

The Regular Meeting of the Board of Trustees was held on May 23, 2022, at Bayville Village Hall, 34 School St., Bayville, New York 11709 at 6:30PM.

Present were:	Trustee Santoro	Deputy Village Clerk
	Trustee Farnell	Christopher Vivona
	Trustee Nigro	Secretary to Board
	Trustee Minicozzi	Nikki Paris
	Trustee DiBartolomeo	Village Attorney
	Trustee Valsecchi	Peter Weiler
	Mayor De Natale	

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
GENERAL			
PAYROLL	4/27/2022	11I	\$ 26,554.35
	816	11J	\$ 2,024.51
PAYROLL	5/4/2022	12A	\$ 27,304.03
	817	12B	\$ 2,081.67
PAYROLL	5/11/2022	12C	\$ 27,226.74
	818	12D	\$ 2,075.76
PAYROLL	5/18/2022	12E	\$ 28,267.66
	819	12F	\$ 2,155.12
	820/841	12G	\$ 335,867.48
	842/892	12H	\$ 179,846.11
TOTAL GENERAL			\$ 633,403.43
WATER			
PAYROLL	4/27/2022	11I	\$ 6,574.24
	215	11J	\$ 501.23
PAYROLL	5/3/2022	12A	\$ 6,287.68
	216	12B	\$ 479.37
PAYROLL	5/11/2022	12C	\$ 6,686.21
	217	12D	\$ 509.76
PAYROLL	5/18/2022	12E	\$ 7,098.96
	218	12F	\$ 541.22
	219/226	12G	\$ 38,457.42
	227/236	12H	\$ 19,360.92
TOTAL WATER			\$ 86,497.01
TRUST & AGENCY			
	261/265	11E	\$ 14,920.90
	266/269	12A	\$ 10,734.64
	270/276	12B	\$ 18,405.07
	277/282	12C	\$ 93,903.66
	283/286	12D	\$ 2,669.71
TOTAL T & A			\$ 140,633.98
REVENUE ENTERPRISE			
	32/35	12A	\$ 4,772.44
	36/39	12B	\$ 7,370.78
TOTAL REVENUE ENTERPRISE			\$ 12,143.22

CAPITAL				
	21	12A	\$	10,165.77
TOTAL CAPITAL			\$	10,165.77
COMMUNITY DEVELOPMENT				
TOTAL COMMITY DEVELOP				
GRAND TOTAL			\$	882,843.41

Seconded by: Trustee Nigro
 Poll of the Board: Trustee Santoro, aye, Trustee Farnell, aye, Trustee Nigro, aye, Trustee Minicozzi, aye, Trustee DiBartolomeo, aye, Trustee Valsecchi, aye, Mayor De Natale, aye

RESOLUTION 2022-78

Trustee Santoro moved BE IT RESOLVED to accept the prior meeting's minutes as presented.
 Seconded by: Trustee Valsecchi
 Poll of the Board: Trustee Santoro, aye, Trustee Farnell, aye, Trustee Nigro, abstain, Trustee Minicozzi, aye, Trustee DiBartolomeo, aye, Trustee Valsecchi, aye, Mayor De Natale, aye

RESOLUTION 2022-79

Trustee Valsecchi moved BE IT RESOLVED to increase the following fees for the Bayville Cemetery as follows:

Grave Openings (full Casket Burials):

Single Depth Total: \$1700.00
 Double Depth Total: \$1950.00

Two Checks:

Inc. Village of Bayville: \$200.00
 Ted Morfis: \$1500.00 (single depth) **OR** \$1750.00 (double depth)

Grave Openings (Cremation):

Total: \$575.00
 Inc. Village of Bayville: \$125.00
 Ted Morfis: \$450.00

*Saturday, Sunday & Holidays:

Additional Charges:
 Burial \$200.00
 Cremation \$150.00

Showing Available Plots:

\$50.00 per hour paid by Inc. Village of Bayville to Ted Morfis

Seconded by: Trustee Farnell
 Poll of the Board: Trustee Santoro, aye, Trustee Farnell, aye, Trustee Nigro, aye, Trustee Minicozzi, aye, Trustee DiBartolomeo, aye, Trustee Valsecchi, aye, Mayor De Natale, aye

RESOLUTION 2022-80

Trustee Nigro moved BE IT RESOLVED to introduce Proposed Local Law 2022-B to establish no parking on Cemetery Lane between the hours of 6:00PM to 6:00AM. The hearing date will be June 27, 2022.

Seconded by: Trustee Minicozzi
 Poll of the Board: Trustee Santoro, aye, Trustee Farnell, aye, Trustee Nigro, aye, Trustee Minicozzi, aye, Trustee DiBartolomeo, aye, Trustee Valsecchi, aye, Mayor De Natale, aye

RESOLUTION 2022-81

Trustee Santoro moved BE IT RESOLVED to hire Benett Ardi, Meghan Murray, and Nicholas Amendolara as Seasonal Laborers, all at an hourly wage of \$15.00 per hour.

Seconded by: Trustee Farnell
 Poll of the Board: Trustee Santoro, aye, Trustee Farnell, aye, Trustee Nigro, aye, Trustee Minicozzi, aye, Trustee DiBartolomeo, aye, Trustee Valsecchi, aye, Mayor De Natale, aye

RESOLUTION 2022-82

Trustee Valsecchi moved BE IT RESOLVED to accept the proposal from Sapienza and Frank to provide professional services related to the Length of Service Award Programs (LOSAP) for the volunteer firefighters of the Bayville Volunteer Fire Department/Bayville Fire Company No. 1 at a rate of \$250.00 per hour.

Seconded by: Trustee Nigro

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

RESOLUTION 2022-83

Trustee Santoro moved

RESOLVED BY THE BOARD OF TRUSTEES OF THE INCORPORATED VILLAGE OF BAYVILLE IN THE TOWN OF OYSTER BAY, COUNTY OF NASSAU, STATE OF NEW YORK, BY FAVORABLE VOTE OF NOT LESS THAN THREE-FIFTHS OF THE MEMBERS OF SAID BOARD (SUBJECT TO MANDATORY REFERENDUM), AS FOLLOWS:

SECTION 1. The Incorporated of Village of Bayville shall conduct a mandatory referendum at the General Village Election to determine whether the Board of Trustees shall amend an existing Length of Service Award Program provided for the volunteer firefighter-participants of the program of the Bayville Volunteer Fire Department/ Bayville Fire Company No. 1, as provided for in Sections 216 and 216-a of the General Municipal Law.

SECTION 2. The type of Length of Service Award Program presently in existence is a defined benefit program as described in Section 219 of the General Municipal Law.

SECTION 3. The Entitlement Age for participants, as that term is defined in Section 215 subparagraph (4) of the General Municipal Law, under the program as presently constituted is 65 years of age based upon the program as originally adopted, subsequently amended and authorized in accordance with law.

SECTION 4. The maximum number of years of firefighting service, as that term is defined in Section 215 subparagraph (11) of the General Municipal Law, under the program as presently constituted is 30 years based upon the program originally adopted, subsequently amended and authorized in accordance with law.

SECTION 5. Under Section 215 subparagraph (4) of the General Municipal Law a Length of Service Award Program, subject to the appropriate authorization, may provide for an Entitlement Age for participants as low as 55 years of age, and under Section 219 (b) of the General Municipal Law a maximum number of years of firefighting service of 50 years.

SECTION 6. The present Length of Service Award Program of the Incorporated of Village of Bayville provides for an Entitlement Age policy with an Entitlement Age of 65 years of age which also permits participants to earn post entitlement age benefits credit for additional years of service credit.

SECTION 7. The present Length of Service Award Program shall be amended in order to increase the monthly benefit earned for each year of service credit earned from twenty (\$20.00) dollars per year of credited service to thirty (\$30.00) dollars per year of credited service as permitted under Section 219 of the General Municipal Law.

SECTION 8. The present Length of Service Award Program shall remain the same in all other respects and shall be amended by this resolution subject, of course, to approval of a mandatory referendum. In the event the referendum is not approved, the present program shall remain in effect as presently constituted and the amendment proposed shall not take effect. In the event the proposition is approved, pursuant to Section 219 subparagraph (c) of the General Municipal Law the prior authorization to make benefits immediately available for payment to participants when vested and earned shall remain in effect. There shall be no 10-year waiting period as described therein, and it is noted that the program will have been in existence for 10 years by the time this amendment, if approved and becomes effective.

SECTION 9. The estimated annual cost of the Length of Service Award Program as amended hereunder shall be \$280,000.00 based upon the current number and composition of participants in the program. The current estimated annual cost of the Length of Service Award Program as it currently exists is \$280,000.00 based upon the current number and composition of participants in the program. The program as amended will change the amortization schedule to a ten (10) year amortization from a

five (5) year amortization and the amount amortized over said period from \$152,548.00 to \$126,962.00. The amendments proposed will not increase the annual administration fees for the program which shall remain the same. The foregoing figures are estimated and are subject to variation based upon the number of participants each year who qualify for a year of service credit.

SECTION 10. The defined benefit award to be paid to each eligible volunteer firefighter participant in the program as amended shall be thirty (\$30.00) dollars per month for each qualified year of active firefighting service not to exceed thirty (30) years of service. The amendment if approved by the registered voters of the Village shall apply to each year of service after January 1, 2023.

SECTION 11. The General Village Election of the qualified voters of the Incorporated of Village of Bayville, in the Town of Oyster Bay, County of Nassau, State of New York, (hereinafter referred to as "Village"), shall be held at the firehouse of Bayville Fire Company No. 1, located at 258 Bayville Avenue, Bayville, New York 11709, in said Village on June 21, 2022, commencing at 6:00 a.m. (prevailing time) and the polls shall remain open until 9:00 p.m. (prevailing time) or for as much longer as may be necessary to enable the voters then present to cast their votes.

SECTION 12. The vote upon the Proposition to be submitted to the qualified voters shall be by voting machine and the Village Clerk is hereby authorized and directed to have the necessary machine prepared for use in such voting.

SECTION 13. The Village Clerk is hereby authorized and directed to give notice of said General Village Election based upon the form normally used with notice of this proposition to amend the Length of Service Award Program stated within such notice of election. The form of the proposition shall be as follows:

PROPOSITION

Shall the Resolution of the Incorporated of Village of Bayville in the Town of Oyster Bay, County of

Nassau, State of New York, entitled:

RESOLUTION OF THE BOARD OF TRUSTEES OF THE INCORPORATED VILLAGE OF BAYVILLE IN THE TOWN OF OYSTER BAY, COUNTY OF NASSAU, STATE OF NEW YORK, ADOPTED MAY 23, 2022; AUTHORIZING THE AMENDMENT OF THE VILLAGE SERVICE AWARD PROGRAM FOR THE VOLUNTEER FIREFIGHTERS OF THE BAYVILLE VOLUNTEER FIRE DEPARTMENT/ BAYVILLE FIRE COMPANY NO. 1 IN ORDER TO INCREASE THE MONTHLY BENEFIT FOR PARTICIPANTS FOR EACH CREDITED YEAR OF SERVICE FROM TWENTY (\$20.00) DOLLARS TO THIRTY (\$30.00) DOLLARS AS PERMITTED BY GENERAL MUNICIPAL LAW §219 EFFECTIVE ON JANUARY 1, 2023; STATING THE ESTIMATED ANNUAL COST OF SAID PROGRAM AS AMENDED BASED UPON THE PRESENT NUMBER OF FIREFIGHTERS WILL REMAIN \$280,000.00, AND WILL NOT INCREASE; STATING THAT AMORTIZATION OF UNFUNDED LIABILITY OF THE PLAN SHALL CHANGE FROM \$152,548.00 AMORTIZED OVER FIVE (5) YEARS TO \$126,962.00 AMORTIZED OVER TEN (10) YEARS; STATING THE CURRENT ANNUAL ADMINISTRATION FEE INCLUDED IN THE AFOREMENTIONED FIGURES WILL REMAIN THE SAME BASED UPON THE PRESENT NUMBER OF FIREFIGHTERS; STATING THAT THE PLAN IS FUNDED BY THE VILLAGES OF BAYVILLE, MILL NECK AND CENTRE ISLAND; STATING THAT ALL OTHER PROVISIONS OF THE PLAN WILL REMAIN UNCHANGED AND IN EFFECT; APPROPRIATE SAID AMOUNT THEREFORE, BE APPROVED?

Seconded by: Trustee DiBartolomeo

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

RESOLUTION 2022-84

The following people addressed the Board:

Pat Pileggi – 8 Summitview Drive
Victoria Siegel – 2 Hilary Drive
Louis John Ruggilo – 5 Hilary Drive
Georgia Giaccone – 4 Hilary Drive

**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, May 23, 2022, at the Bayville Village Hall, 34 School Street, in said Village.

The hearing will be on whether to enact Proposed Local Law 2022-A which will allow the Village of Bayville to authorize by local option the Nassau County Home Improvement Exemption Code 44220 to be applied to all properties within its jurisdiction that qualify for said exemption as determined by the County of Nassau's Department of Assessment.

A copy of Proposed Local Law 2022-A is posted on the Village of Bayville's website, which may be found at:

<https://bayvilleny.gov/wp-content/uploads/2022/05/NC-HIE-Exemption-Proposed-Local-Law-2022-A-rev.pdf>

Proposed Local Law 2022-A 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: May 11, 2022

Trustee Valsecchi moved BE IT RESOLVED to close the Public Hearing at 7:35PM.

Seconded by: Trustee Nigro

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

RESOLUTION 2022-85

Trustee Minicozzi moved BE IT RESOLVED to adopt proposed Local Law 2022-A as Local Law No. 1 of the year 2022, a local law which will allow the Village of Bayville to authorize by local option the Nassau County Home Improvement Exemption Code 44220 to be applied to all properties within its jurisdiction that qualify for said exemption as determined by the County of Nassau's Department of Assessment.

Seconded by: Trustee Valsecchi

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

RESOLUTION 2022-86

Trustee Farnell moved BE IT RESOLVED to adjourn the Regular Meeting and to convene into Executive Session at 7:36PM to discuss the following matters:

Discussion with Village Attorney regarding the following:

Personnel matters
License Agreement
Litigation

Seconded by: Trustee Nigro

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

RESOLUTION 2022-87

Trustee Valsecchi moved BE IT RESOLVED to close Executive Session and reopen the Regular Meeting at 9:08PM.

Seconded by: Trustee Nigro

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

RESOLUTION 2022-88

Mayor DeNatale moved BE IT RESOLVED to approve the contract between Connecticut Watch LLC d/b/a Wall's Wharf and the Village of Bayville, to allow parking at Soundside Beach, under the terms listed in the agreement for a fee of \$6500.00.

Seconded by: Trustee Minicozzi

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

RESOLUTION 2022-89

Trustee Nigro moved BE IT RESOLVED to close the Regular Meeting at 9:14PM.

Seconded by: Trustee Farnell

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

RESOLUTION 2022-90

Respectfully submitted,

Christopher Vivona
Deputy Clerk-Treasurer