

The Regular Meeting of the Board of Trustees was held on April 27, 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
	Trustee Valsecchi	Keith Corbett
	Mayor Rupp	

At 7:35PM the meeting was adjourned and moved to the Bayville Intermediate School, 50 Mountain Avenue, Bayville, New York 11709. The meeting resumed at 8:00PM.

Trustee Pinkerton 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	4/15/2015	11F	\$ 22,903.70
	715	11G	\$ 1,746.19
	716/770	11H	\$ 131,972.42
PAYROLL	4/22/2015	11I	\$ 22,333.42
	771	11J	\$ 1,702.69
TOTAL GENERAL			\$ 180,658.42
WATER			
PAYROLL	4/15/2015	11F	\$ 4,493.52
	163	11G	\$ 342.59
	164/173	11H	\$ 22,752.94
PAYROLL	4/22/2015	11I	\$ 3,713.92
	174	11J	\$ 969.48
TOTAL WATER			\$ 32,272.45
TRUST & AGENCY			
	247/250	11D	\$ 9,092.12
	251/255	11E	\$ 8,635.22
			.
TOTAL T & A			\$ 17,727.34
REVENUE ENTERPRISE			
	56/60	11B	\$ 26,084.34
TOTAL REVENUE ENTERPRISE			\$ 26,084.34
CAPITAL			
	26/29	11A	\$ 1,280.57
TOTAL CAPITAL			\$ 1,280.57
COMMUNITY DEVELOPMENT			
TOTAL COMMTY DEVELOP			\$ -
GRAND TOTAL			\$ 258,023.12

Seconded by: Trustee Taylor

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

RESOLUTION 2015-46

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

Seconded by: Trustee Charon

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

RESOLUTION 2015-47

Trustee Pinkerton moved:

WHEREAS, in the wake of the financial crisis of 2008, there has been a marked increase in New York State in the incidence of vacant and abandoned residential properties securing delinquent mortgages, which properties frequently fall into disrepair, thus devaluing neighboring properties and harming the larger community; and

WHEREAS, these vacant and abandoned residential properties have become a blight in the Village of Bayville and in many similarly situated neighborhoods across New York State because the properties are often boarded up, dilapidated, unsafe, inhabited by squatters or used for criminal purposes; and

WHEREAS, an accumulation in a community of vacant and abandoned residential properties that are not properly secured or maintained for extended periods can cause a marked decline in that community's real estate market and the state's property tax base; and

WHEREAS, there are documented instances of such properties being used by criminals to manufacture and/or distribute illegal drugs, thus leading to an increased likelihood of crime in and around the property and neighboring community; and

WHEREAS, the Village of Bayville and similarly situated municipalities across New York State are often forced to expend taxpayer funds to prevent vacant and abandoned residential properties from becoming a public hazard, thereby depleting limited local resources; and

WHEREAS, the Village of Bayville and similarly situated municipalities across New York State are often forced to expend taxpayer funds to investigate and determine the ownership, occupancy and foreclosure status of vacant and abandoned residential properties in order to ensure that, where applicable, the mortgagee is complying with current obligations under Federal, State and/or local law to secure and maintain the property, thereby further depleting limited local resources; and

WHEREAS, relevant provisions of existing State law, enacted in 2009, governing the maintenance of abandoned residential properties impose a duty on plaintiff-mortgagees to

maintain vacant residential properties only *after* a judgment of foreclosure and sale has been entered by a court; and

WHEREAS, this recent State law has in many instances proven inadequate to address the growing number of vacant and abandoned properties falling into disrepair in the Village of Bayville and in many similarly situated municipalities across New York State because many such properties are not subject to a pending foreclosure action, and many that are subject to a pending foreclosure have not proceeded, and will not in the foreseeable future proceed, to a court judgment of foreclosure and sale; and

WHEREAS, there is evidence showing that many current and former New York homeowners have been misled into believing they need to leave their homes earlier in the foreclosure process than the law actually requires, thus resulting in even more vacant and abandoned residential properties throughout our communities; and

WHEREAS, the "Abandoned Property Neighborhood Relief Act of 2015" (A. 06932, S.04781) would help the Village of Bayville and similarly situated municipalities and their residents across the State better address the growing problem of vacant and abandoned residential properties by creating a statewide registry of such properties that can be electronically accessed by such municipalities; and

WHEREAS, the "Abandoned Property Neighborhood Relief Act of 2015" would help the Village of Bayville and similarly situated municipalities and their residents across the State better address the growing problem of vacant and abandoned residential properties by imposing a duty on mortgagees and their loan servicing agents to promptly report these properties to the statewide registry and take earlier, *pre-foreclosure*, action to identify, secure and maintain such vacant and abandoned properties; and

WHEREAS, the "Abandoned Property Neighborhood Relief Act of 2015" would help the Village of Bayville and similarly situated municipalities and their residents across the State better address the growing problem of vacant and abandoned residential properties by providing a much needed and readily available source of information on vacant and abandoned residential properties to local officials throughout the State; and

WHEREAS, the "Abandoned Property Neighborhood Relief Act of 2015" would help the Village of Bayville and similarly situated municipalities and their residents across the State better address the growing problem of vacant and abandoned residential properties by establishing an "Abandoned Property Neighborhood Relief Fund," comprised of civil penalties collected by the Attorney General in enforcement actions under the Act, which Neighborhood Relief Fund monies would be expended by the Attorney General in the form of Enforcement Assistance Grants to counties, cities, towns and villages to assist localities across the State in their own enforcement efforts under the Act; and

WHEREAS, the “Abandoned Property Neighborhood Relief Act of 2015” would help the Village of Bayville and similarly situated municipalities and their residents across the State better address the growing problem of vacant and abandoned residential properties by also establishing a statewide toll-free hotline that community residents can use to report suspected vacant and abandoned properties to the Attorney General and receive information regarding the status of registered properties, including the identity of the mortgagee or agent responsible for maintaining them; and

WHEREAS, the “Abandoned Property Neighborhood Relief Act of 2015” would help the Village of Bayville and similarly situated municipalities and their residents across the State better address the growing problem of vacant and abandoned residential properties by ensuring that homeowners are provided with clear and early notice that they are legally entitled to remain in their homes until ordered to leave by a court; NOW THEREFORE,

BE IT RESOLVED, that the Mayor and Board of Trustees of the Village of Bayville by this Resolution hereby calls on the Governor, the New York State Assembly and the New York State Senate to promptly enact the “Abandoned Property Neighborhood Relief Act of 2015;” and

BE IT FURTHER RESOLVED, that Maria Alfano-Hardy, Village Clerk-Treasurer is hereby directed to transmit copies of this Resolution to State Senator Jeff Klein and Assemblywoman Helene Weinstein.

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

RESOLUTION 2015-48

Trustee Pinkerton moved BE IT RESOLVED to hire the following summer employees:

SEASONAL SUMMER LABORERS

Kathleen Miranda	\$8.75 per hour	new hire
Kevin Valsecchi	\$8.75 per hour	new hire
Charles Hollmuller	\$8.75 per hour	new hire

BEACH ATTENDANTS

Stephanie Peguillan	\$8.75 per hour	new hire
Ann Hollmuller	\$8.75 per hour	new hire
Samantha Hogle	\$8.75 per hour	new hire

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

RESOLUTION 2015-49

Trustee Charon moved BE IT RESOLVED to approve the May 8, 2015 request of Citizens Campaign for the Environment to canvas in the Village of Bayville May 18, 2015 through May 22, 2015. Canvassing is permitted between the hours of 4:00PM and 8:00PM, there are no “call backs” permitted and canvassing must cease at 8:00PM. A copy of the No Solicitors list will be provided.

Seconded by: Trustee Fay

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

RESOLUTION 2015-50

Trustee Pinkerton moved BE IT RESOLVED to accept the proposal from Long Island EMT and Consulting LLC. to inspect and service all AED's and supplies in the amount of \$400.00. Contract effective May 1, 2015 through April 30, 2016.

Seconded by: Trustee Fay

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

RESOLUTION 2015-51

Trustee Fay moved BE IT RESOLVED that the following equipment listed:

1994 Ford F250

has been inspected and it has been determined that this equipment is no longer needed for municipal purposes; therefore the board of Trustees of the Village of Bayville hereby authorize the Village Clerk Treasurer to sell said property for fair and adequate consideration by sealed bid.

Seconded by: Trustee Pinkerton

Poll of the Board: Trustee Fay, aye, Trustee Pinkerton, aye, Trustee

Seconded by: Trustee Pinkerton

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

RESOLUTION 2015-52

Trustee Russo moved BE IT RESOLVED to approve change order No. 4 for Rio Supply Inc. of New York in the amount of \$3916.00.

Seconded by: Trustee Pinkerton

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

RESOLUTION 2015-53

Trustee Charon moved BE IT RESOLVED that Tentative 2015-2016 budget as presented at the March 23, 2015 meeting and reviewed at the Public Hearing on March 23, 2015 is hereby adopted for the 2015-2016 fiscal year.

Seconded by: Trustee Pinkerton

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

RESOLUTION 2015-54

**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 7:45 PM on Monday, April 27, 2015 at the Village Hall, 34 School Street, Bayville, New York 11709 with respect to the matter summarized below:

Proposed Local Law 2015-3, a local law to amend the Village Code Chapter 80: Zoning Section 80-49 (B) Residential buildings and apartments.

The purpose of the proposed local law is to amend Chapter 80: Zoning Section 80-49 (B) Residential buildings and apartments to change the locations of residential apartments permitted within the Business District.

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: April 10, 2015

For the record the hearing started at 8:35PM.

The following people addressed the Board:

Richard Kita – 1 Peter Avenue
Judy Sniffen – 50 Perry Avenue
Frank Bates – 5 Cliff Drive
Chuck Panetta – 10 Hilltop Drive
Ron Marchand – 100 Shore Road
Diane McCabe – 9 Locust Avenue
Paula Chardavoyne – 3 Overlook Avenue
Lisa McLoughlin – 15 Dickerson Avenue
Victoria Siegel – 2 Hilary Drive
Jeff Davis – 15 Whitney Road
Ellen & Harry Garrison – 10 Seawall Lane
William Garrison – 9 Quannacut Drive
Michelle Principe – 34 Hickory Road
Lillian Tanguay – 9 Cyrus Point Lane
Annette Rostad – 29 Jackson Avenue
Ann Walsh – 8 Wayaawi Avenue
Donna Lee – 57 Bayville Avenue

Trustee Taylor moved BE IT RESOLVED to adjourn the hearing for Local Law 2015-3 at 10:14PM, to be continued at a duly noticed public hearing, the time, date and location of which to be determined.

Seconded by: Trustee Valsecchi

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

RESOLUTION 2015-55

**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 7:55 PM on Monday, April 27, 2015 at the Village Hall, 34 School Street, Bayville, New York 11709 with respect to the matter summarized below:

Proposed Local Law 2015-4, a local law to amend the Village Code Chapter 80: Zoning Section 80-96 (E) Conditions and standards for approval.

The purpose of the proposed local law is to amend Chapter 80: Zoning Section 80-96 (E) Conditions and standards for approval to change the required distance from a residence from 250 feet to 50 feet.

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: April 10, 2015

For the record the hearing started at 10:15PM.

The following people addressed the Board:

Judy Sniffen – 50 Perry Avenue
Frank Bates – 5 Cliff Drive
Paula Chardavoyne – 3 Overlook Avenue
Victoria Siegel – 2 Hilary Drive
Bill Charon – 17 Second Avenue
Jeff Davis – 15 Whitney Road
Harry Garrison – 10 Seawall Lane
William Garrison – 9 Quannacut Drive
Michelle Principe – 34 Hickory Road
Annette Rostad – 29 Jackson Avenue
Loretta Cummings – 18 Arlington Lane
Donna Lee – 57 Bayville Avenue
Lynn Anne Dunn – 10 Crosson Avenue
Edie Dickman – 92 Shore Road

Trustee Taylor moved BE IT RESOLVED to adjourn the hearing for Local Law 2015-4 at 10:54PM, to be continued at a duly noticed public hearing, the time, date and location of which to be determined.

Seconded by: Trustee Fay

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

RESOLUTION 2015-56

**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 8:05 PM on Monday, April 27, 2015 at the Village Hall, 34 School Street, Bayville, New York 11709 with respect to the matter summarized below:

Proposed Local Law 2015-5, a local law to add the definition of the term “Residential Building” to Section 80-4 of the Village Code of the Incorporated Village of Bayville as a building containing ten (10) apartment units or more.

The purpose of the proposed local law is to provide a definition for the term “Residential Building” as set forth in Section 80-49 of the Village Code of the Incorporated Village of Bayville.

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: April 10, 2015

For the record the hearing started at 10:55PM.

The following people addressed the Board:

Judy Sniffen – 50 Perry Avenue
Frank Bates – 5 Cliff Drive
Jeff Davis – 15 Whitney Road
Chuck Panetta – 10 Hilltop Drive
Victoria Siegel – 2 Hilary Drive
Ellen Garrison – 10 Seawall Lane
William Garrison – 9 Quannacut Drive
Michelle Principe – 34 Hickory Road
Bill Bauer – 298 Bayville Avenue
Lisa McLoughlin – 15 Dickerson Avenue

Trustee Taylor moved BE IT RESOLVED to adjourn the hearing for Local Law 2015-5 at 11:25PM, to be continued at a duly noticed public hearing, the time, date and location of which to be determined.

Seconded by: Trustee Fay

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

RESOLUTION 2015-57

Trustee Fay moved BE IT RESOLVED to close Regular Meeting at 11:26PM.

Seconded by: Trustee Pinkerton

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

RESOLUTION 2015-58

Respectfully submitted,

Maria Alfano-Hardy
Village Clerk Treasurer