

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

BOARD MEETING MINUTES
JUNE 3, 2015

PRESIDING OFFICER: Maura Spery, *Mayor*

MEMBERS OF THE BOARD OF TRUSTEES PRESENT AND VOTING:

Bruce Summa, *Deputy Mayor*; Christopher Anderson; Elizabeth Manzella (arrived at 6:05 p.m. during the discussion of Item # 7), Anne Snyder, *Trustees*

MEMBERS OF THE BOARD OF TRUSTEES ABSENT:

None

OFFICIALS OF THE BOARD OF TRUSTEES PRESENT:

Guy W. Germano, Esq., *Village Attorney*; Wendy Scharf, *Deputy Village Clerk*

STAFF PRESENT AND REPORTING:

None

INVITED GUESTS:

Edward Flood, Esq., representing New York State Assembly Member Dean Murray (left during the discussion of Item #9)

1. CALL TO ORDER AND WELCOME

Mayor **Maura Spery** called the meeting to order at 6:00 p.m. and welcomed those in attendance.

2. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

Mayor **Spery** 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

Deputy Village Clerk **Wendy Scharf** reviewed the emergency procedure for exiting the building.

4. ROLL CALL

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

5. APPROVAL OF MINUTES

Motion offered by **Maura Spery**, seconded by **Anne Snyder** to wit:

WHEREAS, the Board of Trustees has been presented with a copy of its meeting minutes, dated May 12, 2015, and May 21, 2015; now, therefore, be it

RESOLVED, that the Board of Trustees approves the May 12, 2015, and May 21, 2015, meeting minutes, as presented; and be it further

RESOLVED, that the Board of Trustees authorizes the Village Clerk/Administrator to insert the May 12, 2015, and May 21, 2015, 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: 4-Yes; 0-No; 1-Absent (**E. Manzella**)

6. AUTHORIZATION FOR THE PAYMENT OF CLAIMS

Motion offered by **Maura Spery**, seconded by **Bruce Summa** 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. A1-2015, in the total amount of \$44,088.29, a copy of which is annexed hereto and made a part hereof as **Attachment #1**.

Motion carried: 4-Yes; 0-No; 1-Absent (**E. Manzella**)

7. HOME-RULE RESOLUTION – ASSEMBLY BILL #6212-A

Mayor **Spery** discussed with the Board that New York State Assembly Member **Dean Murray** had requested the Board of Trustees to enact a revised Home-Rule Resolution in support of New York State Assembly Bill #6212-A Assembly Member **Murray** wishes to introduce. **Edward Flood, Esq.** was present to review this revised Home-Rule Resolution and answered questions presented by the Board. After a discussion, the following resolution was made.

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

WHEREAS, New York State Assembly Member **Dean Murray** will be introducing Bill #6212-A to authorize the Village of Mastic Beach to enter into a contract to sell or pledge as collateral for a loan some or all of the delinquent liens held by such city to a private party or engage a private party to collect some or all of the delinquent tax liens held by it; and providing for the repeal of such provisions upon expiration thereof; now, therefore, be it

RESOLVED, that the Board of Trustees authorizes this Home-Rule Resolution be adopted in support of New York State Assembly Bill #6212-A, which will be introduced by New York State Assembly Member **Dean Murray**, a copy of which is annexed hereto and made a part hereof as **Attachment #2**; and be it further

RESOLVED, that the Board of Trustees authorizes the Village Clerk/Administrator to transmit a copy of this Resolution to New York State Assembly Member **Dean Murray's** office; and be it further

RESOLVED, that this Resolution shall take effect immediately.

Motion carried: 4-Yes; 0-No; 1-Abstention (**C. Anderson**)

8. ARRIVAL OF TRUSTEE

Trustee **Elizabeth Manzella** arrived at the meeting at 6:05 p.m. during the discussion of Item #7 above and before the vote on the motion was taken.

9. COMMUNITY AND URBAN STABILIZATION PROGRAM (CUSP)

A motion was made by **Maura Spery** and seconded by **Bruce Summa** that the Village participate in the Community and Urban Stabilization Program (CUSP), as administered by Wells Fargo Home Mortgage, and a discussion on the motion was conducted. Following the discussion, the voting on the pending motion was as follows.

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

WHEREAS, it is in the Village's best interest to promote community-development initiatives as a means to improve and enhance properties located within the Village; and

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

RESOLVED, that the Board of Trustees authorizes the Incorporated Village of Mastic Beach to enter into an agreement with **Wells Fargo Home Mortgage**, 800 Jordan Creek Parkway, West Des Moines, IA 50328, for the Village's participation in the **Community and Urban Stabilization Program (CUSP)** for the purpose of enabling the Village to partner with not-for-profit community-development organizations to rehabilitate and maintain any properties the Village receives through this program; and be it further

RESOLVED, that Mayor **Spery** is authorized to execute all necessary documents to effectuate this Resolution, conditioned upon the review and approval of the Village Attorney; and be it further

RESOLVED, that this Resolution shall take effect immediately.

Motion carried: 4-Yes; 0-No; 1-Abstention (**C. Anderson**)

10. PROCLAMATIONS

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

WHEREAS, upon the recommendation of Mayor **Spery**; now, therefore, be it
RESOLVED, that the Board of Trustees authorizes Proclamations to be issued to the following:

Paul Casciano, Ed.D., *Superintendent of Schools*, William Floyd School District, on the occasion of his retirement party to be held on June 19, 2015;

Maria Marks, a former William Floyd Elementary School student who inspired the “Can Tabs for Kids” Fund-raising event sponsored by Gershow Recycling; and

Gershow Recycling, 71 Peconic Avenue, Medford, New York 11763, for sponsoring the “Can Tabs for Kids” Fund-raising event; and be it further

RESOLVED, that the Village Clerk/Administrator is authorized to undertake all actions necessary to effectuate this Resolution.

Motion carried: 5-Yes; 0-No

11. PERSONNEL ACTIONS

A. PART-TIME APPOINTMENTS

Mayor **Spery** discussed with the Board recommendations Deputy Mayor **Summa** made following interviews for several authorized positions. Deputy Mayor **Summa** then announced he wished to amend his original recommendation and a discussion on this matter followed. At the conclusion of this discussion, the following motion was made and voted upon.

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

WHEREAS, it is in the Village’s best interest to add seasonal-staffing resources to its Department of Public Works; and

WHEREAS, pursuant to the Board's April 14, 2015, authorizing the hiring of seasonal employees and upon the recommendation of Mayor **Spery**; now, therefore, be it

RESOLVED, that the Board of Trustees authorizes the appointment of Mr. **Richard Contin** to a part-time Laborer position (Suffolk County Civil Service Job Duties Statement #13-1132), at an hourly rate of \$12.00, for a maximum of twenty (20) hours per week, effective June 8, 2015 (*contingent upon the successful completion of the Village's drug-test requirements and other employment requirements*), and continuing for such a period as shall be determined in the Village's sole discretion and, in no event, to extend beyond September 30, 2015, with accrued leave benefits at the rate currently in effect for part-time Village employees; and be it further

RESOLVED, that the Village Clerk/Administrator and the Treasurer are authorized to take all actions necessary to effectuate this Resolution; and be it further

RESOLVED, that this Resolution shall take effect immediately.

Motion carried: 5-Yes; 0-No

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

WHEREAS, it is in the Village's best interest to add seasonal-staffing resources to its Department of Public Works; and

WHEREAS, pursuant to the Board's April 14, 2015, authorizing the hiring of seasonal employees and upon the recommendation of Mayor **Spery**; now, therefore, be it

RESOLVED, that the Board of Trustees authorizes the appointment of Mr. **Chris Thomas Abt** to a part-time Laborer position (Suffolk County Civil Service Job Duties Statement #13-1132), at an hourly rate of \$12.00, for a maximum of twenty (20) hours per week, effective June 8, 2015 (*contingent upon the successful completion of the Village's drug-test requirements and other employment requirements*), and continuing for such a period as shall be determined in the Village's sole discretion and, in no event, to extend beyond September 30, 2015, with accrued leave benefits at the rate currently in effect for part-time Village employees; and be it further

RESOLVED, that the Village Clerk/Administrator and the Treasurer are authorized to take all actions necessary to effectuate this Resolution; and be it further

RESOLVED, that this Resolution shall take effect immediately.

Motion carried: 4-Yes; 0-No; 1-Abstention (**C. Anderson**)

12. BOARD ATTENDANCE – CHAMBER OF COMMERCE EVENT

Motion offered by **Maura Spery**, seconded by **Anne Snyder** to wit:

WHEREAS, the **Chamber of Commerce of the Mastics and Shirley** is honoring Brookhaven Town Supervisor **Edward Romaine** at its 70th Anniversary Celebration; and

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

RESOLVED, that the Board of Trustees authorizes the issuance of a Proclamation for Brookhaven Town Supervisor **Edward Romaine** on the occasion of the **Chamber of Commerce of the Mastics and Shirley's** 70th Anniversary Celebration on Thursday, June 25, 2015, at 6:30 p.m., at Sunset Harbor, 90 Colonial Drive, East Patchogue, New York 11772; and be it further

RESOLVED, that the Board of Trustees authorizes the attendance of Board members at Supervisor **Romaine's** celebration, at a cost of \$65.00 per board member; and be it further

RESOLVED, that the Board of Trustees authorizes the Village Clerk/Administrator and the Treasurer to take all actions necessary to effectuate this Resolution; and be it further

RESOLVED, that this Resolution shall take effect immediately.

Motion carried: 5-Yes; 0-No

13. AUTHORIZATION TO UTILIZE SWEEPER FOR TEST

A motion was offered by **Maura Spery** and seconded by **Bruce Summa** to authorize Maintenance Mechanic II **Frank Perino** to drive Department of Public Works employee **Nicholas Scalafani** to re-take the New York State Department of Motor Vehicle Commercial Driver's License (CDL) test, and a discussion on the

motion was conducted. Following the discussion, the voting on the pending motion was as follows.

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

WHEREAS, it is in the best interest of the Village to have additional employees possess a valid CDL driver's license; and

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

RESOLVED, the that the Board of Trustees authorizes Maintenance Mechanic II **Frank Perino** to drive Department of Public Works employee **Nicholas Scalafani** to re-take the New York State Department of Motor Vehicle Commercial Driver's License (CDL) test in Patchogue, New York, on June 10, 2015; and be it further

RESOLVED, that both employees shall be paid at their regular rate of pay for this event.

Motion carried: 5-Yes; 0-No

14. **ROAD PAVING**

Mayor **Spery** called upon Deputy Mayor **Summa** to discuss with the Board his recommendations for the paving of various Village roads and, if approved, the submission of related costs for Consolidated Local Street and Highway Improvement Program (CHIPS) reimbursement, pursuant to his May 15, 2015, email to the Board. Following a discussion, the following motion was made and voted upon.

Motion offered by **Bruce Summa**, seconded by **Anne Snyder** to wit:

WHEREAS, it is in the best interest of the Village to re-pave Mastic Road from the Town of Brookhaven line to Neighborhood Road; and

WHEREAS, upon the recommendation of Mayor **Spery** and at the request of Deputy Mayor **Summa**; now, therefore, be it

RESOLVED, the that the Board of Trustees authorizes the re-paving of Mastic Road from the Town of Brookhaven line to Neighborhood Road as a Capital Project; and be it further

RESOLVED, that the Board of Trustees authorizes the Village Clerk/Administrator and the Treasurer to take all actions necessary to effectuate this Resolution; and be it further

RESOLVED, that this Resolution shall take effect immediately.

Motion carried: 5-Yes; 0-No

15. APPOINTMENT TO VILLAGE PLANNING BOARD

A motion was offered by **Maura Spery** and seconded by **Bruce Summa** to appoint a member to the Village Planning Board vacancy caused by the departure of Mr. **Geoff Slack**, and a discussion on the motion was conducted. Following the discussion, voting on the pending motion was as follows.

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

WHEREAS, it is in the Village's best interests to have a fully functioning Planning Board; now, therefore, be it

RESOLVED, that the Board of Trustees authorizes Mayor **Spery's** appointment of Ms. **Diana Soldano** to fill the unexpired term of office on the Village Planning Board, vacated by the resignation of Mr. **Geoff Slack**, effective immediately and continuing through April 3, 2017; and be it further

RESOLVED, that this Resolution shall take effect immediately.

Motion carried: 5-Yes; 0-No

16. STREET-SWEEPER FUNCTIONALITY

Deputy Mayor **Summa** discussed his recent meeting with the owner of **Trius, Inc.**, 458 Johnson Avenue, Bohemia, New York 11716, regarding the functionality of the Village's street sweeper, and a discussion followed.

17. APPOINTMENT TO VILLAGE ETHICS ADVISORY BOARD

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

WHEREAS, it is in the Village's best interests to have a fully functioning Ethics Advisory Board; now, therefore, be it

RESOLVED, in accord with the Board's December 16, 2014, Resolution establishing an Ethics Committee, the Board of Trustees hereby authorizes the following appointments to the Ethics Advisory Board:

Diana Soldano

(designated by Mayor Maura Spery)

Victor Viola

(designated by Deputy Mayor Bruce Summa)

John Mutt

(designated by Trustee Christopher Anderson)

Deborah Metz

(designated by Trustee Elizabeth Manzella)

Joseph Mallia

(designated by Trustee Anne Snyder); and be it further

RESOLVED, that each of the above-named appointments shall serve on the Village Ethics Advisory Board until the Board either re-appoints or makes new appointments at its next Annual Reorganizational Meeting; and be it further

RESOLVED, that this Resolution shall take effect immediately.

Motion carried: 5-Yes; 0-No

18. RADIUS INVESTIGATIONS, LLC

Pursuant to the advice of the Village Attorney, a motion was offered by **Maura Spery** and seconded by **Bruce Summa** to amend the Village's contractual relationship with **Radius Investigations, LLC**,

and a discussion on the motion was conducted. Following the discussion, the voting on the pending motion was as follows.

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

WHEREAS, the Village of Mastic Beach has engaged the services of **Radius Investigations, LLC** to perform a forensic investigation of Village finances and administration, effective April 21, 2015; and

WHEREAS, the contract of services with Radius Investigations requires the delivery of a written report to the Village upon completion of the investigation, and

WHEREAS, the nature and substance of the report may address conduct of past or present Village employees which may give rise to concerns over confidentiality and disclosure under applicable law; and

WHEREAS, the Village Attorney, with the assistance of special counsel Meyer, Suozzi, English and Klein, P.C., is familiar with such law and capable of advising the Village Board as to its rights and obligations in compliance therewith; and

WHEREAS, it is hereby determined that the interests of the Village and the public are best served by the termination of the engagement of Radius Investigations by the Village, and the engagement of Radius Investigations by the Village Attorney under the same terms and conditions; and

WHEREAS, **Radius Investigations, LLC** has expressed its consent to this change of engagement; now, therefore, be it

RESOLVED, that the Village Clerk/Administrator is hereby authorized to terminate the engagement agreement of the Village with **Radius Services, LLC**; and be it further

RESOLVED, that the Village Attorney is authorized and directed to engage the services of **Radius Investigations, LLC**, with offices at 707 Walt Whitman Road, Melville, New York 11747, to perform similar services with identical deliverables, under the same terms and conditions, on behalf of the Village, and to report the findings of such investigation to the Village Board in accordance with applicable law; and be it further

RESOLVED, that this Resolution shall take effect immediately.

Motion carried: 4-Yes; 0-No; 1-Abstention (**C. Anderson**)

19. SET PUBLIC HEARING – TEMPORARY TRAFFIC-CONTROL

A motion was offered by **Maura Spery** and seconded by **Bruce Summa** to set a public hearing for the purpose of considering the adoption of a local law establishing temporary traffic-control signs on Wavecrest Drive and Market Street and including a fine for the violation thereof, and a discussion on the motion was conducted. Following the discussion, the voting on the pending motion was as follows.

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

WHEREAS, it has been reported to the Board of Trustees that during the weekday morning and evening peak hours, vehicles traveling on Wavecrest Drive and Mastic Road use Market Street to avoid turn signals and traffic on Mastic Road; and

WHEREAS, the diversion of morning and evening peak hour traffic from Mastic Road and Wavecrest Drive to a narrow, winding local street creates a hazardous condition for pedestrians and local traffic on Market Street; now, therefore be it

RESOLVED, that the Village Clerk/Administrator is hereby authorized to publish the following notice of public hearing:

Notice of Public Hearing

Take notice that a public hearing will be held by the Village Board of the Incorporated Village of Mastic Beach on Tuesday, July 14, 2015, at 7:00 p.m., at Village Hall, 369 Neighborhood Road, Mastic Beach, NY 11951, in order to consider the adoption of Local Law No. 1-2015, establishing temporary traffic-control signs to read as follows: Road closed to thru traffic northbound on Market Street at the Wavecrest Drive intersection Monday-Friday from 5:30 a.m. to 8:30 a.m. and road closed to thru traffic southbound on Market Street at the south side of the Riverside Drive and Market Street intersection Monday-Friday from 5:00 p.m.

to 7:00 p.m. Violators will be punished by a fine as provided in §510-20 of the Village Code.

This local law will take effect upon filing with the Secretary of State.

Motion carried: 4-Yes; 0-No; 1-Abstention (**C. Anderson**)

20. MEETING ADJOURNMENT

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

Motion offered by **Maura Sperry**, seconded by **Anne Snyder** to wit:

RESOLVED, that the Board of Trustees adjourn its meeting at 7:04 p.m.

Motion carried: 5-Yes; 0-No

Respectfully submitted,

Wendy Scharf
Deputy Village Clerk