

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

BOARD MEETING MINUTES
MAY 6, 2015

PRESIDING OFFICER: Maura Spery, *Mayor*

MEMBERS OF THE BOARD OF TRUSTEES PRESENT AND VOTING:

Bruce Summa, *Deputy Mayor*; Christopher Anderson; Elizabeth Manzella, *Trustees*

MEMBERS OF THE BOARD OF TRUSTEES ABSENT:

Anne Snyder, *Trustee*

OFFICIALS OF THE BOARD OF TRUSTEES PRESENT:

Laura Endres, Esq., *Village Attorney*; Susan F. Alevas, Esq., *Village Clerk*;
Wendy Scharf, *Deputy Village Clerk*

STAFF PRESENT AND REPORTING:

None

INVITED GUESTS:

PRMG, The Public Relations and Marketing Group, John C. Zaher, Esq., *President*, Patchogue, New York **(Item #17 only)**; **CJ2** Communication Strategies, Judith R. White, *Founder*, Camille Savino Koorey, *Founder* and Tina Panos, *Graphic Designer*, Greenlawn, NY **(Item #17 only)**; **Getco Company**, Maureen Getchell, *Chief Executive Officer*, and Shawn Getchell, *Chief Operating Officer*, Mastic Beach, New York **(Item #17 only)**

1. CALL TO ORDER AND WELCOME

Mayor **Maura Spery** called the meeting to order at 5:04 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. ROLL CALL

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

4. EMERGENCY-EVACUATION ANNOUNCEMENT

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

5. SETTING 2015-16 VILLAGE-TAX RATE

Mayor **Spery** called for a Resolution to set the 2015-16 Village-tax rate.

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

WHEREAS, on April 28, 2015, the Board of Trustees, by Resolution, adopted a budget for the 2015-16 fiscal year; now, therefore, be it

RESOLVED, that the Board of Trustees authorizes that there be levied and assessed against the real property of the Incorporated Village of Mastic Beach for Village government and other charges for the 2015-16 fiscal year a tax rate of \$12.952 per \$100 of assessed valuation; and be it further

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

RESOLVED, that this Resolution shall take effect immediately.

Motion carried – 3-Yes; 0-No; 1-Abstention (**C. Anderson**); 1-Absent (**A. Snyder**)

6. ARRIVAL OF VILLAGE ATTORNEY

Village Attorney **Laura Endres** arrived at the meeting at 5:06 p.m. during the discussion of item #5 above.

7. AUTHORIZATION FOR THE PAYMENT OF CLAIMS

Mayor **Spery** called for a motion to approve 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. A12-2015, in the total amount of \$165,845.24, a copy of which is annexed hereto and made a part hereof as Attachment #1.

Motion carried – 4-Yes; 0-No; 1-Absent (**A. Snyder**)

8. CLOSING THE UNPAVED PORTION OF RIVIERA DRIVE

Mayor **Spery** led a discussion among the Board regarding her recommendation to close the unpaved portion of Riviera Drive. Mayor **Spery** will conduct follow-up discussions with affected property owners, the New York State Department of Environmental Conservation (DEC) and PSEG of Long Island. She will place this matter on the agenda for a future Board meeting for related, follow-up discussion.

9. BUILDING-PERMIT FEE FOR CAPITAL PROJECTS

Mayor **Spery** discussed with the Board of Trustees her recommendation to consider including in the Village's building-permit application fee a percentage to be set aside for future Village capital projects. She also discussed looking into the possibility of acquiring a revolving line of credit for capital projects. Mayor **Spery** advised that once the Building Department updates all its forms, and the same are reviewed and approved by the

Village Attorney, then she will have the Board revisit this topic at a future meeting.

10. HOME-RULE RESOLUTION – ASSEMBLY BILL #6212

New York State Assembly Member **Dean Murray** requested the Board of Trustees enact a Home-Rule Resolution in support of New York State Assembly Bill #6212 Assembly Member **Murray** wishes to introduce.

Mayor **Spery** called for a motion, which was made by **Bruce Summa** and seconded by **Maura Spery**. Following the making of this motion, there was a question on the motion, and a discussion ensued.

Thereafter, a motion was made by **Maura Spery** and seconded by **Christopher Anderson** to table in order to permit discussions with New York State Assembly Member **Murray**, and a further discussion among the board members ensued.

Deputy Mayor **Summa** then stated he was withdrawing his original motion to enact a Home-Rule Resolution in support of New York State Assembly Bill #6212, and Mayor **Spery** withdrew her motion to table Deputy Mayor **Summa's** original motion which had been withdrawn.

The following motion was then made and voted upon.

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

WHEREAS,

New York State Assembly Member **Dean Murray** will be introducing Bill #6212 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 Mayor **Spery** will confer with New York State Assembly Member **Murray** about proposed Bill #6212, a copy of which is annexed hereto and made a part hereof as **Attachment #2**, and she will then poll the Board of Trustees not later than 12 noon on Friday, May 8, 2015, to determine whether the Board wishes to authorize its support for Bill #6212; and be it further

RESOLVED, that should the Mayor's polling of the Board result in an affirmative authorization to support Bill #6212, then a Resolution to ratify said polling shall be included on the May 12, 2015, Board agenda; and be it further.

RESOLVED, that should the Mayor's polling of the Board of Trustees result in a vote that authorizes the Board's support of Bill #6212, then the Board further authorizes the Village Clerk 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-Absent (**A. Snyder**)

11. REVISED PROCLAMATION

Mayor **Spery** called for a Resolution to revise a previously-authorized Proclamation.

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

WHEREAS, at the request of then-Trustee **Bruce Summa**, the Board of Trustees at its March 10, 2015, approved a Resolution authorizing a Proclamation for a local resident; and

WHEREAS, for scheduling reasons, this Proclamation cannot be presented until the May 12, 2015, meeting and, as a result, the Proclamation needs to be revised; now, therefore, be it

RESOLVED, that the Board of Trustees authorizes the issuance of a Proclamation of the Board to Mr. **Richard Daly**, a Mastic Beach

Village resident and teacher at William Floyd High School recognizing his placing first in the 2015 National Ice-Carving Competition at the Master's Level, the highest level of achievement; and be it further

RESOLVED, that Mr. **Daly** shall be presented at the May 12, 2015, Board of Trustees' meeting.

Motion carried – 4-Yes; 0-No; 1-Absent (**A. Snyder**)

12. RE-APPOINTMENT OF VILLAGE HISTORIAN

Mayor **Sperry** called for a Resolution to appoint a Village historian, which is a budgeted position for fiscal 2015-16. A motion was made by **Maura Sperry** and seconded by **Bruce Summa** to appoint Mr. **James Reason** as Village Historian, after which there was a question on the motion.

Following a discussion, the following motion to table was made and voted upon.

Motion offered by **Christopher Anderson**, seconded by **Elizabeth Manzella** to wit:

WHEREAS, it is in the Village's best interest to maintain historical records; now, therefore, be it

RESOLVED, that the Board of Trustees authorizes the posting on the Village website of a notice that the Village is soliciting applications for the position of Village Historian, at an annual salary of \$1,500.00; and be it further

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

Motion carried – 3-Yes; 1-No (**B. Summa**); 1-Absent (**A. Snyder**)

13. "OUR COMMUNITY SALUTES" EVENT

Mayor **Spery** called for a Resolution to authorize the Board of Trustees' attendance at an upcoming community event honoring William Floyd High School Seniors.

Motion offered by **Maura Spery**, seconded by **Elizabeth Manzella** to wit:

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

RESOLVED, that the Board of Trustees authorizes the attendance of its members at the "**Our Community Salutes**" event on May 14, 2015, at Sunset Harbor, 90 Colonial Drive, East Patchogue, New York 11772, at a cost to the Village of \$55.00 per person; and be it further

RESOLVED, that the Board of Trustees authorizes the Village Clerk and the Finance Department to take all actions necessary to effectuate this Resolution.

Motion carried – 4-Yes; 0-No; 1-Absent (**A. Snyder**)

14. AUTHORIZATION TO ATTEND CONFERENCE

A. LONG ISLAND VILLAGE CLERKS' AND TREASURERS' ASSOCIATION, INC. (LIVCTA)

Motion offered by **Maura Spery**, seconded by **Elizabeth Manzella** to wit:

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

RESOLVED, that the Board of Trustees authorizes the following employees' attendance at the **Long Island Village Clerks' and Treasurers' Association, Inc. (LIVCTA)** May 13, 2015, meeting at Blue Moon, 26 North Park Avenue, Rockville Centre, New York 11750, at a cost to the Village of \$25.00 per person:

Susan F. Alevas, Esq., Village Clerk;
Hedy Bluth, Treasurer;
Dawn McNeil, Deputy Village Treasurer; and
Wendy Scharf, Deputy Village Clerk; and be it further

RESOLVED, that the Board of Trustees authorizes the Village Clerk and the Finance Department to take all actions necessary to effectuate this Resolution, which shall take effect immediately.

Motion carried – 4-Yes; 0-No; 1-Absent (**A. Snyder**)

B. SUFFOLK COUNTY VILLAGE OFFICIALS' ASSOCIATION (SCVOA)

Motion offered by **Maura Spery**, seconded by **Elizabeth Manzella** to wit:

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

RESOLVED, that the Board of Trustees authorizes the following individuals' attendance at the **Suffolk County Village Officials' Association (SCVOA)** May 12, 2015, meeting at Atlantis Banquets and Events, 431 East Main Street, Riverhead, New York 11901, at a cost to the Village of \$55 per person:

Thomas Gross, Planning Board Chairperson;
Ernest Hoffstaetter, Planning Board;
Evan Proios, Planning Board;
Anthony Zalak, Planning Board;
Thomas Brownwell, Zoning Board of Appeals;
Joseph Scalafani, Zoning Board of Appeals;
Kenneth Wersan, Zoning Board of Appeals;
Christopher Ricciardi, Secretary to Zoning and Planning; and be it further

RESOLVED, that the Board of Trustees authorizes the Planning/Zoning Department and the Finance Department to take all actions necessary to effectuate this Resolution, which shall take effect immediately.

Motion carried – 4-Yes; 0-No; 1-Absent (**A. Snyder**)

15. **ADDENDUM**

Mayor **Spery** raised the following additional items for discussion and action by the Board of Trustees for matters that arose after the publication of the Board's May 6, 2015, agenda.

PERSONNEL ACTIONS

A. RESIGNATION

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

WHEREAS, the Village has received a resignation letter from Account Clerk **Jennifer Brojer**; now, therefore, be it

RESOLVED, the that the Board of Trustees acknowledges its receipt of Ms. **Brojer's** resignation from her position of Account Clerk, effective May 4, 2015; and be it further

RESOLVED, that Ms. **Brojer** is not owed any payout for unused, accrued leave time; and be it further

RESOLVED, that the Village Clerk, Village Attorney and the Finance Department 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-Absent (**A. Snyder**)

B. PART-TIME APPOINTMENT

Motion offered by **Maura Spery**, seconded by **Elizabeth Manzella** to wit:

WHEREAS, it is in the Village's best interest to add staffing resources to its Building Department; and

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

RESOLVED, the that the Board of Trustees authorizes the appointment of Mr. **Richard Palazzotto** to a part-time Building Inspector position (Suffolk County Civil Service Job Title #5107), at an hourly rate of \$25.00, for a maximum of twenty (20) hours per week, effective May 11, 2015 (*contingent upon the successful completion of the*

Village's drug-test requirements), with accrued leave benefits at the rate currently in effect for part-time Village employees; and be it further

RESOLVED, that the Village Clerk and the Finance Department 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 – 3-Yes; 0-No; 1-Abstention (**C. Anderson**);
1-Absent (**A. Snyder**)

16. MOTION TO ENTER INTO EXECUTIVE SESSION

Mayor **Sperry** requested a motion for the Board of Trustees to executive session for the purpose of discussing contractual matters, as is permitted under the *New York State Public Officers Law*.

Motion offered by **Maura Sperry**, seconded by **Elizabeth Manzella** to wit:

RESOLVED, that the Board of Trustees enters into executive session for the purpose of discussing contractual matters.

Motion carried – 4-Yes; 0-No; 1-Absent (**A. Snyder**)

Upon passage of the foregoing Resolution, Mayor **Sperry** adjourned the public session at 5:52 p.m. and convened the Board of Trustees in executive session at 5:54 p.m.

17. EXECUTIVE SESSION

Mayor **Sperry**, Deputy Mayor **Summa**, Trustees **Anderson** and **Manzella**, Village Attorney **Endres**, Village Clerk **Alevas** and Deputy Village Clerk **Wendy Scharf** were present in executive session. The Board of Trustees discussed particular contractual matters. Additionally, representatives of three marketing/public relations firms, from among those who filed proposals in response to the Village's latest Requests-for-Proposal (RFP's) for these services, were present for individual interviews during a portion of the executive session.

18. ADJOURNMENT OF EXECUTIVE SESSION

Motion offered by **Christopher Anderson**, seconded by **Elizabeth Manzella** to wit:

RESOLVED, that the Board of Trustees adjourn its executive session.

Motion carried: 4-Yes; 0-No; 1-Absent (**A. Snyder**)

Upon passage of the foregoing Resolution, Mayor **Spery** adjourned the executive session at 8:18 p.m.. and re-convened the Board of Trustees in public session at 8:20 p.m.

19. RATIFICATION OF AFFIRMATIVE POLLING OF THE BOARD

Pursuant to the affirmative polling of the Board of Trustees by the Village Clerk on April 21, 2015, Mayor **Spery** will call for a Resolution ratifying the Board majority's approval of a contract agreement with **Radius Investigations LLC**.

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

WHEREAS, it is in the Village's best interest to assure its information-system operations are secure by conducting an information-systems forensic audit; and

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

RESOLVED, that the Board of Trustees ratifies the affirmative polling of the Board of Trustees by the Village Clerk on April 21, 2015; and further ratifies the Mayor's authorization to execute a contract with **Radius Investigations LLC**, 707 Walt Whitman Road, Melville, New York 11747; and be it further

RESOLVED, that pursuant to the terms of this agreement and the April 21, 2015, affirmative polling of the Board of Trustees, the Board authorizes and approves the Village's retainer-fee payment to **Radius Investigations LLC**, in the amount of \$75,600.00; and be it further

RESOLVED, that given the confidential nature of the Village's Agreement with **Radius Investigations LLC**, the Village Attorney has counseled the Board of Trustees to file the Village's copy of its Agreement with **Radius Investigations LLC** with the Village Attorney's office; and be it further

RESOLVED, that the Village Clerk and the Finance Department are authorized to take all actions necessary to effectuate this Resolution.

Motion carried: 3-Yes; 0-No; 1-Abstention (**C. Anderson**);
1-Absent (**A. Snyder**)

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 **Bruce Summa** to wit:

RESOLVED, that the Board of Trustees adjourn its meeting at 8:23 p.m.

Motion carried: 4-Yes; 0-No; 1-Absent (**A. Snyder**)

Respectfully submitted,

Susan F. Alevas, Esq.
Village Clerk