

**+The Regular Meeting of the Board of Trustees was held on September 27, 2021 at Bayville Village Hall, 34 School St., Bayville, New York 11709 at 6:30PM.**

Present were:	Trustee Santoro	Village Clerk
	Trustee Farnell	Maria Alfano-Hardy
	Trustee Minicozzi	Deputy Village Clerk
	Trustee Belcher	Christopher Vivona
	Trustee Valsecchi	Secretary to Board
	Mayor De Natale	Nikki Paris
		Village Attorney
		Peter Weiler

Absent was: Trustee Nigro

Trustee Valsecchi 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-Treasurer is hereby authorized to make said payments.

FUND	CLAIM NO.	WARRANT	AMOUNT
<b>GENERAL</b>			
PAYROLL	8/25/2021	3I	\$ 39,316.24
	194	3J	\$ 2,997.52
	195/203	3K	\$ 2,589.87
PAYROLL	9/1/2021	4A	\$ 36,599.02
	204	4B	\$ 2,790.43
PAYROLL	9/8/2021	4C	\$ 36,375.17
	205	4D	\$ 2,773.31
PAYROLL	9/15/2021	4E	\$ 28,082.51
	206	4F	\$ 2,141.08
PAYROLL	9/22/2021	4G	\$ 29,250.54
	207	4H	\$ 2,230.80
	208/227	4I	\$ 190,245.08
	228/267	4J	\$ 257,757.54
<b>TOTAL GENERAL</b>			<b>\$ 633,149.11</b>
<b>WATER</b>			
PAYROLL	8/25/2021	3I	\$ 6,028.98
	50	3J	\$ 464.22
	51	3K	\$ 50.07
PAYROLL	9/1/2021	4A	\$ 5,066.46
	52	4B	\$ 386.27
PAYROLL	9/8/2021	4C	\$ 5,680.25
	53	4D	\$ 433.06
PAYROLL	9/15/2021	4E	\$ 4,878.29
	54	4F	\$ 371.91
PAYROLL	9/22/2021	4G	\$ 5,193.80
	55	4H	\$ 395.97
	56/60	4I	\$ 22,976.93
	61/72	4J	\$ 73,299.08
<b>TOTAL WATER</b>			<b>\$ 125,225.29</b>
<b>TRUST &amp; AGENCY</b>			
	70/75	3E	\$ 22,244.42
	76/79	4A	\$ 12,710.53
	80/83	4B	\$ 12,967.86
	84/87	4C	\$ 10,510.34
	88/92	4D	\$ 73,804.36
	93/96	4E	\$ 1,444.64
<b>TOTAL T &amp; A</b>			<b>\$ 133,682.15</b>

<b>REVENUE ENTERPRISE</b>				
	11/13	4A	\$	1,484.16
	14/15	4B	\$	13,887.16
<b>TOTAL REVENUE ENTERPRISE</b>			<b>\$</b>	<b>15,371.32</b>
<b>CAPITAL</b>				
	7/9	4A	\$	455,092.77
<b>TOTAL CAPITAL</b>			<b>\$</b>	<b>455,092.77</b>
<b>COMMUNITY DEVELOPMENT</b>				
<b>TOTAL COMMTY DEVELOP</b>			<b>\$</b>	<b>-</b>
<b>GRAND TOTAL</b>			<b>\$</b>	<b>1,362,520.64</b>

Seconded by: Trustee Farnell

Poll of the Board: Trustee Santoro, aye, Trustee Farnell, aye, Trustee Minicozzi, aye, Trustee Valsecchi, aye, Mayor De Natale, aye

**RESOLUTION 2021-157**

Trustee Farnell moved BE IT RESOLVED to accept the prior meeting minutes as presented.

Seconded by: Trustee Valsecchi

Poll of the Board: Trustee Santoro, aye, Trustee Farnell, aye, Trustee Minicozzi, aye, Trustee Valsecchi, aye, Mayor De Natale, aye

**RESOLUTION 2021-158**

Trustee Minicozzi moved BE IT RESOLVED to accept with regret, the resignations of Superintendent of Public Works, Russell Lerch and Secretary to ZBA, Planning and CAR, Georgia Giaccone.

Seconded by: Trustee Valsecchi

Poll of the Board: Trustee Santoro, aye, Trustee Farnell, aye, Trustee Minicozzi, aye, Trustee Valsecchi, aye, Mayor De Natale, aye

**RESOLUTION 2021-159**

Trustee Farnell moved BE IT RESOLVED to hire nunc pro tunc Nicholas Targansky as Automotive Mechanic in accordance with Nassau County Civil Service rules and regulations at an annual salary of \$50,000.00, effective September 13, 2021.

Seconded by: Trustee Valsecchi

Poll of the Board: Trustee Santoro, aye, Trustee Farnell, aye, Trustee Minicozzi, aye, Trustee Valsecchi, aye, Mayor De Natale, aye

**RESOLUTION 2021-160**

Trustee Valsecchi moved BE IT RESOLVED to hire Giuseppe Sicuranza as Superintendent of Public Works in accordance with Nassau County Civil Service rules and regulations at an annual salary of \$85,000.00, effective September 28, 2021.

Seconded by: Trustee Minicozzi

Poll of the Board: Trustee Santoro, aye, Trustee Farnell, aye, Trustee Minicozzi, aye, Trustee Valsecchi, aye, Mayor De Natale, aye

**RESOLUTION 2021-161**

Trustee Farnell moved BE IT RESOLVED to accept the proposal dated September 9, 2021 from J. Hubler & Sons Roofing LLC for repairs to Museum roof for a cost of \$3420.00.

Seconded by: Trustee Santoro

Poll of the Board: Trustee Santoro, aye, Trustee Farnell, aye, Trustee Minicozzi, aye, Trustee Valsecchi, aye, Mayor De Natale, aye

**RESOLUTION 2021-162**

Trustee Valsecchi moved BE IT RESOLVED by the Board of Trustees of the Village of Bayville, Nassau County, New York, as follows:

Section 1. For paying the cost of dredging at Creek Marina, a specific object or purpose, at an estimated maximum cost of \$500,000, in and for the Village of Bayville, Nassau County, New York, including incidental expenses in connection therewith, there are hereby authorized to be issued \$500,000 bonds of said Village pursuant to the provisions of the Local Finance Law.

Section 2. The estimated maximum cost of the aforesaid specific object or purpose is hereby determined to be \$500,000, and the plan for the financing thereof is by the issuance of the \$500,000 bonds of said Village authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is five years, pursuant to subdivision twenty-two of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds authorized is limited to five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Village of Bayville, Nassau County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year

sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Village, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Village of Bayville, Nassau County, New York, by the manual or facsimile signature of the Village Treasurer and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the Village Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Village Treasurer, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he or she shall deem best for the interests of said Village; provided, however, that in the exercise of these delegated powers, he or she shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Village Treasurer shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Village by the facsimile signature of the Village Treasurer, providing for the manual countersignature of a fiscal agent or of a designated official of the Village), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Village Treasurer. It is hereby determined that it is to the financial advantage of the Village not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the Village Treasurer shall determine.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- (1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- (2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This resolution, which takes effect immediately, shall be published in summary in Newsday, a newspaper having general circulation in said Village, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Seconded by: Trustee Farnell

Poll of the Board: Trustee Santoro, aye, Trustee Farnell, aye, Trustee Minicozzi, aye, Trustee Valsecchi, aye, Mayor De Natale, aye

**RESOLUTION 2021-163**

Trustee Belcher arrived at 6:42PM

Trustee Santoro moved BE IT RESOLVED to accept the petition for road repairs from the residents of Oak Neck Park Property Owners Association forwarded by the Village Clerk and requests that the Village Building Inspector prepare a survey and written report of the current condition of Oak St., Cross Rd., Bay St., Shore Dr., and Meadow St. Said survey and report shall contain a detailed description of the defects, if any, in such street or streets, or portions thereof, and recommended action to correct same, with alternate solutions, if any, and a description of any improvements required, with detailed estimates of the cost thereof. Upon receipt of such survey and report, the Board of Trustees shall consider the recommendations therein contained, and if it deems such specific street improvements warranted, it shall, by resolution, propose the same and schedule a public hearing thereon.

Seconded by: Trustee Farnell

Poll of the Board: Trustee Santoro, aye, Trustee Farnell, aye, Trustee Minicozzi, aye, Trustee Belcher, aye, Trustee Valsecchi, aye, Mayor De Natale, aye

**RESOLUTION 2021-164**

**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 6:45 PM on Monday, September 27, 2021, at the Bayville Village Hall, 34 School Street, in said Village.

The hearing will be on whether to enact Proposed Local Law 2021-B which will allow the Village of Bayville to opt out of hosting retail cannabis dispensaries and/or on-site cannabis consumption establishments within its boundaries.

A copy of Proposed Local Law 2021-B is posted on the Village of Bayville's website, which may be found at:

<https://bayvilleny.gov/wp-content/uploads/2021/09/Proposed-Local-Law-2021-B-OptOutCannabis.pdf>

Proposed Local Law 2021-B may also be viewed at the Bayville Village Hall, 34 School Street, Bayville, NY 11709 where it may be reviewed between the hours of 8:30 AM and 4:30 PM, Monday through Friday from the date of this notice to the time of the hearing.

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: September 13, 2021

The following people spoke before the Board:

Michael Murray – 6 Satinwood Road  
Jerry Mavros – 3 Knollwood Avenue

Trustee Valsecchi moved BE IT RESOLVED to close the Public Hearing at 6:59PM.

Seconded by: Trustee Farnell

Poll of the Board: Trustee Santoro, aye, Trustee Farnell, aye, Trustee Minicozzi, aye, Trustee Belcher, aye, Trustee Valsecchi, aye, Mayor De Natale, aye

**RESOLUTION 2021-165**

Trustee Santoro moved:

**ADOPTION OF LOCAL LAW 2021-2 (proposed 2021-B)**

The Board then considered the adoption of Local Law 2021-2 (proposed 2021-B), which allows the Village of Bayville to opt out of allowing retail cannabis dispensaries and/or on-site cannabis consumption establishments to locate and operate within the Village boundaries pursuant to Cannabis Law Section 131. After discussion, and on motion duly made and seconded, the Board unanimously

**RESOLVED**, that in accordance with Article 8 of the State Environmental Quality Review Act, the adoption of Local Law 2021-2, which allows the Village of Bayville to opt out of allowing retail cannabis dispensaries and/or on-site cannabis consumption establishments to locate and operate within the Village boundaries pursuant to Cannabis Law Section 131, shall be classified as an *Unlisted Action* and it is determined it shall have no negative environmental impact and shall require no further environmental review, and further

**FURTHER RESOLVED** that Local Law 2021-2, which allows the Village of Bayville to opt out of allowing retail cannabis dispensaries and/or on-site cannabis consumption establishments to locate and operate within the Village boundaries pursuant to Cannabis Law Section 131, be, and the same hereby is, enacted by the Board of Trustees of the Incorporated Village of Bayville as follows:

**INC. VILLAGE OF BAYVILLE  
PROPOSED LOCAL LAW 2021-B**

A local law opting out of licensing and establishing retail cannabis dispensaries and/or on-site cannabis consumption establishments within the Village of Bayville pursuant to Cannabis Law § 131.

**BE IT ENACTED** by the Board of Trustees of the Incorporated Village of Bayville as follows:

**SECTION I. Legislative Intent**

It is the intent of this local law for the Village of Bayville to opt-out of allowing retail cannabis dispensaries and/or on-site cannabis consumption establishments within its boundaries.

**SECTION II. Authority**

This local law is adopted pursuant to Cannabis Law § 131, which expressly authorizes cities and villages to opt-out of allowing retail cannabis dispensaries and/or on-site cannabis consumption establishments to locate and operate within their boundaries.

**SECTION III. Local Cannabis Retail Dispensary and/or On-Site Consumption Opt-Out**

The Board of Trustees of the Village of Bayville, County of Nassau, hereby opts-out of licensing and establishing cannabis retail dispensaries and/or cannabis on-site consumption establishments within its boundaries.

**SECTION IV. Severability**

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**SECTION V. Effective date**

This local law shall take effect immediately upon filing with the Secretary of State. **Pursuant to Cannabis Law § 131, this local law is subject to a permissive referendum and shall not take effect until thirty (30) days after its adoption and thus may not be filed with the Secretary of State until the applicable time period has elapsed to file a petition, or a referendum has been conducted approving this local law.**

Seconded by: Trustee Belcher

Poll of the Board: Trustee Santoro, aye, Trustee Farnell, aye, Trustee Minicozzi, aye, Trustee Belcher, aye, Trustee Valsecchi, aye, Mayor De Natale, aye

**RESOLUTION 2021-166**

**INCORPORATED VILLAGE OF BAYVILLE  
PUBLIC HEARING - CONTINUATION  
SITE DEVELOPMENT PLAN  
269-271 BAYVILLE AVENUE**

The following people spoke before the Board:

Cali Collins – Archangels, Inc. 126 Glen St., Glen Cove, NY 11542

James O'Grady – Partner – Archangels, Inc.

Paul Rupp – 94 Godfrey Avenue

Trustee Valsecchi moved BE IT RESOLVED to close the Public Hearing at 7:11PM.

Seconded by: Trustee Farnell

Poll of the Board: Trustee Santoro, aye, Trustee Farnell, aye, Trustee Minicozzi, abstain, Trustee Belcher, aye, Trustee Valsecchi, aye, Mayor De Natale, aye

**RESOLUTION 2021-167**

Trustee Santoro moved

WHEREAS under the provisions of the Bayville Code §80-67.6 C. PL Bay 269, LLC owned by Peter and Laura Williams ("Applicants") requested site plan approval to make certain improvements on property located at 269-271 Bayville Ave., Bayville, NY ("Premises") and;

WHEREAS Zoning Board of Appeals by decision dated June 30, 2021 granted variances so as to allow the establishment of an additional apartment, for a total of three, and other improvements at the Premises;

NOW, THEREFORE, BE IT RESOLVED that the application of PL Bay 269, LLC to make improvements on the Premises as shown on the plan entitled "Proposed Alterations to: 269-271 Bayville Ave., Bayville, NY 11709... dated May 6, 2021 and last revised on 6/30/21 by Archangels, Inc. ("Plan") is hereby determined to be a Type II action under the State Environmental Quality Review Act and will not require any further environmental review and;

BE IT FURTHER RESOLVED that the application be, and it hereby is approved subject to the Premises being improved in accordance with the Plan and the usual requirements of the Building Department.

Seconded by: Trustee Belcher

Poll of the Board: Trustee Santoro, aye, Trustee Farnell, aye, Trustee Minicozzi, abstain, Trustee Belcher, aye, Trustee Valsecchi, aye, Mayor De Natale, aye

**RESOLUTION 2021-168**

**INCORPORATED VILLAGE OF BAYVILLE  
PUBLIC HEARING - CONTINUATION  
MADISON AVENUE ROAD REPAIR**

The following people addressed the Board during the Hearing:

Lynn Gambarelli – 12 Madison Avenue

Vicki Metz – 6 Madison Avenue

Diane Sadlo – 15 Madison Avenue

Trustee Valsecchi moved BE IT RESOLVED to close the road repair hearing for Madison Avenue at 7:24PM.

Seconded by: Trustee Belcher

Poll of the Board: Trustee Santoro, aye, Trustee Farnell, aye, Trustee Minicozzi, aye, Trustee Belcher, aye, Trustee Valsecchi, aye, Mayor De Natale, aye

**RESOLUTION 2021-169**

Trustee Valsecchi moved BE IT RESOLVED to adopt the plan proposed for repairs to Madison Avenue, work to be performed by Hotine Bros., Inc.

Seconded by: Trustee Farnell

Poll of the Board: Trustee Santoro, aye, Trustee Farnell, aye, Trustee Minicozzi, aye, Trustee Belcher, aye, Trustee Valsecchi, aye, Mayor De Natale, aye

**RESOLUTION 2021-170**

The following people addressed the Board:

Paul Rupp – 94 Godfrey Avenue  
Jody Ordioni – 10 Leeward Cove

Trustee Valsecchi moved to adjourn the Regular Meeting and to convene into Executive Session at 7:32 PM to discuss personnel matters with the Village Attorney.

Seconded by: Trustee Belcher

Poll of the Board: Trustee Santoro, aye, Trustee Farnell, aye, Trustee Minicozzi, aye, Trustee Belcher, aye, Trustee Valsecchi, aye, Mayor De Natale, aye

**RESOLUTION 2021-171**

Trustee Minicozzi moved BE IT RESOLVED to close Executive Session and reopen the Regular Meeting at 7:49PM.

Seconded by: Trustee Farnell

Poll of the Board: Trustee Santoro, aye, Trustee Farnell, aye, Trustee Minicozzi, aye, Trustee Belcher, aye, Trustee Valsecchi, aye, Mayor De Natale, aye

**RESOLUTION 2021-172**

Mayor De Natale moved BE IT RESOLVED to increase the annual salary of Andrew Petti, Supervisor of Water Department Supervisor, in the amount of \$10,000 per year.

Seconded by: Trustee Minicozzi

Poll of the Board: Trustee Santoro, aye, Trustee Farnell, aye, Trustee Minicozzi, aye, Trustee Belcher, aye, Trustee Valsecchi, aye, Mayor De Natale, aye

**RESOLUTION 2021-173**

Trustee Minicozzi moved BE IT RESOLVED to close the Regular Meeting at 7:50PM.

Seconded by: Trustee Valsecchi

Poll of the Board: Trustee Santoro, aye, Trustee Farnell, aye, Trustee Minicozzi, aye, Trustee Belcher, aye, Trustee Valsecchi, aye, Mayor De Natale, aye

**RESOLUTION 2021-174**

Respectfully submitted,

Maria Alfano-Hardy  
Village Clerk