

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

BOARD MEETING
MINUTES
JULY 6, 2016

PRESIDING OFFICER: Maura P. Spery, *Mayor*

MEMBERS OF THE BOARD OF TRUSTEES PRESENT AND VOTING:

Elizabeth “Betty” Manzella, *Deputy Mayor* (arrived at 6:49 p.m. after Item #10);
Christopher Anderson, Joseph H. Johnson, and Anne Snyder, *Trustees*

MEMBERS OF THE BOARD OF TRUSTEES ABSENT: None

OFFICIALS OF THE BOARD OF TRUSTEES PRESENT:

Guy W. Germano, Esq., *Village Attorney* and Susan F. Alevas, Esq., *Village Clerk/Administrator*

STAFF PRESENT AND REPORTING:

None

INVITED GUESTS:

Mr. Herb Hodge, *William Floyd School District*; Mr. Howard Feibus, *Consultant, Innoventive Power* (Item #8 only)

1. CALL TO ORDER AND WELCOME

Mayor Spery called the meeting to order at 6:07 p.m.

2. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

Mayor Spery led the Pledge of Allegiance that was followed by a moment of silence.

3. EMERGENCY-EVACUATION ANNOUNCEMENT

Village Clerk/Administrator **Alevas** reviewed the emergency-evacuation procedure.

4. ROLL CALL

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

5. ACKNOWLEDGMENT OF MINUTES

Mayor **Spery** polled the Board members to see if they have any comments/revisions to the June 21, 2016, meeting minutes. Hearing, none the meeting minutes were accepted as presented.

6. AUTHORIZATION FOR THE PAYMENT OF CLAIMS

A. 2016-17

A motion was offered by **Maura Spery** and seconded by **Joseph Johnson** to authorize the payment of claims. After a discussion, voting on the pending motion was as follows.

Motion offered by **Maura Spery**, seconded by **Joseph Johnson** 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. A2-2016-17, in the total amount of \$95,199.55, 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**)

B. 2015-16

A motion was offered by **Maura Spery** and seconded by **Joseph Johnson** to authorize the payment of claims. After a discussion, voting on the pending motion was as follows.

Motion offered by **Maura Spery**, seconded by **Joseph Johnson** 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. A12e-2015-16, in the total amount of \$11,145.02, a copy of which is annexed hereto and made a part hereof as **Attachment #2**.

Motion carried: 3-Yes; 1-No (**C. Anderson**); 1-Absent (**E. Manzella**)

**7. BID SOLICITATION –
DEPARTMENT OF PUBLIC WORKS (DPW) WASTE MATERIALS**

Motion offered by **Anne Snyder**, seconded by **Joseph Johnson** to wit:

RESOLVED, that the Board of Trustees authorizes the Village Attorney to prepare bid-solicitation documents for services to remove waste materials at the Village's Department of Public Works' (DPW's) yard; and be it further

RESOLVED, that the Mayor, Village Attorney, Village Clerk/Administrator and Village Treasurer are authorized to undertake all actions necessary to effectuate this Resolution.

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

8. INNOVENTIVE POWER PRESENTATION

Mayor **Spery** introduced Mr. **Herb Hodge**, representing the William Floyd School District, and Mr. **Howard Feibus**, *Consultant, Innoventive Power*. Messrs. **Hodge** and **Feibus** outlined a proposal for the Village's involvement, at no cost to the Village, in a project that would provide emergency power to Village Hall during times of emergency. Following their presentation, they responded to questions posed by members of the Board and the Village

Attorney. They will forward to the Village a copy of a proposed Resolution for the Board members to consider enacting.

9. INTERMUNCIPAL AGREEMENT – TOWN OF BROOKHAVEN – RECYCLABLES

At the June 21, 2016, Board of Trustees' meeting, there was a motion to table action on authorizing the Village to enter into an IMA with the Town of Brookhaven for recyclables. Previous to that meeting, Village counsel **Michael Cahill** had reviewed and approved the proposed intermunicipal agreement (IMA) with the Town of Brookhaven for recyclables.

Village Counsel **Cahill** has advised that in paragraph 17 in the proposed IMA there is a mutual "termination at will" provision that allows either party to cut the term short on 180 days' notice. This provision permits the Village to shorten the term of the IMA to two years by sending a letter to that effect to the Town within the notice period. The six months' notice time is designed to afford time to enter into a substitute agreement. As of this time, Village Counsel **Cahill** notes that the recyclables markets are still pretty challenging. Accordingly, he recommended approving the IMA as originally presented at the June 21, 2016, Board of Trustees' meeting and monitor the situation to see if the markets rebound. Should a better deal become feasible, then the Village could advise the Town of Brookhaven the Village wishes to cut the term of its IMA. If the markets do not rebound, then the Village can continue its IMA with the Town of Brookhaven for the full term. Accordingly, Mayor **Sperry** called for a related motion.

Motion offered by **Maura Sperry**, seconded by **Joseph Johnson** to wit:

WHEREAS,

it is in the Village's best interest to secure a contract for the disposal of the Village's recyclables; now, therefore, be it

RESOLVED,

that the Board of Trustees approves an intermunicipal agreement with the Town of Brookhaven for disposal of the Village's recyclables, a copy of which is annexed hereto and made a part hereof as **Attachment #3**; and be it further

RESOLVED, it is the responsibility of the Village's garbage contractor, **Quickway Sanitation Corp.**, PO Box 5630, Miller Place, New York 11764, to pick up the recyclables and deliver them to the Town of Brookhaven or as otherwise designated by the Board of Trustees; and be it

RESOLVED, that the Board of Trustees authorizes the Mayor to execute said contract on behalf of the Village.

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

10. PERSONNEL ACTIONS

A. PART-TIME APPOINTMENTS

i. JEFFREY BERGENTI – CODE-ENFORCEMENT OFFICER

At the June 21, 2016, Board of Trustees' meeting, Mayor **Spery** called for a motion to authorize her appointment of Mr. **Jeffrey Bergenti** to a part-time code-enforcement officer position. That motion was not approved by a majority of the Board of Trustees.

Accordingly, at this meeting, Mayor **Spery** again called for a motion to authorize her appointment of Mr. **Jeffrey Bergenti** to a part-time code-enforcement officer position.

Motion offered by **Maura Spery**, seconded by **Joseph Johnson** to wit:

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

RESOLVED, that the Board of Trustees authorizes the appointment of Mr. **Jeffrey Bergenti** to a part-time Code-Enforcement Officer position (twenty hours per week; replacing Ms. **Laurie Schwetje**) (Suffolk County Civil Service Job Title #5176; Suffolk County Civil Service Job Duties Statement #11-0949), with prorated accrued-leave benefits provided to part-time employees, at the hourly-salary rate of \$13.39, effective July 7, 2016, and contingent upon the successful passing of a drug test and criminal-background check; and be it further

RESOLVED, that the Board of Trustees authorizes the Village Clerk/Administrator and the Village Treasurer to undertake all actions necessary to effectuate this Resolution, including the use of the Village's credit card to pay for the background-check costs.

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

ii. DANIEL MADSEN – CODE-ENFORCEMENT OFFICER

At the June 21, 2016, Board of Trustees' meeting, Mayor **Spery** called for a motion to authorize her appointment of Mr. **Daniel Madsen** to a part-time code-enforcement officer position. That motion was not approved by a majority of the Board of Trustees.

Accordingly, at this meeting, Mayor **Spery** again called for a motion to authorize her appointment of Mr. **Daniel Madsen** to a part-time code-enforcement officer position.

Motion offered by **Maura Spery**, seconded by **Joseph Johnson** to wit:

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

RESOLVED, that the Board of Trustees authorizes the appointment of Mr. **Daniel Madsen** to a part-time Code-Enforcement Officer position (twenty hours per week; replacing Mr. **Philip DiMaio**) (Suffolk County Civil Service Job Title #5176; Suffolk County Civil Service Job Duties Statement #11-0949), with prorated accrued-leave benefits provided to part-time employees, at the hourly-salary rate of \$13.39, effective July 7, 2016, and contingent upon the successful passing of a drug test and criminal-background check; and be it further

RESOLVED, that the Board of Trustees authorizes the Village Clerk/Administrator and the Village Treasurer to undertake all actions necessary to effectuate this Resolution, including the use of the Village's credit card to pay for the background-check costs.

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

iii. DINA INGHAM – CLERK-TYPIST

At the June 21, 2016, Board of Trustees' meeting, Mayor **Spery** called for a motion to authorize her appointment of Ms. **Dina Ingham** to a part-time clerk-typist position. That motion was not approved by a majority of the Board of Trustees.

Accordingly, at this meeting, Mayor **Spery** again called for a motion to authorize her appointment of Ms. **Dina Ingham** to a part-time clerk-typist position.

A motion was made by **Maura Spery** and seconded by **Joseph Johnson** to authorize the appointment of a part-time clerk-typist. After a discussion, voting on a motion to table action on this item until after such time as the Board members have an opportunity to convene in executive session later in this meeting was as follows.

Motion offered by **Maura Spery**, seconded by **Christopher Anderson** to wit:

RESOLVED,

that the Board of Trustees defers action on whether to appoint a part-time clerk-typist until after it has a chance to convene in executive session later in this meeting.

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

iv. ANTHONY PRUDENTI – CODE-ENFORCEMENT SUPERVISOR

At the June 21, 2016, Board of Trustees' meeting, Mayor **Spery** called for a motion to authorize her appointment of Interim Code-Enforcement Supervisor **Anthony Prudenti** to a part-time Code-Enforcement Supervisor position. That motion was not approved by a majority of the Board of Trustees.

Accordingly, at this meeting, Mayor **Spery** again called for a motion to authorize her appointment of Interim Code-Enforcement Supervisor **Anthony Prudenti** to a part-time Code-Enforcement Supervisor position.

A motion was made by **Maura Spery** and seconded by **Joseph Johnson** to authorize the appointment of a part-time

code-enforcement supervisor. During the discussion that followed, Trustee **Snyder** claimed she did not have access to unredacted employment applications for candidates applying for this position. Mayor **Spery** and Village Clerk/Administrator **Alevas** both confirmed the Board members had in fact access to these documents at Village Hall as is further confirmed in numerous email communications sent to the Board by the Village Clerk/Administrator. Thereafter, voting on the pending motion was as follows.

Motion offered by **Maura Spery**, seconded by **Joseph Johnson** to wit:

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

RESOLVED, that the Board of Trustees authorizes the appointment of interim, part-time Code-Enforcement Supervisor **Anthony Prudenti** to fill the part-time Code-Enforcement Supervisor vacancy, (Suffolk County Civil Service Title #5179; Suffolk County Civil Service Duties Statement #14-1172, at an hourly salary of \$25.00 for a maximum of 20 hours per week, and contingent upon the successful passing of a drug test and criminal-background check, 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: 3-Yes; 1-No (**A. Snyder**); 1-Absent (**E. Manzella**)

11. ARRIVAL OF DEPUTY MAYOR

Deputy Mayor **Elizabeth “Betty” Manzella** arrived at the meeting at 6:49 p.m. immediately after the vote in Item #10 above.

12. APPOINTMENT OF SPECIAL PROSECUTOR

As there may be times when the Village’s two existing prosecutors are not available due to a legal conflict-of-interest, etc., Mayor **Spery** called for a motion to appoint an additional special prosecutor.

A motion was offered by **Maura Spery** and seconded by **Elizabeth Manzella** to authorize the appointment of a special prosecutor on an as-needed basis. After a discussion, the following amended motion was made and voted upon.

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

WHEREAS, it is in the Village's best interest to assure that all cases brought before the Village Court are prosecuted appropriately; and

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

REOSLVED, that the Board of Trustees authorizes the appointment of Deputy Village Attorney **G. William Germano, Jr., Esq.** to serve as Special Prosecutor for matters brought before the Village Court where the other two Village prosecutors are unavailable due to a legal conflict-of-interest, at an hourly rate of \$200.00; and be it further

RESOLVED, that this appointment shall take effect immediately and run through Monday, April 3, 2017; and be it further

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

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

13. PURCHASE OF VIOLET COVE – EXPRESSION OF INTEREST

Pursuant to discussions at the June 21, 2016, Board of Trustees' meeting, Mayor **Spery** called for a motion to authorize the filing of an expression-of-interest letter with Suffolk County Legislator **Kate Browning** regarding the Village's interest in further pursuing the feasibility of acquiring the Violet-Cove property now owned by the County of Suffolk.

A motion was made by **Maura Spery** and seconded by **Joseph Johnson** to authorize the Village Attorney to prepare a

letter of interest regarding the Violet Cove property. After a discussion, voting on the pending motion was as follows.

Motion offered by **Maura Spery**, seconded by **Joseph Johnson** to wit:

WHEREAS, it is in the Village's best interest to consider opportunities to develop responsibly properties along the waterfront; and

WHEREAS, there is a potential opportunity for the Village to acquire the property at Violet Cove presently owned by the County of Suffolk; now, therefore, be it

RESOLVED, that the Board of Trustees authorizes the Mayor to execute an expression-of-interest letter, as prepared by the Village Attorney, to be sent to Suffolk County Legislator **Kate Browning** requesting that Legislator **Browning** introduce and sponsor a bill before the Suffolk County Legislature that would enable the Village of Mastic Beach, through its counsel, to determine the feasibility and terms of acquiring the property located at Violet Cove; and be it further

RESOLVED, that the Board of Trustees authorizes the Mayor, Village Attorney and Village Clerk/Administrator to undertake all actions necessary to effectuate this Resolution.

Motion carried: 5-Yes; 0-No

14. REQUEST FOR BIDS – SIDEWALK-PAVING PROJECT

Pursuant to discussions at the June 21, 2016, Board meeting, Mayor **Spery** called for a motion to authorize the Village to solicit bids for a sidewalk-paving project to pave the sidewalk from Neighborhood Road to Bayview Park so as to not lose a grant the Village received from the County of Suffolk.

A motion was made by **Maura Spery** and seconded by **Christopher Anderson** to authorize the preparation of bid documents relating to a sidewalk-paving project. After a discussion, voting on the pending motion was as follows.

Motion offered by **Maura Spery**, seconded by **Christopher Anderson** to wit:

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

RESOLVED, that the Board of Trustees authorizes the Village to solicit bids for a sidewalk-paving project to pave the sidewalk from Neighborhood Road to Bayview Park so as to not lose a grant the Village received from the County of Suffolk; and be it further

RESOLVED, that the Village Attorney, in conjunction with the Village Engineer, shall draw up the necessary bid documents and the Mayor, Village Clerk/Administrator and Treasurer are authorized to take all actions necessary to effectuate the advertising and solicitation of bid responses; and be it further

RESOLVED, that this Resolution shall take effect immediately.

Motion carried: 5-Yes; 0-No

15. VILLAGE-WIDE DOCUMENT LISTING – BIENNIAL REVIEW

Village Clerk/Administrator **Alevas** recommended one change be made to the Village-wide document listing. Ms. **Alevas** responded to questions from the Board and then the following motion was made and voted upon.

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

WHEREAS, all municipalities in the State of New York are required to have a listing of the types of documents on file; and

WHEREAS, the Village's Records-Management Officer has reviewed the current listing and is recommending one change be made at this time; now, therefore, be it

RESOLVED, that the Board of Trustees acknowledges, by Resolution, this biennial review of the Village-wide Listing of Documents in accord with New York State's Records and Retention Disposition Schedule

MU-1, as last revised in 2003, and accepts the listing, as amended by the Village's Records-Management Officer; and be it further

RESOLVED,

that the Board of Trustees authorizes the Village's Records Management Officer (RMO) **Alevas** to take all necessary action to distribute said revised listing, a copy of which is annexed hereto and made a part hereof as **Attachment #4**.

Motion carried: 5-Yes; 0-No

16. FENCE AFFIDAVIT – SPAR DRIVE, MASTIC BEACH, NY

The Village has been asked to complete an affidavit relating to a fence located at 11 Spar Drive, Mastic Beach, New York. Upon the advice of the Village Attorney, Building Inspector **Richard Palazzotto** inspected the property in question, and a copy of his report was forwarded to the Board of Trustees. Following a discussion and determining the property at issue is not owned by the Village, no further action was taken in this regard.

17. RELEASE OF UNREDACTED EMPLOYMENT APPLICATIONS

In accord with the opinion of the Village Attorney and **Robert Freeman, Esq.**, Executive Director of the New York State Committee on Open Government, and in accord with applicable provisions of the *New York State Public Officers Law*, and in order for Board members to undertake their due diligence regarding proposed personnel actions, copies of redacted employment-application materials have been previously transmitted to the Board of Trustees with the original, unredacted employment-application materials continuing to be available to Board members for their inspection at Village Hall.

Pursuant to Trustee **Anderson's** June 28, 2016, email request, Mayor **Sperry** led a discussion among the Board members about authorizing the release of unredacted copies of all employment applications, résumés and cover letters, including and not limited to applicant names, addresses, email addresses, telephone numbers, places of employment, supervisors' names (both former and current), employment-contact information (both former and current);

driver's license numbers; criminal-history information and reasons for leaving employment, for all employment candidates regardless of whether they are being recommended for appointment, to all Village Board members outside of the security of Village Hall and outside the Records Management Officer's custody.

A motion was made by **Maura Spery** and seconded by **Christopher Anderson** to authorize the release to Board members of unredacted photocopies of employment-applicant materials. After a discussion, voting on the pending motion, as amended, was as follows.

Motion offered by **Maura Spery**, seconded by **Christopher Anderson** to wit:

WHEREAS,

in accord with the opinion of the Village Attorney and **Robert Freeman, Esq.**, Executive Director of the New York State Committee on Open Government, and in accord with applicable provisions of the *New York State Public Officers Law*, and in order for Board members to undertake their due diligence regarding proposed personnel actions, copies of redacted employment-application materials have been previously transmitted to the Board of Trustees with the original, unredacted employment-application materials continuing to be available to Board members for their inspection at Village Hall; now, therefore, be it

RESOLVED,

that the Board of Trustees authorizes, upon specific request by an individual Board member to the Village Clerk/Administrator, unredacted copies of all employment applications, résumés and cover letters, including and not limited to applicant names, addresses, email addresses, telephone numbers, places of employment, supervisors' names (both former and current), employment-contact information (both former and current); driver's license numbers; criminal-history information and reasons for leaving employment, for all employment candidates regardless of whether they are being recommended for appointment, be distributed only to those individual Board members who made such request and outside of the security of Village Hall and outside the Records Management Officer's custody; and be it further

RESOLVED, that the individual Board members who request and receive the afore-described unredacted copies shall assume full responsibility for any and all claims that may arise from their receipt of said unredacted materials, including and not limited to breach of confidentiality and improper use of said applicant information; and be it further

RESOLVED, that the Mayor and Village Clerk/Administrator are authorized to undertake all actions necessary to effectuate this Resolution, which shall take effect immediately.

Motion failed¹: 2-Yes; 2-No (**E. Manzella; M. Spery**) 1-Abstention (**A. Snyder**)

18. ADDENDUM

A. TEMPORARY-TRAILER PERMIT FEE

Mayor **Spery** led a discussion with the Board members about establishing a permit fee for the placement of temporary trailers on property within the Village pursuant to a recently-enacted local law. Board members were given copies of what fees, if any, other surrounding municipalities charge for this purpose. After a discussion, the following motion was made and voted upon.

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

RESOLVED, that the Board of Trustees authorizes a temporary-trailer permit application fee of \$100.00 for the first year, and a \$50.00 fee thereafter for each subsequent, uninterrupted six-month permit application period; and be it further

RESOLVED, that the Board of Trustees authorizes that the afore-described permit-application fees be waived for those individuals who are seeking said permits due to being displaced because of storm, fire and other emergencies; and be it further

¹ Later in this meeting, Trustee Snyder requested to change her vote, which now permitted the passage of this Resolution (see Item #21 below).

RESOLVED, that this Resolution shall take effect immediately.

Motion carried: 5-Yes; 0-No

19. MARINA 5 AND WATERFRONT PROPERTY

Mayor **Spery** led a discussion among the Board members about the need to reasonably protect Marina 5 and to assure appropriate insurance coverage is in place for this newly-acquired property. After a discussion, the following motion was made and voted upon.

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

WHEREAS, it is in the Village's best interest to reasonably protect its real-property assets; now, therefore, be it

RESOLVED, that the Board of Trustees authorizes the securing of price quotes for insurance coverage for Marina 5 and the waterfront property the Village recently acquired through a litigation settlement with the Mastic Beach Property Owners' Association (MBPOA); and be it further

RESOLVED, that the Board of Trustees authorizes the Village to take reasonable steps to secure Marina 5; and be it further

RESOLVED, that the Mayor, Village Special Counsel, Village Clerk/Administrator and Village Treasurer are authorized to undertake all actions necessary to effectuate this Resolution, which shall take effect immediately.

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

20. NEW LOCAL LAW

Trustee **Johnson** led a discussion among the Board members pursuant to his email conversation with Deputy Village Attorney **G. William Germano, Jr.** about the Board majority's interest in enacting a new local law that would permit the Board majority to make appointments in the absence of the Mayor's recommendation. Based upon the consensus of the Board on this

issue, the Village Attorney will proceed to draft a new local law for Board review and comment.

21.

**CHANGE IN VOTE –
RELEASE OF UNREDACTED EMPLOYMENT APPLICATIONS**

Trustee **Snyder** announced that she wanted to change her vote for Item #17 above. The Village Attorney advised the Clerk/Administrator could record an amended vote. Accordingly, the revised vote on the following motion, which now passed, is as follows.

In accord with the opinion of the Village Attorney and **Robert Freeman, Esq.**, Executive Director of the New York State Committee on Open Government, and in accord with applicable provisions of the *New York State Public Officers Law*, and in order for Board members to undertake their due diligence regarding proposed personnel actions, copies of redacted employment-application materials have been previously transmitted to the Board of Trustees with the original, unredacted employment-application materials continuing to be available to Board members for their inspection at Village Hall.

Pursuant to Trustee **Anderson's** June 28, 2016, email request, Mayor **Spery** led a discussion among the Board members about authorizing the release of unredacted copies of all employment applications, résumés and cover letters, including and not limited to applicant names, addresses, email addresses, telephone numbers, places of employment, supervisors' names (both former and current), employment-contact information (both former and current); driver's license numbers; criminal-history information and reasons for leaving employment, for all employment candidates regardless of whether they are being recommended for appointment, to all Village Board members outside of the security of Village Hall and outside the Records Management Officer's custody.

Motion offered by **Maura Spery**, seconded by **Christopher Anderson** to wit:

WHEREAS, in accord with the opinion of the Village Attorney and **Robert Freeman, Esq.**, Executive Director of the New York State Committee on Open Government, and in accord with applicable provisions of the *New York State Public Officers Law*, and in order for Board members to undertake their due diligence regarding proposed personnel actions, copies of redacted employment-application materials have been previously transmitted to the Board of Trustees with the original, unredacted employment-application materials continuing to be available to Board members for their inspection at Village Hall; now, therefore, be it

RESOLVED, that the Board of Trustees authorizes, upon specific request by an individual Board member to the Village Clerk/Administrator, unredacted copies of all employment applications, résumés and cover letters, including and not limited to applicant names, addresses, email addresses, telephone numbers, places of employment, supervisors' names (both former and current), employment-contact information (both former and current); driver's license numbers; criminal-history information and reasons for leaving employment, for all employment candidates regardless of whether they are being recommended for appointment, be distributed only to those individual Board members who made such request and outside of the security of Village Hall and outside the Records Management Officer's custody; and be it further

RESOLVED, that the individual Board members who request and receive the afore-described unredacted copies shall assume full responsibility for any and all claims that may arise from their receipt of said unredacted materials, including and not limited to breach of confidentiality and improper use of said applicant information; and be it further

RESOLVED, that the Mayor and Village Clerk/Administrator are authorized to undertake all actions necessary to effectuate this Resolution, which shall take effect immediately.

Motion carried: 3-Yes; 2-No (**E. Manzella; M. Spery**)

22. PUBLIC COMMENTS

Mayor **Spery** invited those members of the public who signed in to speak to address the Board of Trustees. In keeping with the Board's existing *Rules of Procedure*, each member of the public will be given five (5) minutes to address the Board of Trustees.

The following individuals addressed the Board of Trustees.

<u>Name:</u>	<u>Topic:</u>
Frank Fugarino	Homes for veterans
Rosemarie Kluepfel	Homes for veterans
Michael Gianngrasso	Permits
Ewa Wolmut Stankiewicz	Application information question

23. MOTION TO ENTER INTO EXECUTIVE SESSION

Motion offered by **Maura Spery**, seconded by **Joseph Johnson** to wit:

RESOLVED, that the Board of Trustees enter into executive session for the purpose of discussing particular personnel matters, as is permitted under *New York State Public Officers Law*.

Motion carried: 5-Yes; 0-No

Upon passage of the foregoing Resolution, Mayor **Spery** adjourned the public session at 8:07 p.m. and convened the Board of Trustees' meeting in executive session at 8:15 p.m.

24. EXECUTIVE SESSION

Mayor **Spery**, Deputy Mayor **Manzella**, Trustees **Anderson**, **Johnson** and **Snyder**, Village Attorney **Guy W. Germano, Esq.** and **Susan F. Alevas, Esq.**, *Village Clerk/Administrator* were present in executive session. The Board of Trustees discussed particular personnel matters.

25. ADJOURNMENT OF EXECUTIVE SESSION

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

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

Motion carried: 5-Yes; 0-No

Upon passage of the foregoing Resolution, Mayor **Spery** adjourned the executive session at 8:33 p.m. and re-convened the Board of Trustees' meeting in public session at 8:34 p.m.

26. ACTION ARISING OUT OF EXECUTIVE SESSION

Following a discussion during which the Village Clerk/Administrator responded to a Board member's question, the following motion was made and voted upon.

Motion offered by **Maura Spery**, seconded by **Joseph Johnson** to wit:

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

RESOLVED, that the Board of Trustees authorizes the appointment of Ms. **Dina Ingham** to the part-time position of Clerk-typist (Suffolk County Civil Service Title #0021; Suffolk County Civil Service Duties Statement #11-1106), at an hourly salary of \$14.00 per hour, maximum of twenty (20) hours, effective July 7, 2016, and contingent upon the successful passing of a drug test and criminal-background check, 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: 3-Yes; 1-No (**A. Snyder**); 1-Abstention (**J. Johnson**)

27. 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 **Joseph Johnson** to wit:

RESOLVED, that the Board of Trustees adjourn its meeting at 8:36 p.m.

Motion carried: 5-Yes; 0-No

Respectfully submitted,

Susan F. Alevas, Esq.,
Village Clerk/Administrator

DRAFT -- SUBJECT TO MODIFICATION BY BOARD OF TRUSTEES/VILLAGE ATTORNEY