

REGULAR MEETING APRIL 24, 2023

The Regular Meeting of the Board of Trustees was held on April 24, 2023, at the Village Hall, 34 School Street, Bayville, New York 11709, at 6:30PM.

Present were:

Trustee Walsh	Village Clerk-Treasurer
Trustee Santoro	Maria Alfano-Hardy
Trustee Nigro	Secretary to Board
Trustee De Natale	Nikki Paris
Mayor Minicozzi	Village Attorney
	Peter Weiler

Absent were: Trustee DiBartolomeo and Trustee Valsecchi

Trustee De Natale 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	3/29/2023	10K	\$ 24,957.30
	784	10L	\$ 1,902.74
	785/788	10M	\$ 4,569.99
PAYROLL	4/5/2023	11A	\$ 26,946.52
	789	11B	\$ 2,054.41
PAYROLL	4/12/2023	11C	\$ 25,071.31
	790	11D	\$ 1,911.45
PAYROLL	4/19/2023	11E	\$ 25,324.85
	791	11F	\$ 1,930.78
	792/802	11G	\$ 85,468.14
	803/837B	11H	\$ 158,328.09
TOTAL GENERAL			\$ 358,465.58
WATER			
PAYROLL	3/29/2023	10K	\$ 6,598.81
	216	10L	\$ 503.10
	217	10M	\$ 159.08
PAYROLL	4/5/2023	11A	\$ 6,424.85
	218	11B	\$ 489.93
PAYROLL	4/12/2023	11C	\$ 6,461.32
	219	11D	\$ 492.62
PAYROLL	4/19/2023	11E	\$ 6,424.85
	220	11F	\$ 489.83
	221/226	11G	\$ 22,154.20
	227/233	11H	\$ 4,329.94
TOTAL WATER			\$ 54,528.53
TRUST & AGENCY			
	269/274	10F	\$ 17,939.08
	275/279	11A	\$ 11,827.69
	280/285	11B	\$ 90,885.84
	286/289	11C	\$ 10,154.41
	290/292	11D	\$ 4,780.59
TOTAL T & A			\$ 135,587.61
REVENUE ENTERPRISE			
	48/50	11A	\$ 1,497.07
	51/53	11B	\$ 10,446.50
TOTAL REVENUE ENTERPRISE			\$ 11,943.57

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CAPITAL				
	35	11A	\$	8,400.00
TOTAL CAPITAL			\$	8,400.00
COMMUNITY DEVELOPMENT				
TOTAL COMMTY DEVELOP				
GRAND TOTAL			\$	568,925.29

Seconded by: Trustee Nigro

Poll of the Board: Trustee Walsh, aye, Trustee Nigro, aye, Trustee De Natale, aye, Mayor Minicozzi, aye

RESOLUTION 2023-72

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

Seconded by: Trustee De Natale

Poll of the Board: Trustee Walsh, aye, Trustee Nigro, aye, Trustee De Natale, aye, Mayor Minicozzi, aye

RESOLUTION 2023-73

Trustee Santoro arrived at 6:35PM

Trustee Walsh moved:

WHEREAS, there is a "Business District" which contains a substantial number of business establishments on the south side of Bayville Avenue near the Town of Oyster Bay Ransom Beach and Stehli Beach; and

WHEREAS, it has been determined that many persons/motorists who enter and use Ransom Beach and Stehli Beach for extended periods of time park their vehicles at parking spaces adjacent to the business establishments to avoid payment of the parking fees charged for the parking of vehicles at Ransom Beach and Stehli Beach; and

WHEREAS, such beach parking deprives the business establishments of parking spaces for their respective patrons, thus causing economic harm;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees pursuant to Vehicle and Traffic Law §1603 and §1640 and the Code of the Village of Bayville §75-3, hereby issues an order/regulation to establish the posting of appropriate signs stating "No Beach Parking-\$50 Fine" between a point on the south side of the Bayville Avenue 294 feet west of the westerly curb line of Bayville Park Boulevard and a point 993 feet west of said curb line in front of the following Bayville Avenue addresses: 2, 8, 10, 12, 14, 16, 18, 20, 22 and 24; and

BE IT FURTHER RESOLVED, that a fine of \$50.00 shall be imposed upon the owner of any vehicle which has been parked in violation of the above order/regulation.

Seconded by: Trustee De Natale

Poll of the Board: Trustee Walsh, aye, Trustee Santoro, aye, Trustee Nigro, aye, Trustee De Natale, aye, Mayor Minicozzi, aye

RESOLUTION 2023-74

**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 6:40 PM on Monday, April 24, 2023, at the Village Hall, 34 School Street, Bayville, New York 11709 with respect to the matter summarized below:

Proposed Local Law F-2023, a local law to amend Chapter 72, "Trees," of the Code of the Village of Bayville. The Code was adopted by Local Law 2-1978 on May 22, 1978, and last amended by the Board of Trustees on March 27, 2023, by Local Law 5-2023.

A copy of Proposed Local Law F-2023 is posted on the Village of Bayville's website, which may be found at:

<https://bayvilleny.gov/wp-content/uploads/2023/03/PLL-F-2023-Trees-Final-Draft.pdf>

A copy is also available for viewing at the Bayville Village Hall, 34 School Street, in said Village, 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: March 31, 2023

Trustee Walsh moved BE IT RESOLVED to close the Public Hearing at 6:44PM.

Seconded by: Trustee Nigro

Poll of the Board: Trustee Walsh, aye, Trustee Santoro, aye, Trustee Nigro, aye, Trustee De Natale, aye, Mayor Minicozzi, aye

RESOLUTION 2023-75

Trustee Santoro moved:

WHEREAS, the Board of Trustees of the Village of Bayville ("Village Board"), by Resolution 2023-50 dated March 27, 2023, introduced Local Law F-2023 to amend §72-3 and §72-5 of Chapter 72, "Trees" of the Code of the Village of Bayville ("Village Code") for consideration at a public hearing to be held on April 24, 2023, at 6:40 PM at the Village Hall located at 34 School St., Bayville, NY; and

WHEREAS, the Village Board in accordance with the State Environmental Quality Review Act ("SEQRA") declares itself to be Lead Agency and has determined that the proposed action is an Unlisted Action.

NOW, THEREFORE, BE IT RESOLVED, that this Board declares the proposed action will not result in a significant adverse impact on the environment because it is an administrative matter to require a permit to remove a dead tree; and,

BE IT FURTHER RESOLVED, that Proposed Local Law F-2023 adopted as Local Law No. 6 of the Year 2023 be, and the same hereby is enacted by the Board of Trustees of the Incorporated Village of Bayville as follows:

Seconded by: Trustee Nigro

Poll of the Board: Trustee Walsh, aye, Trustee Santoro, aye, Trustee Nigro, aye, Trustee De Natale, aye, Mayor Minicozzi, aye

RESOLUTION 2023-76

INCORPORATED VILLAGE OF BAYVILLE

LOCAL LAW NO. 6 OF THE YEAR 2023

AMENDMENT TO CHAPTER 72, "TREES"

A local law to amend Chapter 72, "Trees," of the Code of the Village of Bayville. The Code was adopted by Local Law 2-1978 on May 22, 1978, and last amended by the Board of Trustees on March 27, 2023, by Local Law 5-2023.

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

SECTION I. Amend Chapter 72, "Trees," in part to read as follows:

§72-3 Permit required; exception.

- A. It shall be unlawful for any person to remove, destroy, or substantially alter the habit of one or more of the live trees or a dead tree on any parcel of real property unless a permit has been obtained pursuant to this chapter.

§72-5 Application for permit.

- A. Whenever a person shall deem it necessary to remove, destroy, or substantially alter one or more of the live trees or a dead tree on any real property within the Village, such person shall first make application for a permit to the Village Board.

SECTION II. Effective date. This local law shall take effect upon the filing with the Department of State.

**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, April 24, 2023, at the Village Hall, 34 School Street, Bayville, New York 11709 with respect to the matter summarized below:

Proposed Local Law G-2023, a local law to amend Chapter 3, "Aircraft," of the Code of the Village of Bayville. The Code was adopted by Local Law 2-1978 on May 22, 1978, and last amended by the Board of Trustees on March 27, 2023, by Local Law 5-2023.

A copy of Proposed Local Law G-2023 is posted on the Village of Bayville's website, which may be found at:

<https://bayvilleny.gov/wp-content/uploads/2023/03/PLL-G-2023-Aircraft-Final-Draft.pdf>

A copy is also available for viewing at the Bayville Village Hall, 34 School Street, in said Village, 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: March 31, 2023

For the record, the Hearing started at 6:46PM.

Trustee Nigro moved BE IT RESOLVED to close the Public Hearing at 6:49PM.

Seconded by: Trustee Santoro

Poll of the Board: Trustee Walsh, aye, Trustee Santoro, aye, Trustee Nigro, aye, Trustee De Natale, aye, Mayor Minicozzi, aye

RESOLUTION 2023-77

Trustee Santoro moved:

WHEREAS, the Board of Trustees of the Village of Bayville ("Village Board"), by Resolution 2023-51 dated March 27, 2023, introduced Local Law G-2023 to amend §3-2 of Chapter 3, "Aircraft" of the Code of the Village of Bayville ("Village Code") by deleting "balloons, kites and kite balloons" from the definition of aircraft, for consideration at a public hearing to be held on April 24, 2023, at 6:45 PM at the Village Hall located at 34 School St., Bayville, NY; and

WHEREAS, the Village Board in accordance with the State Environmental Quality Review Act ("SEQRA") declares itself to be Lead Agency and has determined that the proposed action is an Unlisted Action.

NOW, THEREFORE, BE IT RESOLVED, that this Board declares the proposed action will not result in a significant adverse impact on the environment because it will allow for greater recreational activities in the Village; and,

BE IT FURTHER RESOLVED, that proposed Local Law G-2023 adopted as Local Law No. 7 of the Year 2023 be, and the same hereby is enacted by the Board of Trustees of the Incorporated Village of Bayville as follows:

Seconded by: Trustee Walsh

Poll of the Board: Trustee Walsh, aye, Trustee Santoro, aye, Trustee Nigro, aye, Trustee De Natale, aye, Mayor Minicozzi, aye

RESOLUTION 2023-78

INCORPORATED VILLAGE OF BAYVILLE

LOCAL LAW NO. 7 OF THE YEAR 2023

AMENDMENT TO CHAPTER 3, "AIRCRAFT"

A local law to amend Chapter 3, "*Aircraft*," of the Code of the Village of Bayville. The Code was adopted by Local Law 2-1978 on May 22, 1978, and last amended by the Board of Trustees on March 27, 2023, by Local Law 5-2023.

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

SECTION I. Amend Section 3-2, "*Definitions*," in part to read as follows:

§ 3-2 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

AIRCRAFT

Any weight-carrying machine or structure for flight in or navigation of the air and designed to be supported by the air either by the buoyancy of the structure or by the dynamic action of the air against its surfaces. The term "aircraft" shall be understood to include airplanes (including seaplanes), helicopters, and drones.

EMERGENCY

A situation or circumstance endangering the life or limb of the pilot or passengers of an aircraft.

SECTION III. This local law shall take effect upon the filing with the Department of State.

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

BEACH ATTENDANTS

George Albro (8 years): \$16.50/hr.
Chelsea Jaworski (8 years): \$19.00/hr.
Linda McKay (12 years): \$17.00/hr.
Joe Rodgers (12 years): \$20.00/hr.
Alexandra Amendolara (4 years): \$16.00/hr.
Tyler Waage (2 years): \$16.00/hr.

NEW BEACH ATTENDANTS

Brianna Demshick: \$15.00/hr.
Grace LaPollo: \$15.00/hr.
Madison Poehmel: \$15.00/hr.

LIFEGUARD (PENDING CERTIFICATION)

Ainsley Johnson: \$15.50/hr.

And, BE IT FUTHER RESOLVED, that the Village Clerk is hereby authorized to hire, if needed, additional Beach Attendants and Lifeguards at the minimum wage rate of \$15.00 per hour during the 2023 summer season.

Seconded by: Trustee De Natale

Poll of the Board: Trustee Walsh, aye, Trustee Santoro, aye, Trustee Nigro, aye, Trustee De Natale, aye, Mayor Minicozzi, aye

RESOLUTION 2023-79

Trustee Santoro moved BE IT RESOLVED to hire Emmanuel I. Rodriguez as a Sanitation/Laborer at an annual starting salary of \$31,987.68, effective April 25, 2023, as per the Collective Bargaining Agreement and in accordance with Nassau County Civil Service Commission's rules and regulations.

Seconded by: Trustee Nigro

Poll of the Board: Trustee Walsh, aye, Trustee Santoro, aye, Trustee Nigro, aye, Trustee De Natale, aye, Mayor Minicozzi, aye

RESOLUTION 2023-80

Trustee Santoro moved BE IT RESOLVED to appoint Christopher G. Wagner, Richard Prisco, and Peter M. Weiler as Deputy Prosecutors to serve in the absence or inability of Brian Davis, Village Prosecutor, to prosecute a violator of a Village ordinance or local law or a person accused of committing any offense, infraction, or criminal act within the Village, in the Bayville Village Justice Court.

Seconded by: Trustee De Natale

Poll of the Board: Trustee Walsh, aye, Trustee Santoro, aye, Trustee Nigro, aye, Trustee De Natale, aye, Mayor Minicozzi, aye

RESOLUTION 2023-81

Trustee Santoro moved BE IT RESOLVED to appoint Brian Herbig and Sophie Luzynski to the Bayville Environmental Conservation Commission for a term to expire the first Monday in July, 2023.

Seconded by: Trustee De Natale

Poll of the Board: Trustee Walsh, aye, Trustee Santoro, aye, Trustee Nigro, aye, Trustee De Natale, aye, Mayor Minicozzi, aye

RESOLUTION 2023-82

Trustee De Natale moved BE IT RESOLVED to accept the bid from Winters Bros. Hauling of Long Island, LLC as per the recommendation of H2M for the Municipal Solid Waste & Recyclables Disposal Program in the amount of \$959,318.00 for a two-year contract.

Seconded by: Trustee Santoro

Poll of the Board: Trustee Walsh, aye, Trustee Santoro, aye, Trustee Nigro, aye, Trustee De Natale, aye, Mayor Minicozzi, aye

RESOLUTION 2023-83

Trustee Nigro moved BE IT RESOLVED to approve the proposal from Advanced Electrical Resources, Ltd. to upgrade the lighting in the cellar of the Bayville Historical Museum for a total cost of \$1,500.00.

Seconded by: Trustee De Natale

Poll of the Board: Trustee Walsh, aye, Trustee Santoro, aye, Trustee Nigro, aye, Trustee De Natale, aye, Mayor Minicozzi, aye

RESOLUTION 2023-84

Trustee Walsh moved BE IT RESOLVED to accept the proposal from Tri-County Plumbing to remove and replace a 40-gallon water heater with an electric 20-gallon AO Smith ProLine water heater for a cost not to exceed \$2,700.00.

Seconded by: Trustee Santoro

Poll of the Board: Trustee Walsh, aye, Trustee Santoro, aye, Trustee Nigro, aye, Trustee De Natale, aye, Mayor Minicozzi, aye

RESOLUTION 2023-85

REGULAR MEETING APRIL 24, 2023

Trustee Santoro moved BE IT RESOLVED to lower the Water Tax (Village Code § 77-16 B) from 2.00% to 1.39% to ensure the Village stays under the Tax Cap for fiscal year ending May 31, 2024.

Seconded by: Trustee Walsh

Poll of the Board: Trustee Walsh, aye, Trustee Santoro, aye, Trustee Nigro, aye, Trustee De Natale, aye, Mayor Minicozzi, aye

RESOLUTION 2023-86

The following people addressed the Board:

Gene Pileggi – 8 Summitview Drive

Pat Pileggi – 8 Summitview Drive

Eric Hilliker – 34 Library Lane

Will Flower – 16 East Slope Road

Trustee Santoro moved BE IT RESOLVED to close the Regular Meeting at 7:38PM.

Seconded by: Trustee Walsh

Poll of the Board: Trustee Walsh, aye, Trustee Santoro, aye Trustee Nigro, aye, Trustee De Natale, aye, Mayor Minicozzi, aye

RESOLUTION 2023-87

Respectfully submitted,

Maria Alfano-Hardy
Village Clerk-Treasurer