduced a Local Law creating a New Chapter 112 of the Code of the Village of Old Westbury to Promote the Public Health, Safety, and General Welfare, and to Minimize Public and Private Losses Due to Floor Conditions and to set a Public Hearing for Monday, May 20, 2019 at 7PM.
5. On motion of Trustee Chimerine, seconded by Trustee Baker and carried unanimously, the Board authorized the Village to file an application to the New York State Department of Environmental Conservation for a Deer Damage Permit.
6. On motion of Trustee Novick, seconded by Trustee Baker and carried unanimously, the Board introduced a Local Law Amending Chapter 106 of the Code of the Village of Old Westbury to Promote the Public Health, Safety, and General Welfare relating to the permitted Discharge of Firearms and Weapons in the Village and to set a Public Hearing for Monday, May 20, 2019 at 7PM.
7. On motion of Trustee Novick, seconded by Trustee Baker and carried unanimously, the Board approved the Resolution to retain the professional legal services of *Ricotta & Marks, P.C.* to represent the Village of Old Westbury in Collection enforcement Proceeding Against Judgement Debtors.

8. On motion by Trustee Novick, seconded by Trustee Baker and carried unanimously, the Board approved the following two internal accounting transfers:
 - National Grid Gas Main Replacement Project:
 - Accounts Receivable Account# 0A-0380-0000 - \$31,097.12 to
 - PD Overtime Account# 0A-3120-1020 - \$27,355.33 and General Revenue Account# 0A-1589.1000 - \$3,741.79,
 - Accounts Receivable Account# 0A-0380-0000 \$4,592.96 to
 - Engineering Consulting Services Account# 0A-1440-4160 - \$4,342.96 and Legal Consulting Service Account # 1420-4120 - \$250.00.
9. On motion by Trustee Chimerine, seconded by Trustee Baker and carried unanimously, the Board awarded the 2019 Planting Project for I.U. Willets Road and Glen Cove Road to Michael Anthony Group, Inc., Greenlawn, New York in the amount of \$20,535.00.
10. On motion by Trustee Baker, seconded by Trustee Novick and carried unanimously, the Board authorized Chief Robert Glaser to attend the 2019 New York State Police Intelligence Summit to be held on April 24th and 25th, 2019 in Bolton Landing, New York. Associated expenses not covered by the State Police shall be reimbursed.
11. On motion by Trustee Chimerine, seconded by Trustee Novick and carried unanimously, the Board authorized Superintendent of Water Thomas O'Connor and Water Foreman Marc Stanisic to attend the Annual American Water Works Association Training Conference in Saratoga Springs, New York between April 16th to April 18th, 2019. Registration, travel and meals expenses shall be reimbursed.

RESOLUTION:

1. On motion by Trustee Chimerine, seconded by Trustee Baker and carried unanimously, the Board approved the application of SS Old Westbury, LLC to construct a 97 square foot gatehouse to be located at the entrance to the property on Wheatley Road. The application had been approved by both the Village Planning Board and Board of Zoning Appeals.

On motion of Trustee Baker, seconded by Trustee Novick and carried unanimously, the Board closed the Regular Meeting and Opened the Board of Assessors at 9:05 p.m.

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

Brian S. Ridgway
Village Administrator/Clerk-Treasurer