

AGENDA

AUGUST 18, 2016

8:00 P.M.

- I. Call to Order (Pledge of Allegiance and Moment of Silence)
- II. Board Approval - Volunteer Firefighter - Thomas W. VanWallendael
- III. Citizens Comment on Agenda Items (limited to four minutes per person) and does not include Items on the General Communications.
- IV. Public Hearing - "A Proposed Local Law Amending Chapter 200 of the Village Code Regarding Zoning (Generators)".
- V. Public Hearing - "A Proposed Local Law to Amend Chapter 61 of the Village Code Concerning Bamboo".
- VI. Approval of Minutes - July 21, 2016
- VII. New Business

A. Formal Agenda

Appointment by Mayor - Deputy Village Treasurer

1. a) A resolution setting the terms and conditions of employment for the position of Deputy Village Treasurer.
  - *This resolution sets the "benefits package" for the new Deputy Village Treasurer generally equal to those already existing for other Executive Staff.*
- b) Appointment of Darcia Palmer, 21 East Avon Drive, Amityville, New York, effective, August 22, 2016 (or upon Civil Service Approval) for the balance of the official year, ending on April 3, 2017.

NEXT BOARD OF TRUSTEES MEETING - SEPTEMBER 8, 2016

B. Consent Calendar

Departmental Communications:

Village Counsel

1. A Resolution authorizing the Mayor to execute a Letter Agreement with the Nassau County Planning Commission shortening the time frame for within which the Village may take certain land use actions in the absence of comment from the County Planning Commission.
  - *Counsel advises that the County Planning Commission authorizes villages to enter into "streamlining" agreements (such as this) by which the Village may provide 'notice' of its intention to take certain land use activities to the Commission, and the Village may thereafter act if the Commission does not otherwise comment within seven (7) days (rather than wait the thirty (30) days that would be otherwise required).*
2. A Resolution ratifying the earlier action of the Board of Trustees in the adoption of Local Law 4-2016.
  - *Inasmuch as the County Planning Commission's correspondence authorizing the Board to proceed with adoption of the Local Law was not officially received until after the Local Law's adoption date, it is recommended that the Board Members ratify and reaffirm their earlier assent to the adoption of the Housing Density Bonus Law.*

Finance

3. a) Consulting Agreement and Release for Sandra Yu-Clarson.
    - *This agreement is between the Village and Sandra Yu-Clarson who will provide consulting services with regard to transitioning of the new Village Auditor, at a rate of \$68.50 per hour. (Ratification Requested)*
  - b) Transfer of Funds  
\$10,000 from Contingent, to Clerk-Treasurer - Consulting Fees, to fund consultant fees for transitioning services.
  - c) Sandra Yu-Clarson, 74 McCulloch Drive, Dix Hills, New York - \$5,069.
    - *This billing reflects consulting fees for transitional services from July 29 through August 12, 2016.*
4. Payment of Invoices:
- a) Meyer, Suozzi, English & Klein, P.C., 990 Stewart Avenue, Garden City, New York \$6,917.42.
    - *This billing reflects legal services rendered through June 30, 2016, to provide legal expertise for zoning change applications.*

- b) Bee Ready Fishbein Hatter & Donovan, LLP, 170 Old Country Road, Mineola, New York  
\$2,646.
- *This billing reflects reimbursement of invoices for Epoch5 for the month of June, 2016.*
- c) Reynolds, Caronia, Gianelli & LaPinta, P.C., 200 Vanderbilt Motor Parkway, Hauppauge,  
New York (Anthony LaPinta, Fair Housing Compliance Officer)  
\$6,770.
- *This billing reflects professional services rendered for the month of June, 2016, with respect to the legal issues as the Fair Housing Compliance Officer with regard to MHANY Management Inc., and the ACORN Litigation.*
- d) Reynolds, Caronia, Gianelli & LaPinta, P.C., 200 Vanderbilt Motor Parkway,  
Hauppauge, New York (Anthony LaPinta, Fair Housing Compliance Officer)  
\$11,067.50.
- *This billing reflects professional services rendered for the month of July, 2016, with respect to the legal issues as the Fair Housing Compliance Officer with regard to MHANY Management Inc., and the ACORN Litigation.*
- e) Sive, Paget & Riesel, P.C., 460 Park Avenue, New York, New York - \$14,990.80.
- *This billing reflects work done from June 1, 2016 through June 30, 2016, on the Remedial Cost Recovery for Groundwater Containment at Village Water Wells 13 and 14 in conjunction with litigation against Genesco.*
- f) Bond, Schoeneck & King, PLLC, 1010 Franklin Avenue, Garden City, New York  
\$11,592.50.
- *This billing reflects work done from June 1, 2016 through June 30, 2016, with respect to legal services for general hourly labor matters.*
- g) Pillsbury Winthrop Shaw Pittman, LLP, 1540 Broadway, New York, New York - \$2,444.41.
- *This billing reflects work done through June 30, 2016, with respect to insurance coverage issues with MHANY Management and the ACORN Litigation.*
5. Appropriation of Termination Reserve
- *Board authorization is requested to appropriate \$104,224.53 from Reserve for Compensated Absences to Termination Payout for payments to (four) retired/separated employees from the Reserve maintained for that purpose.*
6. Appropriation of Funds - Police Reserves
- *Under the New York State Civil Practice Law, certain funds received from forfeiture of assets are restricted to fund "underbudgeted" police expenditures. At the close of the 2016 fiscal year, the Village had \$20,643.76 held in Reserve. These funds are restricted under this statute and authorization is requested to appropriate this to Program Expenses.*

7. Deferred Compensation Report.

- *The Village has received and reviewed the final Audit Report for the Deferred Compensation Plan. The Audit Report was reviewed by the Village's Finance and Audit Committee.*

8. Transfer of Funds - 2015-2016 Budget.

The following transfers are needed to cover Salary related expenses:

- a) \$2,030.57 from Street Lighting - Materials and Supplies, to Street Lighting - Regular Salary.
- b) \$8,986.89 from Street Lighting - Materials and Supplies, to Refuse and Garbage - Regular Salary.

Sick Leave

9. Eight Employees - Police (5), Fire (1), Recreation (1) and Public Works (1) Departments.

Police

10. New York State Bureau of Weights and Measures - Annual Truck Scale Calibration, scheduled for September 19 through September 21, 2016, Syracuse, New York, approximate cost of \$600. (Police Officer Hudak)

Public Works

11. Extension of Street Sweepings Disposal, Broken Concrete Removal and Mixed Asphalt Stasi Brothers Asphalt Corp., 435 Maple Avenue, Westbury, New York.

**Operating Budget**

- *Mixed asphalt \$20/cubic yard, Broken Concrete \$20/cubic yard and Street Sweepings - \$27/cubic yard.*
12. Extension of Mixed Rubbish Removal - National Waste Services, LLC, 1863 Harrison Avenue, Bay Shore, New York. **Operating Budget**
- *Containers for Mixed Rubbish Removal at \$575/container - 30 cubic yard containers.*
13. Additional Engineering Fees - Evaluation of the Rehabilitation (Painting) vs. Construction of a New Elevated Tower - H2M Water, 538 Broad Hollow Road, Melville, New York - \$1,675.06. **Capital Budget**
- *The additional fees are for the additional work and presentation for the evaluation of the rehabilitation (painting) vs. construction of a new elevated tank.*
14. Additional Contract Work - Water Meter Replacement Project - National Metering Services, Inc., 163 Schuyler Avenue, Kearny, New Jersey - \$12,597. (Change Order No. 1) **Capital Budget**
- *This is for "exit testing" of each meter being replaced in order to determine a final reading and flow rate of meter in the amount of \$41,373, which is being offset by the salvage value of each meter in the amount of \$28,776, which results in a net increase to the project of \$12,597.*

15. Additional Contract Work - Repair of 1" Valves - National Metering Services, Inc., 163 Schuyler Avenue, Kearny, New Jersey. (Change Order No. 2) **Capital Budget**
  - *This is for the replacement of damaged 1" Water Shutoff Valves which may be encountered in the amount of \$75 each.*
  
16. NYCOM 2016 Public Works School, scheduled for October 16 through October 19, 2016 in Geneva, New York, approximate cost of \$2,600. **Operating Budget** (Messrs. Mangan, Stanco and Bandini)
  - *Mr. Mangan is a member of the Planning Committee for this Conference and he moderates several training sessions. Water Operator Credits and Professional Engineering Credits are available for attending this Training School.*

#### Recreation

17. Additional Contract Work - Community Park Fields 3 and 4 - The Landtek Group, Inc., 235 County Line Road, Amityville, New York - \$70,427.15 (Change Order No. 4)
  - *This is for the removal of unsuitable soils from the project area. Cameron Engineering Associates, LLP has reviewed the quantities listed in the claim manifest and scale tickets. These quantities matched what was physically observed by the Cameron Inspector leaving the site. Funds available in Contingency. **Capital Budget***
  
18. Additional Contract Work - Community Park Fields 3 and 4 - The Landtek Group, Inc., 235 County Line Road, Amityville, New York - \$1,590.21 (Change Order No. 6)
  - *This is for the removal and replacement of concrete sidewalk for the installation of the control wires and clock for the irrigation system. This work was directed by staff in order to avoid possible vandalism to the irrigation controller since the original design had the controller on a pedestal and not within the structure. This work allowed for the controller to be placed in the utility chase of the restroom building. Funds available in Contingency. **Capital Budget***

#### Trustee Communications

19. Change the date of the September Board Meeting.
  - *It is requested that the September 15, 2016 Board Meeting date be changed to September 8, 2016.*

External Communications

Permits:

Fireworks

20. Garden City Country Club, 206 Stewart Avenue requesting to hold its annual Fireworks Display on Sunday, September 4, 2016 with a rain date of Monday, September 5, 2016
  - *The required proof of insurance and permit fee of \$500 has been received.*
21. Cherry Valley Country Club, 28 Rockaway Avenue at Third Street requesting to hold its annual Fireworks Display on Monday, September 5, 2016.
  - *The required proof of insurance and permit fee of \$500 has been received.*

Block Parties

22. Roosevelt Street between Stewart and Stratford Avenues, Saturday, August 27, 2016 from 11:00 a.m. to 9:00 p.m. (Rain date August 28)
  23. Wellington Road between Chester Avenue and Salisbury Road, Saturday, September 17, 2016 from 10:00 a.m. to 10:00 p.m. (Rain date September 18)
  24. Kildare Road between Newmarket Road and Somerset Avenue, Saturday, September 10, 2016 from 12 Noon to 11:00 p.m. (Rain date September 11)
- VIII. Reports - Department Heads, Village Counsel, Village Administrator, Trustees and Mayor.
- IX. Public Participation (limited to four minutes each).