

THE INCORPORATED VILLAGE OF MASTIC BEACH
369 NEIGHBORHOOD ROAD
MASTIC BEACH, NY 11951

BOARD MEETING MINUTES
NOVEMBER 5, 2014

PRESIDING OFFICER: William Biondi, *Mayor*

MEMBERS OF THE BOARD OF TRUSTEES PRESENT AND VOTING: Nick Busa, *Deputy Mayor*, Maura Sperry, Gary Stiriz, Bruce Summa

MEMBERS OF THE BOARD OF TRUSTEES ABSENT: None

OFFICIALS OF THE BOARD OF TRUSTEES PRESENT: Susan F. Alevas, Esq., *Village Clerk*; Brian T. Egan, Esq., *Village Attorney*

ADMINISTRATIVE STAFF PRESENT AND REPORTING: None

INVITED GUESTS: None

1. **CALL TO ORDER AND WELCOME**

Mayor **William Biondi** called the meeting to order at 5:03 p.m. and welcomed those in attendance.

2. **PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE**

Mayor **Biondi** led the salute to the flag and asked for a moment of silence for U.S. service members both past and present.

3. **EMERGENCY-EVACUATION ANNOUNCEMENT**

Village Clerk **Susan Alevas, Esq.** reviewed the emergency procedure for exiting the building.

4. **ROLL CALL**

Village Clerk **Alevas** conducted a roll call of the Board of Trustees.

5. APPROVAL OF MINUTES

Motion offered by **William Biondi**, seconded by **Nick Busa** to wit:

WHEREAS, the Board of Trustees has been presented with a copy of its meeting minutes, dated October 14 2014; now, therefore, be it

RESOLVED, that the Board of Trustees approves the October 14, 2014, meeting minutes, as presented; and be it further

RESOLVED, that the Board of Trustees authorizes the Village Clerk to insert the October 14, 2014, meeting minutes with annexed attachments into the official Meeting Minute books maintained by the Village of Mastic Beach and that the same shall remain a permanent Village record.

Motion carried: 5-Yes; 0-No

6. AUTHORIZATION FOR THE PAYMENT OF BILLS

Motion offered by **William Biondi**, seconded by **Nick Busa** to wit:

WHEREAS, upon the recommendation of the Village Treasurer; now, therefore, be it

RESOLVED, that the Board of Trustees authorizes the payment of claims as presented in Abstract No. A6-2014, in the total amount of \$4,996.22, a copy of which is annexed hereto and made a part hereof as **Attachment #1**; and be it further

RESOLVED, that the Board of Trustees authorizes the payment of claims as presented in Abstract No. H4-2014, in the total amount of \$69,618.48, a copy of which is annexed hereto and made a part hereof as **Attachment #2**.

Motion carried: 5-Yes; 0-No

7. NOTICE OF PUBLIC HEARING

In accord with the polling of the Board of Trustees on October 29, 2014, Mayor **Biondi** called for a resolution ratifying the Board's action to instruct the Village Clerk **Alevas** to publish a legal notice calling for a Public Hearing to be held at 5:00 p.m. on Wednesday, November 19, 2014, at Village Hall, regarding an

amendment to Chapter 20 of the Village Code to change the name of the Department of Code Enforcement to the Department of Public Safety.

Motion offered by **William Biondi**, and seconded by **Nick Busa** to wit:

WHEREAS, on October 29, 2014, the Board of Trustees was polled concerning the publication of a legal notice calling for a Public hearing concerning an amendment to Chapter 20 of the Village Code; now, therefore, be it

RESOLVED, that the Board of Trustees ratifies its approval for the Village Clerk to cause a legal notice to be published calling for a Public Hearing to be held at 5:00 p.m. on Wednesday, November 19, 2014, at Village Hall, regarding an amendment to Chapter 20 of the Village Code to change the name of the Department of Code Enforcement to the Department of Public Safety, a copy of which is annexed hereto and made a part hereof as **Attachment #3**.

Motion carried – 4-Yes; 0-No; 1-Abstain (**M. Spery**)

8. PERSONNEL ACTION

Pursuant to the Board of Trustees' Resolution, dated October 14, 2014, accepting the letter of resignation from former Village Clerk **Susan Draghi**, effective at the close of business on September 22, 2014, the Village's Finance Department has presented an accounting of Ms. **Draghi's** unused leave time for which she is now owed a final payout.

Motion offered by **William Biondi**, seconded by **Maura Spery** to wit:

WHEREAS, pursuant to the Board of Trustees' Resolution, dated October 14, 2014, relating to a final payout of unused time for former Village Clerk **Susan Draghi**, who previously resigned; and

WHEREAS, the Board of Trustees has since received from its Finance Department an analysis of the unused-leave payout now due to Ms. **Draghi**; now, therefore, be it

RESOLVED, that the Board of Trustees authorizes a final payout for unused leave to Ms. **Susan Draghi** as follows:

90 hours of unused vacation leave @ \$28.726 hourly, including 40 hours of vacation time carried over from a prior year, and 37 hours of sick time, at \$28.726 hourly, for a total of \$3,648.20; and; be it further

RESOLVED, that the foregoing payout shall be included in the November 14, 2014, payroll distribution with appropriate taxes being withheld;

Motion carried: 5-Yes; 0-No

9. RECORDS RETENTION/DISPOSITION SCHEDULE

Pursuant to Article 57-A of the *New York State Arts and Cultural Affairs Law*, at the request of Records Management Officer **Susan Alevas, Esq.**, Mayor **Biondi** will call for a resolution to adopt the New York State *Records Retention and Disposition Schedule MU-1*, as contained at http://www.archives/nysed.gov/a/recirds/mr_pub_mu1.pdf.

Motion offered by **Maura Spery**, seconded by **Bruce Summa** to wit:

WHEREAS, pursuant to applicable New York State Law, all Villages are to have a records retention and disposition schedule; and

WHEREAS, upon the recommendation of the Village's Records Management Officer; now, therefore, be it

RESOLVED, that the Board of Trustees adopts the New York State *Records Retention and Disposition Schedule MU-1*, as contained at http://www.archives/nysed.gov/a/recirds/mr_pub_mu1.pdf; and be it further

RESOLVED, that the Board of Trustees authorizes the Records Management Officer to take all appropriate follow-up actions in this regard; and be it further

RESOLVED, that this Resolution shall take effect immediately.

Motion carried: 5-Yes; 0-No

10. USE OF VILLAGE HALL

Mayor **Biondi** advised the Board members about a request he received for the **Osprey Pointe Civic Association** to utilize Village Hall for the civic association's membership meetings.

A motion was offered by **William Biondi**, and seconded by **Nick Busa**, after which there was a discussion on the question.

During the discussion on the question, a motion was offered by **Bruce Summa**, and seconded by **Maura Sperry**, to table the pending motion, and a discussion on the question followed.

Based upon an interim solution offered by Trustee **Gary Stiriz**, the following, amended motion to table the resolution offered to approve the use of Village Hall by the **Osprey Pointe Civic Association** was made.

Motion offered by **Bruce Summa**, seconded by **Maura Sperry** to wit:

WHEREAS, the Mayor has informed the Board of Trustees about the interest of the **Osprey Pointe Civic Association** to use Village Hall for its monthly meetings; and

WHEREAS, it is in the Village's best interests to assure proper procedures are in place; now, therefore, be it

RESOLVED, that the Board of Trustees authorizes the Village Clerk to develop in consultation with the Village Attorney a proposed Building-Use Policy for adoption by the Board of Trustees; and be it further

RESOLVED, that, in the interim, Trustee **Stiriz**, in his capacity as President of the **Greater Mastic Beach Chamber of Commerce**, shall arrange for the **Osprey Pointe Civic Association** to use the Chamber's facility for the civic association's monthly meeting.

Motion carried: 5-Yes; 0-No

11. RELOCATION OF VILLAGE BUILDING DEPARTMENT

Mayor **Biondi** stated that he was removing from the agenda discussion about the relocation of the Village's Building Department, after which a discussion ensued with Village Attorney

Egan providing related legal advice. Following the Board's discussion, Mayor **Biondi** reported on changes he is making to the work-space allocation for the Village Building Department.

12. RIVIERA DRIVE – PUBLIC USE

Trustee **Sperry** discussed with the Board her recommendation to reopen a portion of Riviera Drive for public use, and a discussion.

13. BLIGHTED HOMES

Trustee **Sperry** requested an update on inspections of blight homes that have been previously reported to the Village, and a discussion among the Board of Trustees followed.

14. TREASURER'S UPDATE – HIGHWAY CONTRACT FUNDING

Trustee **Sperry** requested an update from the Village Treasurer about the \$125,000.00 funding spent on highway contracts, including a confirmation of how the funds were spent and by whom the work was completed. Mayor **Biondi** instructed Village Clerk **Alevas** to obtain this report from Village Treasurer **James Olivo** for transmission to the Board.

15. OIL- AND GAS-TANK REQUIREMENT

Trustee **Sperry** led a discussion with the Board about her interest in having the Village require oil and propane-gas tanks located in the Sandy-flood zone to be properly secured so as to mitigate against further environmental damage during future storms. Following a discussion, it was the Board's consensus that the Village's Green Committee researches this matter.

16. GREEN COMMITTEE NEWSLETTER

Trustee **Sperry** discussed with the Board a request made by the Village's Green Committee to distribute a newsletter and also discussed the Committee's interest in conducting alternative-green energy seminars. Following a discussion, it was the Board's consensus that the Green Committee shall provide the Village

Clerk with any newsletter information for review and approval by the Village Clerk and the Board of Trustees.

17. RENTAL PERMITS

A. INSPECTION PROCESS

Trustee **Spery** led a discussion about the Village's process for inspections on rental permits. Specifically, she inquired as to when the permit begins relative to the date the permit is actually issued, and a discussion followed.

B. PERMIT EXPIRATION

Trustee **Spery** discussed a process for sending correspondence about rental-permit expirations and a process for automatic tickets and fines should the owner not comply with permit-renewal requirements prior the expiration of the current permit period.

18. AUTHORIZATION FOR STAFF TO ATTEND SEMINAR

Mayor **Biondi** advised that the Village was invited to send several employees to a free seminar on November 7, 2014, and requested authorization for the same.

Motion offered by **William Biondi**, seconded by **Bruce Summa** to wit:

WHEREAS, upon the recommendation of Mayor **William Biondi**; now, therefore, be it

RESOLVED, that the Board of Trustees approves the attendance of the following employees at an *Electrical Licensing in Suffolk County* seminar, to be held on Friday, November 7, 2014, from 9:00 a.m. to 3:30 p.m., in Room 184 of the H. Lee Dennison Building, Veterans Memorial Highway, Hauppauge, NY 11787, a copy of the seminar flyer attached as **Attachment #4**:

Teresa Madarasz, Building Inspector
Linwood Stanton, Building Inspector; and be it further

RESOLVED, that attendance at this seminar is free of charge with the sponsor providing a light breakfast and lunch to seminar attendees; and be it further

RESOLVED, that the Board of Trustees authorizes mileage reimbursement for travel to and from the seminar, at the approved Internal Revenue Service (IRS) rate upon submission of the required claim form to the Village Finance Department; and be it further

RESOLVED, that the Board of Trustees authorizes Mr. **Linwood Stanton's** use of a Village vehicle for travel to and from this seminar in accord with established Village procedure and protocol.

Motion carried – 5-Yes; 0-No

19. VILLAGE-APPROVED YARD SALES

Mayor **Biondi** led a discussion about procedures relating to the posting of signs for Village-approved yard sales. Following a discussion, it was the Board's consensus that Trustee **Stiriz** following up with the local Boy Scouts about having them participate in a community-information campaign and to report back to the Board of Trustees with his findings and recommendations.

20. MOTION TO ENTER INTO EXECUTIVE SESSION

Mayor **Biondi** requested a motion for the Board of Trustees to enter into executive session for the purpose of discussing particular personnel matters.

Motion offered by **William Biondi**, seconded by **Nick Busa** to wit:

RESOLVED, that the Board of Trustees enter into executive session for the purpose of discussing particular personnel, contractual and litigation matters.

Motion carried: 5-Yes; 0-No

Upon passage of the foregoing Resolution, Mayor **Biondi** will adjourn the public session at 6:22 p.m. and convene the Board of Trustees in executive session at 6:25 p.m.

21. EXECUTIVE SESSION

Mayor **Biondi**, Deputy Mayor **Busa**, Trustees **Spery**, **Stiriz** and **Summa**, Village Attorney **Egan** and Village Clerk **Alevas** were present in executive session.

The Board of Trustees discussed the following items.

A. PARTICULAR PERSONNEL MATTERS

The Mayor and Village Clerk discussed with the Board of Trustees matters relating to several particular personnel matters. Village Attorney **Egan** responded to questions posed by members of the Board, and a discussion followed.

B. PERSONNEL COMPLAINTS

The Village Attorney discussed the status of inquiries into several personnel complaints.

C. UNION CONTRACT NEGOTIATIONS

Trustee **Spery** requested an update on the status of union contract negotiations. Village Attorney **Egan** responded and a discussion followed.

D. LITIGATION MATTER

Village Attorney **Egan** provided the Board of Trustees with an update about a pending litigation matter.

22. ADJOURNMENT OF EXECUTIVE SESSION

There being no further items to be discussed in executive session, the Mayor called for a motion to adjourn the executive session and to re-convene the meeting in public session.

Motion offered by **William Biondi**, seconded by **Maura Spery** to wit:

RESOLVED, that the Board of Trustees adjourn its executive session at 7:59 p.m.

Motion carried 5-Yes; 0-No

23. MEETING RE-CONVENED IN PUBLIC SESSION

Motion offered by **Maura Spery**, seconded by **Bruce Summa** to wit:

RESOLVED, that the Board of Trustees re-convene its meeting in public session at 8:02 p.m.

Motion carried – 5-Yes; 0-No

24. ACTIONS ARISING OUT OF EXECUTIVE SESSION

Pursuant to discussions held in executive session, the Mayor called for a motion to act upon a personnel matter.

Motion offered by **William Biondi**, seconded by **Nick Busa** to wit:

A. APPOINTMENT OF DEPUTY VILLAGE CLERK

Motion offered by **William Biondi**, seconded by **Maura Spery** to wit:

WHEREAS, upon the recommendation of Mayor **William Biondi**; be it

RESOLVED, that the Board of Trustees authorizes the appointment of full-time employee Ms. **Wendy Scharf** to the position of Deputy Village Clerk, effective November 6, 2014, at an hourly rate of \$22.00; and be it further

RESOLVED, in recognition of Ms. **Scharf's** duties since the time of the Village Clerk's appointment on October 6, 2014, the Board of Trustees authorizes Ms. **Scharf** to be paid at the hourly rate of \$22.00, for the period October 6, 2014, through and including November 6, 2014; and be it further

RESOLVED, that in accordance with *New York State Village Law Section 3-300(2)(a)*, **Wendy Scharf** may reside within the County of Suffolk and outside the Village; and be it further

RESOLVED, that the Mayor of the Village of Mastic Beach and the Deputy Treasurer of the Village of Mastic Beach are hereby authorized to take appropriate steps and to prepare and file all appropriate forms, and statements in order to carry out the purposes of this Resolution.

Motion carried – 5-Yes; 0-No

B. APPOINTMENT OF DIRECTOR OF PLANNING AND DEVELOPMENT

Motion offered by **William Biondi**, seconded by **Nick Busa** to wit:

WHEREAS, upon the recommendation of Mayor **William Biondi**; be it

RESOLVED, that the Board of Trustees authorizes the appointment of Mr. **Christopher Ricciardi** to the position of Director of Planning and Development, effective November 7, 2014; and be it further

RESOLVED, that Mr. **Ricciardi's** hourly rate of \$22.00 shall continue for this position as shall his maximum work schedule of 20 hours per week remain unchanged; and be it further

RESOLVED, that the Mayor of the Village of Mastic Beach and the Deputy Treasurer of the Village of Mastic Beach are hereby authorized to take appropriate steps and to prepare and file all appropriate forms, and statements in order to carry out the purposes of this Resolution.

Motion carried – 4-Yes; 0-No; 1-Abstain (**B. Summa**)

C. APPOINTMENT OF LABOR COUNSEL

Motion offered by **William Biondi**, seconded by **Maura Spery** to wit:

WHEREAS, the Board of Trustees is in need of labor counsel; now, therefore, be it

RESOLVED, that the Board of Trustees authorizes the appointment of **Gerard Glass, Esq.**, Glass & Glass, 72 East Main Street, Suite 3, Babylon, NY 11702, to serve as its Labor Counsel, effective November 7, 2014, and in accord with Mr. **Glass's** Retainer Agreement, a copy of which is attached hereto and made a part hereof as **Attachment #5**.

Motion carried – 5-Yes; 0-No

D. APPOINTMENT OF SPECIAL COUNSEL

Motion offered by **William Biondi**, seconded by **Gary Stiriz** to wit:

WHEREAS, the Board of Trustees is in need of special counsel; now, therefore, be it

RESOLVED, that the Board of Trustees authorizes the appointment of **Scott Augustine, Esq.**, 11 Station Court, Suite 11, Bellport, NY 11713, to serve as its Special Counsel, limited to the investigation of two employee complaints, effective October 15, 2014, and in accord with Mr. **Augustine's** Retainer Agreement, a copy of which is attached hereto and made a part hereof as **Attachment #6**.

Motion carried – 5-Yes; 0-No

25. VILLAGE SNOW-PLOWING MATTERS

Trustee **Stiriz** led a discussion about matters relating to the Village's snow-plowing needs and services. The Village Clerk will take appropriate follow-up action in consultation with the Village Attorney and Village insurance carrier.

26. VILLAGE HALL TRAILER

Trustee **Spery** discussed with the board building-compliance matters relating to the Village Hall trailer.

27. GREATER MASTIC BEACH CHAMBER OF COMMERCE

Trustee **Stiriz** led a discussion regarding proposed community signs to be erected by the **Greater Mastic Beach Chamber of Commerce**. Following a discussion, it was agreed that Trustee **Stiriz** will solicit additional details and recommendations and will report back to the Board of Trustees at a future meeting.

28. SIGNS TO AND FROM THE WILLIAM FLOYD ESTATE

Trustee **Sperry** led a discussion about signs directing the public to and from the William Floyd Estate.

29. MEETING ADJOURNMENT

There being no further items to come before the Board of Trustees, the Mayor called for a motion to adjourn.

Motion offered by **William Biondi**, seconded by **Nick Busa** to wit:

RESOLVED, that the Board of Trustees adjourn its meeting at 8:20 p.m.

Motion carried: 5-Yes; 0-No

Respectfully submitted,

Susan F. Alevas, Esq., *Village Clerk*