

The Regular Meeting of the Board of Trustees was held on March 23, 2015 at the Village Hall, 34 School Street, Bayville, New York 11709 at 7:30 PM.

Present were:	Trustee Fay	Village Clerk Treasurer
	Trustee Pinkerton	Maria Alfano-Hardy
	Trustee Russo	Secretary to Board
	Trustee Charon	Nikki Paris
	Trustee Taylor	Village Attorney
	Mayor Rupp	Keith Corbett

Absent was: Trustee Valsecchi

Trustee Charon moved BE IT RESOLVED that the following warrants and claims have been audited by the Audit Commission and are hereby offered for approval by the Board of Trustees and BE IT FURTHER RESOLVED that the Village Clerk is hereby authorized to make said payments.

FUND	CLAIM NO.	WARRANT	AMOUNT
GENERAL			
PAYROLL	2/25/2015	9H	\$ 23,934.47
	622	9I	\$ 1,824.78
PAYROLL	3/4/2015	10A	\$ 43,453.75
	623	10B	\$ 3,312.93
PAYROLL	3/11/2015	10C	\$ 26,507.96
	624	10D	\$ 2,020.97
	625/682	10E	\$ 135,069.07
PAYROLL	3/18/2015	10F	\$ 22,906.40
	683	10G	\$ 6,153.88
TOTAL GENERAL			\$ 265,184.21
WATER			
PAYROLL	2/25/2015	9H	\$ 4,419.81
	138	9I	\$ 336.97
PAYROLL	3/4/2015	10A	\$ 9,397.59
	139	10B	\$ 716.49
PAYROLL	3/11/2015	10C	\$ 4,756.03
	140	10D	\$ 362.61
	141/151	10E	\$ 18,893.75
PAYROLL	3/18/2015	10F	\$ 4,351.96
	152	10G	\$ 331.81
TOTAL WATER			\$ 43,567.02
TRUST & AGENCY			
	207/211	9D	\$ 13,626.67
	212/215	10A	\$ 17,722.53
	216/219	10B	\$ 10,563.14
	220/223	10C	\$ 41,692.94
	224/228	10D	\$ 8,963.24
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TOTAL T & A			\$ 92,568.52
REVENUE ENTERPRISE			
	49/51	10A	\$ 327.48
TOTAL REVENUE ENTERPRISE			\$ 327.48
CAPITAL			

REGULAR MEETING MARCH 23, 2015

	23/24	10A	\$	77,762.00
TOTAL CAPITAL			\$	77,762.00
COMMUNITY DEVELOPMENT				
	11	10A	\$	5,385.00
TOTAL COMMTY DEVELOP			\$	5,385.00
GRAND TOTAL			\$	484,794.23

Seconded by: Trustee Taylor

Poll of the Board: Trustee Fay, aye, Trustee Pinkerton, aye, Trustee Russo, aye, Trustee Charon, aye, Trustee Taylor, aye, Mayor Rupp, aye

RESOLUTION 2015-23

Trustee Pinkerton moved BE IT RESOLVED to accept the prior meeting's minutes as presented.

Seconded by: Trustee Fay

Poll of the Board: Trustee Fay, aye, Trustee Pinkerton, aye, Trustee Russo, aye, Trustee Charon, aye, Trustee Taylor, aye, Mayor Rupp, aye

RESOLUTION 2015-24

Trustee Pinkerton moved BE IT RESOLVED to approve the February 20, 2015 request of Community Mainstreaming Associates, Inc. to utilize the roads in Bayville for their annual Bike Ride Charity Event on Monday, May 11, 2015.

Seconded by: Trustee Fay

Poll of the Board: Trustee Fay, aye, Trustee Pinkerton, aye, Trustee Russo, aye, Trustee Charon, aye, Trustee Taylor, aye, Mayor Rupp, aye

RESOLUTION 2015-25

Trustee Russo moved BE IT RESOLVED to accept the March 12, 2015 proposal from H2M architect + engineers (H2M) to prepare the Village of Bayville's MS4 Annual Report and to provide technical support to the Village to implement the Stormwater Management Program Plan (SWMP) for the period March 10, 2014 to March 9, 2015.

Seconded by: Trustee Fay

Poll of the Board: Trustee Fay, aye, Trustee Pinkerton, aye, Trustee Russo, aye, Trustee Charon, aye, Trustee Taylor, aye, Mayor Rupp, aye

RESOLUTION 2015-26

Trustee Pinkerton moved BE IT RESOLVED to hire the following summer employees and their hourly rate of pay:

LIFEGUARD/WATER SAFETY INSTRUCTORS

Courtney Morgan	\$11.75
John Morgan	\$11.75

LIFEGUARDS

Rashad Abdelkader	\$12.00
Isabella Allen	\$11.00
Meghan Collins	\$13.00
Sean Collins	\$12.00
Victoria Demshick	\$10.50
Michael Fierro	\$10.50
Amanda Kronenberger	\$12.50
Tyler Liantonio	\$10.50
Brandon LoMonaco	\$13.50
Theodore Mavros	\$10.50
Owen McBride	\$11.50
Ryan Meringolo	\$12.00
Shawn Meringolo	\$11.00
Sheehan, Thomas	\$13.00
David Rupp (Captain)	\$17.00

BEACH ATTENDANTS

Dominique DiMiceli	\$10.00
Julia Krebs	\$ 9.25
Linda McKay	\$10.00
Erin Pflaumer	\$ 9.25
Diane Salzberg	\$ 9.25
Matthew Sixt	\$ 9.25
Meagan Walsh	\$10.00

Seconded by: Trustee Fay

Poll of the Board: Trustee Fay, aye, Trustee Pinkerton, aye, Trustee Russo, aye, Trustee Charon, aye, Trustee Taylor, aye, Mayor Rupp, abstain

RESOLUTION 2015-27

Trustee Fay moved BE IT RESOLVED to approve the following Use of Facilities requests from the Village Church of Bayville:

Village Square on Saturday, May 9, 2015 from 12:00PM to 3:00PM for the purpose of holding a clothing/accessory/jewelry/toy swap for the community.

Soundside Beach on Sunday, April 5, 2015 from 6:30AM to 8:30PM for their Easter Sunrise Service.

Soundside Beach June through September to hold Sunday worship from 8:00AM to 9:00AM.

Seconded by: Trustee Taylor

Poll of the Board: Trustee Fay, aye, Trustee Pinkerton, aye, Trustee Russo, aye, Trustee Charon, aye, Trustee Taylor, aye, Mayor Rupp, aye

RESOLUTION 2015-28

Trustee Fay moved BE IT RESOLVED to approve the March 10, 2015 request of St. Gertrude's R.C. Church to hold their annual feast at Town of Oyster Bay Centre Island Beach June 11, 2015 through June 14, 2015. Parking on Bayville Avenue is granted with the condition that parking is on the south side only and is to start at the easterly end of Bayville Avenue (Centre Island Police booth) running west to the intersection of Bayville Avenue and West Harbor Drive. Parking on West Harbor Drive is prohibited. Also, there will be no parking allowed at West Harbor Beach on Friday and Saturday, June 12th and 13th.

Seconded by: Trustee Russo

Poll of the Board: Trustee Fay, aye, Trustee Pinkerton, aye, Trustee Russo, aye, Trustee Charon, aye, Trustee Taylor, aye, Mayor Rupp, aye

RESOLUTION 2015-29

Trustee Pinkerton moved BE IT RESOLVED:

WHEREAS, in the aftermath of Superstorm Sandy, the United States Congress, through Public Law passed the Disaster Relief Appropriations Act of 2013 (Public Law 113-2, approved January 29, 2013), as amended (the "Act"), appropriating \$16 billion, later reduced to \$15.18 billion, to the U.S. Department of Housing and Urban Development ("HUD") for Community Development Block Grant Disaster Recovery ("CDBG-DR") funds for necessary expenses related to disaster relief, long-term recovery, restoration of infrastructure, and housing and economic revitalization in the most impacted and distressed areas resulting from a major disaster declared due to Superstorm Sandy and other eligible events, including Hurricane Irene and Tropical Storm Lee, in calendar years 2011, 2012, and 2013 (the "Storms"), subject to the Federal statutes and regulations governing CDBG grants, as modified by exceptions and waivers previously granted and which may hereafter be granted by HUD; and,

WHEREAS, pursuant to the CDBG-DR Grant Program and Federal Register Notice (78 Fed. Reg. 14,329), published March 5, 2013, titled, "*Allocations, Common Applications, and Alternative Requirements for Grantees Receiving Community Development Block Grant (CDBG) Disaster Recovery Funds in Response to Hurricane Sandy* (as amended)," the State

has received an allocation of CDBG-DR funds from HUD in the amount of \$1,713,960,000; and

WHEREAS, pursuant to the CDBG-DR Grant Program and Federal Register Notice (78 Fed. Reg. 69,104), entitled *Second Allocation, Waivers, and Alternative Requirements for Grantees Receiving Community Development Block Grant (CDBG) Disaster Recovery Funds in Response to Hurricane Sandy* (as amended),” the State has received a second allocation of CDBG-DR funds from HUD in the amount of \$2,097,000,000; and

WHEREAS, pursuant to the CDBG-DR Grant Program and Federal Register Notice (79 Fed. Reg. 62,183), entitled *Third Allocation, Waivers, and Alternative Requirements for Grantees Receiving Community Development Block Grant (CDBG) Disaster Recovery Funds in Response to Hurricane Sandy* (as amended),” the State has received a third allocation of CDBG-DR funds from HUD in the amount of \$605,922,000 (of which \$185,000,000 has been allocated towards the proposals developed through the Rebuild by Design competition); and

WHEREAS, the Incorporated Village of Bayville has entered into a subrecipient agreement with the Governor’s Office of Storm Recovery of the New York State Housing Trust Fund Corporation.

NOW, THEREFORE BE IT RESOLVED by the Board of Trustees, on behalf of the Incorporated Village of Bayville that the Incorporated Village of Bayville shall follow these policies and procedures in the procurement of goods and services necessary for the implementation of projects funded by the Governor’s Office of Storm Recovery of the New York State Housing Trust Fund Corporation:

AVOIDING PROCUREMENT OF UNNECESSARY OR DUPLICATIVE ITEMS OR SERVICES

The director or supervisor of each department or agency of the Incorporated Village of Bayville responsible for procurement of services, supplies, equipment, or construction obtained with Federal, State or Local funds shall review all proposed procurement actions to avoid the purchase of unnecessary or duplicative items. Such reviews shall consider consolidation or breaking out to obtain a more economical purchase. When determined appropriate by the director or supervisor, an analysis should be made of lease versus purchase alternatives and any other analysis to determine the most economical approach.

CODE OF CONDUCT

No employee, officer or agent of the Incorporated Village of Bayville shall participate directly or indirectly in the selection or in the award or administration of any contract if a conflict, real or apparent, would be involved. Such conflict would arise when a financial or other interest in a firm selected for award is held by:

1. An employee, officer or agent involved in making the award;
2. His/her relative including father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepsister, half-brother, or sister;
3. His/her partner; or
4. An organization which employs, is negotiating to employ, or has an arrangement concerning prospective employment of any of the above.

PROCUREMENT AND CONTRACT PROTEST PROCEDURES

Any actual or prospective contractor may protest the solicitation or award of a contract for serious violations of the principles of this Statement. Any protest against solicitations must be received before the due date for receipt of bids or proposals, and any protest against the award of a contract must be received within ten calendar days after contract award, or the protest will not be considered. All bid protests shall be in writing, submitted to Purchasing Agent or Maria Alfano-Hardy, Administrator. The Purchasing Agent or Maria Alfano-Hardy, Administrator may, at his/her discretion, suspend the procurement pending resolution of the protest, if warranted by the facts presented.

Seconded by: Trustee Charon

Poll of the Board: Trustee Fay, aye, Trustee Pinkerton, aye, Trustee Russo, aye, Trustee Charon, aye, Trustee Taylor, aye, Mayor Rupp, aye

RESOLUTION 2015-30

Trustee Pinkerton moved BE IT RESOLVED to hire Kevin Clarke, from the Nassau County Civil Service list for exam #62-511 established December 5, 2014, certification date February 5, 2015, as a part time Code Enforcement Inspector for 19 ½ hours per week at \$23.00 per hour starting the end of April after final approval from Civil Service.

Seconded by: Trustee Fay

Poll of the Board: Trustee Fay, aye, Trustee Pinkerton, aye, Trustee Russo, aye, Trustee Charon, aye, Trustee Taylor, aye, Mayor Rupp, aye

RESOLUTION 2015-31

The following people addressed the Board:

Kevin Murtha – 20 Greenwich Avenue

Lynn Elia – 3 Franklin Avenue

Chris Pflaumer – 1 Tradewinds

Cathy Maywald – 1 Hilltop Drive

Victoria Siegel – 2 Hilary Drive

Michele Principe – 3 Hickory Road

At 8:00PM a Public Hearing was held to consider Proposed Local Law 2015-2, a local law to establish the boundaries of the nineteen (19) separate private street improvement districts located within the Incorporated Village of Bayville and to designate Arlington Lane as a private street used as a through street by amending Village Code Section 64-11:

For the record, the Village Clerk Treasurer read the following Public Notice and submitted an affidavit of publication and posting, and a copy of the notice as posted on the Village of Bayville website.

**NOTICE OF PUBLIC HEARING
INCORPORATED VILLAGE OF BAYVILLE**

NOTICE IS HEREBY GIVEN that the Board of Trustees of the Incorporated Village of Bayville will hold a public hearing commencing at 8:00 PM on Monday, March 23, 2015 at the Village Hall, 34 School Street, Bayville, New York 11709 with respect to the matter summarized below:

Proposed Local Law 2015-2, a local law to establish the boundaries of the nineteen (19) separate private street improvement districts located within the Incorporated Village of Bayville and to designate Arlington Lane as a private street used as a through street by amending Village Code Section 64-11: Private street improvement districts.

The purpose of the proposed local law is to establish the boundaries of the nineteen (19) separate private street improvement districts located within the Incorporated Village of Bayville by amending the description and multicolor map of said private street improvement districts in Subsection A of Section 64-11; and, to designate Arlington Lane as one of eight (8) private streets used as a through street by amending Subsection C of Section 64-11. Persons who may suffer from a disability, which would prevent them from participating in said hearing, should notify Maria Alfano-Hardy, Village Clerk-Treasurer, at (516) 628-1439 in sufficient time to permit such arrangements to be made to enable such persons to participate in said hearing.

By Order of the Board of Trustees
Incorporated Village of Bayville
Maria Alfano-Hardy
Village Clerk-Treasurer
Dated: March 6, 2015

For the record the hearing started at 8:10PM.

The following people addressed the Board:

John Rozzo – 32 Adams Avenue

Lynn Elia – 3 Franklin Avenue

Barry Lamb – 7 Arlington Lane

Trustee Pinkerton moved BE IT RESOLVED to Close the Public Hearing at 8:22PM.

Seconded by: Trustee

Poll of the Board: Trustee Fay, aye, Trustee Pinkerton, aye, Trustee Russo, aye, Trustee Charon, aye, Trustee Taylor, aye, Mayor Rupp, aye

RESOLUTION 2015-32

Trustee Russo moved BE IT RESOLVED to adopt Proposed Local Law 2015-2, as Local Law No. 2 of the Year 2015 - a local law to establish the boundaries of the nineteen (19) separate private street improvement districts located within the Incorporated Village of Bayville and to designate Arlington Lane as a private street used as a through street by amending Village Code Section 64-11: Private street improvement districts.

The purpose of the proposed local law is to establish the boundaries of the nineteen (19) separate private street improvement districts located within the Incorporated Village of Bayville by amending the description and multicolor map of said private street improvement districts in Subsection A of Section 64-11; and, to designate Arlington Lane as one of eight (8) private streets used as a through street by amending Subsection C of Section 64-11.

Seconded by: Trustee Charon

Poll of the Board: Trustee Fay, aye, Trustee Pinkerton, aye, Trustee Russo, aye, Trustee Charon, aye, Trustee Taylor, aye, Mayor Rupp, aye

RESOLUTION 2015-33

NOTICE OF PUBLIC HEARING INCORPORATED VILLAGE OF BAYVILLE

NOTICE IS HEREBY GIVEN that the Board of Trustees (the "Board") of the Incorporated Village of Bayville (the "Village") in the Town of Oyster Bay, County of Nassau, and State of New York, will hold a public hearing commencing at 8:10 PM on Monday, March 23, 2015 at the Village Hall, 34 School Street, Bayville, New York 11709 for the purpose of considering a contract proposed by the Board to be entered into with Bayville Fire Company No.1, Inc. (the "Fire Company"), for the furnishing of fire protection and related emergency services to the Village, at which time and place the Board will consider such proposed contract and hear all persons interested in the same. The proposed fire protection contract is for a one (1) year term commencing on June 1, 2015 and ending on May 31, 2016 and calls for an annual payment by the Village to the Fire Company in an amount of \$490,334.00. Under the contract, the Village will also provide volunteer firefighters with coverage under the Volunteer Firefighters' Benefits Law at additional expense. The Village also contributes to a Length of Service Awards Program for the volunteer firefighters in the Fire Company which is not included in that annual payment. Under the proposed contract, the Fire Company is required to provide certain liability insurance coverage to cover the Fire Company and the Village. The proposed fire protection contract, a copy of which is available for review and inspection during regular business hours of 8:30 AM to 4:30 PM Monday through Friday at the office of the Village Clerk, will be available for review and inspection at said public hearing and will be presented to the residents and taxpayers of the Village and the members of the Board thereof at this public hearing. The Board will consider public comment on the proposed contract and the adoption of a resolution approving said contract authorizing the Mayor to execute same on behalf of the Village and its Board of Trustees.

By Order of the Board of Trustees

Incorporated Village of Bayville

Maria Alfano-Hardy

Village Clerk-Treasurer

Dated: March 6, 2015

For the record the hearing started at 8:23PM.

Trustee Russo moved BE IT RESOLVED to close the Public Hearing at 8:24PM.

Seconded by: Trustee Taylor

Poll of the Board: Trustee Fay, aye, Trustee Pinkerton, aye, Trustee Russo, aye, Trustee Charon, aye, Trustee Taylor, aye, Mayor Rupp, aye

RESOLUTION 2015-34

Trustee Russo moved BE IT RESOLVED to authorize Mayor Rupp to sign the contract with Bayville Fire Company No.1 for fire protection and related emergency services for the Village of Bayville for a one (1) year term commencing on June 1, 2015 and ending on May 31, 2016 for an annual payment by the Village to the Fire Company in an amount of \$490,334.00.

Seconded by: Trustee Taylor

Poll of the Board: Trustee Fay, aye, Trustee Pinkerton, aye, Trustee Russo, aye, Trustee Charon, aye, Trustee Taylor, aye, Mayor Rupp, aye

RESOLUTION 2015-35

**NOTICE OF PUBLIC HEARING
INCORPORATED VILLAGE OF BAYVILLE**

NOTICE IS HEREBY GIVEN that the Board of Trustees of the Incorporated Village of Bayville will hold a public hearing commencing at 8:15 PM on Monday, March 23, 2015 at the Village Hall, 34 School Street, Bayville, New York 11709. The purpose of said public hearing is to discuss the Community Development Block Grant (CDBG) Program for the Incorporated Village of Bayville as a member of the Nassau County Urban Consortium for its 41st Program Year of Residential and Commercial Rehabilitation activities.

By Order of the Board of Trustees

Incorporated Village of Bayville

Maria Alfano-Hardy

Village Clerk-Treasurer

Dated: March 6, 2015

For the record the Public Hearing started at 8:25PM.

Trustee Fay moved BE IT RESOLVED to close the Public Hearing at 8:26PM.

Seconded by: Trustee Charon

Poll of the Board: Trustee Fay, aye, Trustee Pinkerton, aye, Trustee Russo, aye, Trustee Charon, aye, Trustee Taylor, aye, Mayor Rupp, aye

RESOLUTION 2015-36

Trustee Fay moved BE IT RESOLVED that the Incorporated Village of Bayville shall apply for funding from the Nassau County Community Development Block Grant 41st Program Year (the "CDBG 41st Program Year") in the amount of \$200,000.00 for Commercial Rehabilitation and \$40,000.00 for Residential Rehabilitation and BE IT FURTHER RESOLVED that the Mayor is hereby authorized to enter into a contract with the County of Nassau for funding from said CDBG 41st Program Year.

Seconded by: Trustee Russo

Poll of the Board: Trustee Fay, aye, Trustee Pinkerton, aye, Trustee Russo, aye, Trustee Charon, aye, Trustee Taylor, aye, Mayor Rupp, aye

RESOLUTION 2015-37

**NOTICE OF PUBLIC HEARING
INCORPORATED VILLAGE OF BAYVILLE**

NOTICE IS HEREBY GIVEN that the Board of Trustees of the Incorporated Village of Bayville will hold a public hearing commencing at 8:20 PM on Monday, March 23, 2015 at the Village Hall, 34 School Street, Bayville, New York 11709. Pursuant to Section 5-508 of the Village Law, the Tentative Budget has been prepared and is available for inspection during regular business hours of 8:30 AM to 4:30 PM Monday through Friday at the office of the Village Clerk. The Tentative Budget includes the following: maximum compensation of \$2,500.00 per annum for the Mayor, maximum compensation of \$1,500.00 per annum for each Trustee, appropriations for Bayville Fire Company No. 1, Inc., and appropriations for the Bayville Free Library.

By Order of the Board of Trustees

Incorporated Village of Bayville

Maria Alfano-Hardy
Village Clerk-Treasurer
Dated: March 6, 2015

For the record the hearing started at 8:27PM.

The following people addressed the Board:
Victoria Siegel – 2 Hilary Drive
Carla Panetta – 10 Hilltop Drive

Trustee Pinkerton moved BE IT RESOLVED to close the Public Hearing at 8:38PM.
Seconded by: Trustee
Poll of the Board: Trustee Fay, aye, Trustee Pinkerton, aye, Trustee Russo, aye, Trustee Charon, aye, Trustee Taylor, aye, Mayor Rupp, aye

RESOLUTION 2015-38

Trustee Fay moved BE IT RESOLVED to accept the tentative budget as presented.
Seconded by: Trustee Pinkerton
Poll of the Board: Trustee Fay, aye, Trustee Pinkerton, aye, Trustee Russo, aye, Trustee Charon, aye, Trustee Taylor, aye, Mayor Rupp, aye

RESOLUTION 2015-39

The following people addressed the Board:

Bill Fetzer – 19 University Road
Victoria Siegel – 2 Hilary Drive
Donna Riso – 12 Seawall Lane
Michael Murray – 6 Satinwood Road
Michele Principe – 34 Hickory Road
Judy Sniffen – 22 Perry Avenue

Trustee Pinkerton moved BE IT RESOLVED to close the Regular Meeting at 9:02PM.
Seconded by: Trustee Taylor
Poll of the Board: Trustee Fay, aye, Trustee Pinkerton, aye, Trustee Russo, aye, Trustee Charon, aye, Trustee Taylor, aye, Mayor Rupp, aye

RESOLUTION 2015-40

Respectfully submitted,

Maria Alfano-Hardy
Village Clerk Treasurer