

May 19, 2008

Rockville Centre, New York

The Regular Meeting of the Board of Trustees was held on the evening of the above date in the Village Hall. Mayor Bossart opened the session at 8:15 p.m.

PRESENT: Mayor Mary Whalen Bossart, Trustees Jeanne Farnan Mulry, Andrew P. Karamouzis, Charles R. Joyce and David A. Krasula.

ABSENT: None.

ALSO PRESENT: Village Administrator Francis D. Quigley, Jr., Acting Village Attorney A. Thomas Levin, Deputy Administrator-Finance Michael Schussheim, Deputy Administrator-Operations Steve Kritsas, Police Commissioner John P. McKeon, Superintendent of Buildings Daniel V. Casella, Superintendent of Public Works Harry L. Weed, Superintendent of Water Anthony Iannone, Public Relations Counsel Jeff Kluewer and Secretary to the Board of Trustees Monica Farrell Derr.

ATTENDANCE: Approximately 26 people.

Mayor Bossart asked Bill Rothenberg to lead the Pledge of Allegiance.

Mayor Bossart announced that Rockville Centre had been named a Tree City for the twentieth year. She presented Bob Schenone and Fran Murray, co-chairs of the Environmental and Beautification Committee, with an award. Trustee Krasula noted that the prior Environmental and Beautification Committee had gotten the ball rolling in this process, and he thanked Fred Levine, who had co-chaired the committee with him.

Mr. Schenone invited the residents to join them on June 1st for planting day. They will meet at the Recreation Center at Noon for refreshments and assignments and will plant flowers 1-3 p.m. People can sign up via the Village website.

Mayor Bossart announced that May is Volunteer Month and Senior Citizen Month. She presented a Proclamation to William L. Rothenberg, who recently celebrated the 70th anniversary of his admission to the Bar. Besides his long legal career, Mr. Rothenberg has served as counsel to the Eastern College Athletic Conference, as a special counsel to the United States Olympic Association and as counsel to the New York Engravers and Lithographers Pension and Welfare Funds, as well as many years on the Rockville Centre Zoning Board of Appeals, twelve years as its Chairman.

Mayor Bossart then presented a Proclamation to Susan Keller who has volunteered at South Nassau Communities Hospital as a "listener" since 1998, is a monthly donor of blood platelets, is an active member of Central Synagogue of Nassau County and has distinguished herself as a American Sign Language instructor for

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the Oceanside Department of Community Activities and as a member of the Literacy Volunteers of America.

Mayor Bossart recessed the Regular Meeting and convened a meeting of the Exterior Design Review Board.

ACB Case #8-2008 - 199 DeMott Avenue

Superintendent Casella introduced the architect for the project, Todd O'Connell.

Mr. O'Connell said this is a proposed one-story addition to the rear of the house, consisting of a kitchen, family room and outdoor patio. They met with the architectural consultants. One of the concerns was the location of the air conditioning compressors, which will be located on the north side of the house. They have a signed affidavit from the adjacent neighbor. They will maintain the color of the house and match the siding. The roofing will be GAF Slateline, the best possible match to the slate which is there. The air conditioning will be fully buffered.

Mayor Bossart asked if the new addition will protrude past the south side of the house. Mr. O'Connell said no, it will not be visible. Mayor Bossart noted that the air conditioning will be 10.98 ft. from the property line.

Trustee Karamouzis asked what buffer they will use. Mr. O'Connell said they will be arborvitaes so they hide the units all year round. They are going to plant 6 ft. height, which will grow to 8-10 ft.

Mayor Bossart commented that 8 Overlook Lane is adjacent to the property and inquired what, if any, living space is impacted. The owner, Mr. Lo, said it is the living room. The bedroom is on the second floor.

Trustee Krasula asked the setback from the property line to their house line. Mr. O'Connell said approximately 25 ft. Trustee Krasula asked if the air conditioning could be moved to the back of the house. Mr. O'Connell said it is not desirable from an aesthetics standpoint and is not practical for where the utilities are located. He said they had spoken to the neighbors. Trustee Krasula noted that the Board has been grappling with this situation over several meetings and, while his current neighbors are agreeable, future neighbors may not be so amenable. He said the Board is moving in the direction of raising concerns about side yard placements. Mr. O'Connell said he is not comfortable suggesting any other location, and the design consultants agreed.

Trustee Mulry asked about pulling it around the northwest corner. Mr. O'Connell said all he would have done would be move it 5 ft. The property has a slight jog in it. He reiterated that he understands the Board's position, but as the architect he does not feel comfortable recommending any other location.

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Trustee Krasula inquired about a gap that appears in the proposed plantings on the west side on the landscape plan, and asked if Mr. O'Connell would consider moving the air conditioning to that location. Mr. O'Connell said he would have to confer with his client.

Trustee Mulry interjected that is the location she was suggesting and cautioned that the Board could make the decision about restricting side yards at any time.

Trustee Karamouzis asked if Mr. Lo had spoken to his neighbor and explained the implication. Mr. Lo said yes, the current air conditioners are located in the same place. Trustee Karamouzis said his preference would be for them to move it to the other side of the property, but they do have a waiver and he respects that. He said they might have problems in the future, so it might be penny wise and pound foolish not to move the air conditioner right now.

Trustee Joyce noted that according to the picture, the gap in the landscaping is going to be a doorway. Mr. O'Connell said there will be a door in that location.

Mayor Bossart asked the cooling capacity. Mr. O'Connell said he doesn't have that information. He noted that the new systems are actually more efficient and quieter than what is currently there.

Mayor Bossart called for comments from the public. Hearing none, on motion by Trustee Krasula, duly seconded by Trustee Joyce and unanimously carried, the Board voted to close the public hearing.

On motion by Trustee Karamouzis, duly seconded by Trustee Joyce and unanimously carried, the Board approved ACB Case #8-2008 - 199 DeMott Avenue.

ACB Case #4-2008 - 28 Liberty Avenue (Continued)

Superintendent Casella stated that this is the third time this project is coming before the Board.

Mr. Eldidi said he is submitting three different designs this evening. He said the design consultants thought the two-story columns were overwhelming for the neighborhood and the stone base was too much, so he has toned them down quite a bit. Mr. Eldidi described the changes he had made in each design.

Trustee Krasula said he very much likes the driveway punch out and asked which design his client prefers. Mr. Eldidi said Mr. Katsman is in love with #1. Trustee Krasula said his concern is that there are three different peaks on a narrow building. He said the portico and the main peak are fine. Mr. Eldidi said the window would get lost in all the wall space and the peak is "very Rockville Centre". Trustee Krasula asked if it would be

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better to have the vinyl siding on all sides rather than having shake on the front. Trustee Karamouzis agreed. Trustee Mulry disagreed but said she would go along.

Mayor Bossart asked if there was a consensus on the Board for design #1. Trustees Joyce and Mulry favored #1. Trustee Krasula said he liked #1, except he would prefer clapboard on the front. Trustee Karamouzis agreed with Trustee Krasula. He also would like to get rid of the gable. Mayor Bossart said she liked it the way it was drawn and asked if the public had any comments.

Hearing none, on motion by Trustee Joyce, duly seconded by Trustee Krasula and unanimously carried, the Board voted to close the public hearing.

Trustee Joyce moved to approve design #1. Trustee Mulry seconded the motion. Mayor Bossart called for a vote.

Trustee Karamouzis asked for clarification on the location of the air conditioning unit. Mr. Eldidi said it will be on the side facing 11 Liberty Avenue, behind the knee wall.

On motion by Trustee Joyce, duly seconded by Trustee Mulry and unanimously

carried, the Board approved design #1 for ACB Case #4-2008 - 28 Liberty Avenue, subject to the air conditioner being placed behind the knee wall on the driveway side and subject to confirmation from the Building Department that it is in compliance and, if not, subject to the production of an appropriate executed waiver.

Mayor Bossart adjourned the Exterior Design Review and reconvened the Regular Meeting.

Village Administrator Quigley reopened a public hearing on Bill #2A-08 - a local law relating to central air conditioning equipment.

Acting Village Attorney A. Thomas Levin provided an overview of the two versions of the Bill under consideration. The difference concerns location of outdoor compressors.

Trustee Mulry reiterated that the Board is grappling with whether there should be a setback distance for side yard air conditioning units or there should be a prohibition against side yard location. She said that while this law may negatively impact many residents, it does encourage placement in the front yard. Trustee Mulry acknowledged that there had been a longstanding discouragement of the units in the front yard.

Trustee Krasula said that people have approached him with a real issue against air conditioners in the side yards, so he is leaning toward the prohibition of units in the side yard.

Trustee Joyce agreed that side yard units present a concern to the neighbors, however, there are some homes in Rockville Centre that have tremendous side yards. He thinks the Board should consider the distance.

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Trustee Karamouzis said it is hard to judge where the majority of units are placed. Anecdotal information is that many units are in the side yard. If they were to enact a prohibition, the next generation that comes in and cannot meet paragraph H, would face a terrible hardship. Trustee Karamouzis said he understands the issues with the side yards, but is hesitant to tell a homeowner he cannot use his property in a particular fashion. He said there is a unit six feet away from his property and it hasn't bothered him.

Trustee Mulry asked if it would be legally possible to reduce the burden of obtaining a variance. Acting Village Attorney Levin said it is generally considered inappropriate to make the zoning laws conditional on the consent of your next door neighbor. Somebody with a compliant neighbor would have one law and somebody with a noncompliant neighbor would have a different law. The question is, is there a way to set up a process at the Zoning Board where these variances could be done in a simple fashion. That could certainly be done. Mayor Bossart pointed out that it puts a burden on the non-air conditioning party.

Mr. Levin added that the second issue is if the Board wants to include anything that uses a measurement for buildings on the adjoining property. Mayor Bossart said her problem with doing building to building is the visual sense. She said she is approximately 40 ft. from her neighbor, and she is the party with larger side yard. She does not think that someone should automatically get the right to use her side yard for their benefit. Mayor Bossart said she is in favor of not putting them in the side yards, they may go on a side where there are two streets, and they may be allowed in the front just around the corner.

Trustee Krasula agreed that there is a lesser impact in the front or back because you eliminate the chimney effect.

John Kirrane of 32 Wellsley Road thanked the Board. He said he would advocate to keep them out of the side yards because you don't know who is going to move in next and you would be creating a burden.

Ken Carter of 26 Wellsley Road said he has incurred a lot of expenses putting up a fence, arborvitaes and a blanket. His unit is much quieter now. He said he wishes he could have put it in the front of house when first installed. It would have avoided the entire dilemma.

John Garry of 109 Broadway asked if the law pertains to ductless systems. Trustee Karamouzis said he thinks it does. Acting Village Attorney Levin said it would wind up being the Building Department's call. He said as he understands it they can do one or two rooms and not the entire house. You would have to look at those on a case by case basis. Trustee Mulry concluded that Mr. Garry is asking that the ductless systems not be included in the definition. Mr. Levin said it is possibly tied to the decibel level. Trustee Krasula added that it would then be

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incumbent on the Building Department to have equipment to measure the decibels; and what happens when the unit becomes older? He said that is why the Board moved away from decibels. Mayor Bossart added that she does not see the Building Department going around policing decibel levels.

Hearing no more comments, Mayor Bossart called for a motion to close the hearing.

Trustee Mulry asked where the Board is on the language; does the law need to be rewritten and re-noticed?

Acting Village Attorney Levin said they could close the hearing and make the change eliminating the reference to the minimum of 20 feet, or they could continue the hearing and give people one more opportunity to comment on the modified version.

Mr. Levin would review the final version to determine whether it must be referred to the Nassau County Planning Committee for comment.

Trustee Krasula suggested continuing the public hearing to the next meeting and amending version 4 Section D, removing the words "and a minimum of 20 feet from any buildings on any adjoining property."

Trustee Karamouzis suggested extending the minimum from 10 ft. to 15 ft. for the side yard and adding for all three, front side or rear yards, and that you have to include some type of buffer to be approved by the Building Department. Acting Village Attorney Levin pointed out that is stated in Section G.

Mr. Kirrane asked if the Building Department has the authority to ensure that the homeowner maintains those buffers. Mr. Levin said the way it is written, the Building Department can impose these requirements.

Mayor Bossart asked if it could be specified that they not be placed above ground level. They should be placed at grade, as opposed to the second floor of the house.

Trustee Karamouzis moved to continue the public hearing. Trustee Mulry seconded the motion, and the Board voted unanimously to continue the public

hearing on RVC Bill #2A-08, including the proposed modifications.

On motion by Trustee Joyce, duly seconded by Trustee Mulry and unanimously carried, the Board approved a contract with the Rockville Centre Fire Department for the period June 1, 2008 through May 31, 2009 for an expenditure of \$172,000, plus an additional \$10,000 in the event that the total volunteer firefighters workers compensation related expenditures are below \$60,000 for the same period. The Board also approved the Woodland Fire House Rental Agreement for the period June 1, 2008 through May 31, 2009, for a total expenditure of \$18,000.

On motion by Trustee Krasula, duly seconded by Trustee Joyce and unanimously carried, the Board approved a one-year contract

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between the Village of Rockville Centre and the Hispanic Brotherhood, commencing July 1, 2008, for the amount of \$20,000.

On motion by Trustee Mulry, duly seconded by Trustee Joyce and unanimously carried, the Board approved a professional services contract with Actuarial & Technical Solutions, Inc. to provide valuation services and financial reports mandated by Governmental Accounting Standards Board (GASB) Statement #45, for a total cost of \$9,750.

On motion by Trustee Krasula, duly seconded by Trustee Karamouzis and unanimously carried, the Board adopted the FY 2008 General Fund Budget Modification:

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<u>To</u>			<u>From</u>		
1010 Board of Trustees	.112	\$ 10,800	1325 Clerk Treasurer	.111	\$151,268
1110 Village Justice	.111	4,850	1345 Purchasing	.111	18,000
1210 Mayor	.111	100	1995 Insurance Contribution	.497	250,000
1321 Comptroller	.111	10,850	3620 Safety Inspection	.111	46,000
1325 Clerk Treasurer	.464	15,200	7140 Recreation	.7250	8,600
	.7210	1,200	7148 Senior Services	.111	19,000
1430 Personnel	.111	350	8120 Sanitary Sewers	.484	14,000
1640 Central Garage	.111	1,000	9010 State Retirement	.810	35,000
1690 Data Processing	.111	13,500	9020 Police Retirement	.810	8,000
	.7250	12,600	9025 Fire Service Awards	.810	18,000
3110 Police Civilian	.114	74,300	9030 Social Security	.820	24,650
3120 Police Uniform	.112	132,000	9041 Workers Compensation	.830	30,000

	.437	20,000	97106 Bonds Principal	.479	175,000
3410 Fire	.7215	94,545	97107 Bonds Interest	.479	<u>25,000</u>
3640 Civil Defense	.410	2,000		Total	<u>\$822,518</u>
	.7250	2,450			-
4020 Registrar	.111	200	<u>Revenue Increases</u>		
5010 Street Administration	.111	19,500			
	.435	9,000	3772 Programs for Aging		\$ 88,000
5110 Street Maintenance	.112	9,600	3987 Nassau County Grants		48,300
7110 Parks	.112	14,600	3989 Other Community Services		85,000
	.433	51,000	4307 Federal Grants		<u>94,545</u>
7140 Recreation	.114	100,700		Total	<u>\$315,845</u>
	.454	54,900			
7145 MLK Center	.114	131,200	<u>Fund Balance</u>		
	.454	32,000			
7148 Senior Services	.7230	97,000	9999 Designated for Police Retirements		<u>\$ 27,732</u>
8120 Sanitary Sewers	.112	4,600			
8160 Refuse Collection	.112	102,900		Total	<u>\$ 27,732</u>
8540 Storm Sewers	.111	1,450			
	.410	600			
9045 Life Insurance	.860	1,100			
9060 Health Insurance	.850	15,000			
907001 Professional Svcs.	.474	125,000			
Total		<u>\$1,166,095</u>			

The purpose of this budget modification is as follows:

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- To ensure that all personal services appropriations are adequately funded through May 31, 2008. Many of the personal services funding needs relate to the absence of funding in individual departmental budgets for the June 1, 2007 managerial salary adjustments. Additional funding is necessary for Police and Refuse Collection department overtime expenditures and part-time expenditures in the Police Civilian, Recreation and MLK departments.
- The Clerk Treasurer, MIS, Fire, and Senior Services departments require increases in their appropriations for other than personal services in order to fund various purchases paid for through grants and outside funding sources that were established during the fiscal year.
- Other than personal services funding requirements in the remaining departments generally represent an assortment of minor needs such as fuel, water usage, Recreation and MLK Center facility repairs, and independent contractors.

- Additional funds are needed in Professional Services primarily due to the utilization of an outside law firm as acting Village Attorney.
- Expense Budget transfers from various appropriations are the result of either lower than anticipated expenditures or a reduction in the amounts that will be allocated for Village self-insurance programs and debt service.
- The revenue increases are all associated with higher than anticipated grant totals for FY 2008 that include a federal grant of \$94,545 for Fire Department equipment, a \$48,000 New York State grant for a new Senior Services vehicle and a \$40,000 New York State grant for the Senior Center garden project.
- Unreserved Fund Balance Designated for Police Retirements is being utilized to fund the difference between the cash payments issued to two police officers upon their FY 2008 retirements and the \$250,000 budget appropriation established for this purpose.

On motion by Trustee Joyce, duly seconded by Trustee Mulry and unanimously carried, the Board granted authority to the Comptroller to make the necessary accounting adjustments for FY 2008 General Fund appropriations at May 31, 2008. The amounts of the adjustments and the appropriations affected will not be known until all journal entries pertaining to Fiscal Year 2008 have been completed.

Trustee Mulry questioned if the Board has to have a public hearing on the tentative Electric and Water Department Budgets. Acting Village Attorney Levin said he is not aware of any legal requirement to have a public hearing, but the Board could have

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one if they wished. Trustee Mulry asked if the budgets had to be approved tonight or if the Board could have a workshop with the department heads before voting on the budgets. Mr. Schussheim said the fiscal year will begin in less than two weeks, so his preference is to have the vote tonight. Any rate increase in electric rates would have to go before the Public Service Commission, and the average increase in water rates is \$56 per year. Debt Service is one of the main factors behind this increase. There was no increase in the water rate last year, although there should have been.

Trustee Mulry pointed out that the Village had made a presentation to Congresswoman McCarthy two years ago for federal funding to upgrade and paint the water tower. Mr. Schussheim said the response last year was negative. The project has been resubmitted, but we have not had a response.

On motion by Trustee Krasula, duly seconded by Trustee Karamouzis and unanimously carried, the Board adopted a resolution to approve the Electric and Water Budgets. Mayor Bossart and Trustees Mulry, Karamouzis, Joyce and Krasula voted aye.

RESOLVED, that the tentative budgets of the Electric and Water funds as amended and revised and as hereinafter set forth are hereby adopted and that all amounts appropriated for the objects and purposes specified and the salaries and wages stated in such budgets, shall be and are hereby fixed at the amounts shown herein, plus any retroactive managerial salary adjustments, effective June 1, 2008. In addition, all rates and fees for water service shall be

established pursuant to the June 1, 2008 service classification and fee schedules.

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**FEE SCHEDULE - WATER
SERVICE CLASSIFICATION RATES**

RESIDENTIAL & COMMERCIAL

				CURRENT RATES		16.5% INCREASE EFFECTIVE 6/1/08	
Semi-annual	1st	18,000	gallons or less	\$ 64.61	minimum	\$75.27	minimum
	next	36,000	gallons	1.76	/1,000 gallons	2.05	/1,000 gallons
	next	46,000	gallons	2.38	/1,000 gallons	2.77	/1,000 gallons
	next	900,000	gallons	3.23	/1,000 gallons	3.76	/1,000 gallons
	all over	1,000,000		3.57	/1,000 gallons	4.16	/1,000 gallons

				CURRENT RATES		16.5% INCREASE EFFECTIVE 6/1/08	
Monthly	1st	3,000	gallons or less	\$10.77	minimum	\$12.55	minimum
	next	6,000	gallons	1.76	/1,000 gallons	2.05	/1,000 gallons
	next	7,667	gallons	2.38	/1,000 gallons	2.77	/1,000 gallons
	next	150,000	gallons	3.23	/1,000 gallons	3.76	/1,000 gallons
	all over	166,667	gallons	3.57	/1,000 gallons	4.16	/1,000 gallons

MINIMUM CHARGE (PER METER)

METER SIZE	CURRENT RATE			16.5% INCREASE EFFECTIVE 6/1/08		
	MONTHLY	SEMI-ANN	OUTSIDE VILLAGE	MONTHLY	SEMI-ANN	OUTSIDE VILLAGE
5/8"	10.77	64.61	80.76	12.55	75.27	94.09

3/4"	10.77	64.61	80.76	12.55	75.27	94.09
1"	16.12	96.73	120.91	18.78	112.69	140.86
1 1/2"	21.49	128.93	161.16	25.04	150.20	187.75
2"	32.26	193.54	241.93	37.58	225.47	281.84
3"	75.63	453.77	567.21	88.11	528.64	660.80
4"	126.04	756.26	945.33	146.84	881.04	1,101.30
6"	252.21	1,513.28	1,891.60	293.82	1,762.97	2,203.71

Minimum Charge - billed whether or not any water is used. It includes the cost of meter reading, billing, and maintenance of water distribution system and meters.

Outside Village water customers receive a 25% surcharge.

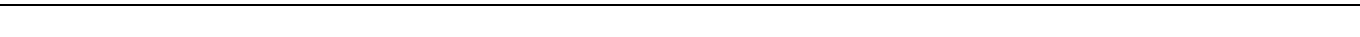
FEE SCHEDULE - FIRE HYDRANT AND SPRINKLER HEADS

		Current Annual Rate	16.5% Increase 5/1/2008
		-	-
1	Privately owned fire hydrant (connected to Village mains)	\$149.25	\$173.88
2	Utility owned fire hydrant (located on private property)	\$298.50	\$347.75
3	For the first 100 sprinkler heads or fraction thereof (minimum charge)	\$161.69	\$188.37
4	For each 25 additional heads or fraction thereof	\$13.70	\$15.96
5	Accounts outside the Village add 25% surcharge		

**FEE SCHEDULE - WATER
SERVICE CLASSIFICATION RATES**

FLAT RATE - RESIDENTIAL

ONE FAMILY	CURRENT RATES/ PER ANNUM	16.5% INCREASE EFFECTIVE 6/1/08
One kitchen including one sink, one set of laundry tubs; and one bathroom tub and/or tub shower and one sink and one water closet	\$ 141.69 /pa	\$ 165.07 /pa
One hose bib	101.20 /pa	\$ 117.90 /pa
Each additional hose bib	40.48 /pa	\$ 47.16 /pa
Each additional water closet	18.22 /pa	\$ 21.23 /pa
Each additional bathtub	18.22 /pa	\$ 21.23 /pa
Each additional stall shower	18.22 /pa	\$ 21.23 /pa
Each additional set of wash tubs	18.22 /pa	\$ 21.23 /pa
Each additional sink	18.22 /pa	\$ 21.23 /pa
Automatic washing machines (dish & clothes)	18.22 /pa	\$ 21.23 /pa
Special fixtures	upon request	upon request



TWO FAMILY	CURRENT RATES/ PER ANNUM	16.5% INCREASE EFFECTIVE 6/1/08
One kitchen including one sink, one set of laundry tubs; and one bathroom tub and/or tub shower and one sink and one water closet	\$ 283.36 /pa	\$ 330.11 /pa
One hose bib	101.20 /pa	\$ 117.90 /pa
Each additional hose bib	40.48 /pa	\$ 47.16 /pa
Each additional water closet	18.22 /pa	\$ 21.23 /pa
Each additional bathtub	18.22 /pa	\$ 21.23 /pa
Each additional stall shower	18.22 /pa	\$ 21.23 /pa
Each additional set of wash tubs	18.22 /pa	\$ 21.23 /pa
Each additional sink	18.22 /pa	\$ 21.23 /pa
Automatic washing machines (dish & clothes)	18.22 /pa	\$ 21.23 /pa
Special fixtures	upon request	upon request

SPECIAL PROVISIONS

See Rules & Regulations

This rate applies to existing flat rate customers only

Outside Village water customers receive a 25% surcharge

On motion by Trustee Krasula, duly seconded by Trustee Karamouzis and unanimously carried, the Board adopted the amended Nepotism Policy.

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NEPOTISM POLICY

Adopted March 31, 2008, amended May 19, 2008

Resolved, that the Board of Trustees of the Village of Rockville Centre hereby adopts the following Policy, effective immediately:

1. Public service is a matter of public trust. As such, the purpose of this policy is to avoid the appearance of improper favoritism to family members in initial employment and in the promotion of current employees. The Village adopts the policies herein to preserve the trust placed in the Village's public servants, to promote public confidence in the Village government, to protect the integrity of Village decision making and to enhance the effectiveness of Village government.

2. This policy shall apply to initial employment and promotion only. Nothing in this policy shall be construed to apply to lateral assignments or lateral appointments of employees.

3. Definitions. As used in this Policy,

"Immediate family" means a spouse, domestic partner, child, stepchild or dependent, parent, grandparent, brother, sister, brother-in-law, sister-in-law or cousin, or any other person related closer in degree than first cousin by blood or by marriage.

"Nepotism" means favoritism shown to an immediate family member.

"Village official or employee" means any elected or appointed official or employee of the Village of Rockville Centre, whether paid or unpaid, including any member of any Village board, commission or agency.

"Village employment" means any Village position, whether paid or unpaid, elected or appointed, including a position on any Village board, commission or agency, provided, however, that the term shall not include any position as a seasonal employee.

4. No Village official or employee shall use or attempt to use such person's official position to secure Village employment for an immediate family member, nor otherwise engage in conduct that creates an inference of nepotism.

5. Every Village official and every Village employee whose immediate family member is seeking Village employment shall disclose such relationship as provided in this Policy.

6. Any person seeking Village employment, or who is aware of being under consideration for Village employment, shall make disclosure as required by this Policy with respect to any

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immediate family member of such person who is a Village official or employee.

7. Every person who is a Village official and/or Village employee on the effective date of this policy shall, within thirty days after receipt of notice from the Village Administrator to do so, complete and file with the Village Administrator a written disclosure as to any member of such person's immediate family who is a Village official or employee.

8. The disclosures required by this Policy shall be made in writing, and filed with the Village Administrator, at the earliest opportunity following the date upon which a Village official or employee first learns or has knowledge of any application or request for Village employment by a member of such person's immediate family. Promptly upon receipt of such disclosure, the Village Administrator shall provide a copy thereof to the Mayor and Trustees.

9. It is the policy of the Village to avoid, wherever possible, the hiring of immediate family members of employees, and the promotion of employees, such that the result would be any of the following:

A. Where one of the immediate family members would have the authority (or practical power) to supervise, appoint, remove, discipline or audit the work of the other;

B. Where both immediate family members would report to the same immediate supervisor, or

C. Where other circumstances might lead to potential conflict among the immediate family members, or conflict between the interest of either or both such family members and the best interest of the Village.

However, in a proper case, the appointing or employing Village official or employee may determine that it is in the best interests of the Village to employ or appoint a person notwithstanding the foregoing Policy, and in such case the appointing or employing Village official or employee shall file with the Village Administrator a written statement of such determination and the reasons therefor.

10. Any Village official or employee determined to have intentionally violated the disclosure requirements of this Policy will be subject to appropriate disciplinary action, which may include termination.

On motion by Trustee Krasula, duly seconded by Trustee Joyce and unanimously carried, the Board approved the attendance of P. O. Paul Pope at the DCJS Commercial Motor Vehicle Enforcement Training Course in Oriskany, NY, May 21-23, 2008, for an estimated expenditure of \$400.00.

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On motion by Trustee Joyce, duly seconded by Trustee Karamouzis and unanimously carried, the Board approved a professional services contract with H2M Labs to perform annual water sampling for FY 2009 for a total expenditure of \$45,000.

On motion by Trustee Mulry, duly seconded by Trustee Joyce and unanimously carried, the Board adopted a resolution for the New York State Department of Environmental Conservation Grant to plant trees throughout the Village. The

Village will match the funds in an amount not to exceed \$4,400. Mayor Bossart and Trustees Mulry, Karamouzis, Joyce and Krasula voted aye.

R E S O L U T I O N

I, Francis D. Quigley, Jr., duly qualified Clerk-Treasurer of the Incorporated Village of Rockville Centre of New York, do hereby certify that the following resolution was adopted at a regular meeting of the Board of Trustees held on Monday, May 19, 2008 and is incorporated in the original minutes of said meeting and that said resolution has not been altered, amended or revoked and is in full force and effect.

RESOLVED, that Francis D. Quigley, Jr. as Village Administrator or Clerk Treasurer, or such person's successor in office of the Incorporated Village of Rockville Centre, is hereby authorized and directed to file an application for funds in an amount not to exceed \$4,400 and upon approval of said request to enter into and execute a project agreement with the New York State Dept. of Environmental Conservation for such financial assistance to this Village for 2008 Downtown and Road Resurfacing Tree Refurbishing (grant project).

On motion by Trustee Mulry, duly seconded by Trustee Karamouzis and unanimously carried, the Board approved a professional services contract with Claims Service Bureau to administer the Village's self insurance program for Worker's Compensation benefits, with a 2% increase for all of their rates, for the period June 1, 2008 through May 31, 2010.

On motion by Trustee Karamouzis, duly seconded by Trustee Krasula and unanimously carried, the Board approved a professional services contract with Public Relations Counsel Jeff Kluewer for the period June 1, 2008 through May 31, 2010. Mayor Bossart pointed out that there is no increase in the cost of the contract.

On motion by Trustee Krasula, duly seconded by Trustee Joyce and unanimously carried, the Board adopted a resolution to hold a public hearing for the proposed cable television franchise agreement with Verizon New York, Inc. Mayor Bossart and Trustees Mulry, Karamouzis, Joyce and Krasula voted aye.

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R E S O L U T I O N

Publication of legal notice for public hearing

Proposed cable television franchise agreement
with Verizon New York, Inc..

WHEREAS, the Village has been in negotiations with Verizon New York, Inc. for a non-exclusive cable television franchise which would make a second provider of cable television services available to Village residents, and

WHEREAS, those negotiations have progressed to a point where the terms of a proposed agreement are sufficiently clear and detailed to permit a public hearing with respect to the proposed agreement, in order to complete any incomplete items and to obtain public input with respect to the proposed agreement, and

WHEREAS, a public hearing is required before the Village may determine whether to enter into such an agreement, or to finalize the terms and conditions of such an agreement.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Village Administrator shall cause a legal notice to be published in the next available edition of the official paper of the Village of Rockville Centre (the Rockville Centre Herald) to announce that a public hearing will commence with respect to a proposed cable television franchise agreement with Verizon New York, Inc. on June 17, 2008, at 8:15 pm., and that the Village Administrator also shall give such other notice of hearing as may be required by law.

OLD BUSINESS

Trustee Karamouzis asked what the status is at Churchill's with regard to OTB. Many months ago the Board voted against it, and they agreed not to proceed. He said he noticed recently that the machines are currently in and working, without any notice to the Village. Mr. Quigley said he is investigating the situation and what possible remedies there are. He said he would have an answer within the next two weeks. Trustee Karamouzis asked Mr. Quigley to notify Churchill's that the Village is looking into it and express his displeasure at the way this was done.

Trustee Mulry asked for clarification on the Capital Projects budget. The "Herald" had indicated that the roadway project was suspended and that only punch list items from last year's program and minor repairs on Burtis will be addressed this year. Trustee Mulry said she understood that the roadway program had never been included in the General Fund Budget, but was a separate capital budget which was approved through the issuance of bond resolutions.

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Mayor Bossart said she recalled that at the Budget Hearing Mr. Schussheim had proposed putting 3%, or approximately \$660,000, in the operating budget for the road program. The Board decided not to do that in order to reduce the budget increase from 14.26%. Mayor Bossart said she had made the point that she was still in favor of a road program. The confusion probably came from all of the focus on the operating budget, so some people got the impression we are not doing roads. We just haven't discussed it in terms of funding. It will be coming up at the next meeting. Mr. Schussheim added that there is going to be a roadway program, it just will not be as extensive. Mayor Bossart added that the timing will be switched. The scoping and engineering work will take place between June 1 and December 31, 2008. The actual work will be held off until spring 2009, in order to avoid the winter weather which has caused problems in the past.

On motion by Trustee Mulry, duly seconded by Trustee Karamouzis and unanimously carried, the Board approved the Minutes of the Briefing Session of April 18, 2008, the Briefing Session of April 22, 2008, the Briefing Session of April 28, 2008 and the Regular Meeting of April 28, 2008.

Village Administrator Quigley advised that properly advertised Bids to purchase Cable for the Electric Department had been opened by the Purchasing Department on April 24, 2008 with the following results:

BIDDERS

QUOTED PRICE

The Okonite Company	\$15,202.00
Arthur J. Hurley Company, Inc.	15,300.00
Prysmian Power Cables	N/B

The following companies did not respond: Champion Wire and Cable and Stuart C. Irby.

On motion by Trustee Krasula, duly seconded by Trustee Mulry and unanimously carried, the Board confirmed awarding the bid to the lowest responsible bidder, namely The Okonite Company, for an expenditure of \$15,202.00, with a variance not to exceed 5%.

Village Administrator Quigley advised that properly advertised Bids for Village-wide Tree Planting were opened by the Purchasing Department on May 15, 2008, with the following results:

<u>VENDOR</u>	<u>DELIVERED AND PLANTED</u>	<u>DEEP ROOT</u>	<u>DELIVERED ONLY</u>
Louis Barbato Landscaping	\$ 9,762.00	\$4.25 L/F	\$2,790.00
Island Nursery	9,745.00	6.00 L/F	2,850.00
Keep It Green Landscaping	31,912.50	1.33 L/F	8,052.00
R&R Landscaping	N/B	N/B	N/B

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The following companies did not respond: ADM Landscaping and G. B. Schenone Nursery.

On motion by Trustee Krasula, duly seconded by Trustee Joyce and unanimously carried, the Board confirmed awarding the bid to the lowest responsible bidder, namely Louis Barbato Landscaping, for a total expenditure not to exceed \$16,377.00.

Village Administrator Quigley advised that properly advertised Bids for Maintenance and Porter Services had been opened by the Purchasing Department on May 8, 2008, with the following results:

	<u>10 Sunrise Highway</u>	<u>110 Maple Ave</u>	<u>142 Maple Ave</u>	<u>34 Maple Ave</u>	<u>120 S. Village Ave</u>	<u>50 S. Park Ave</u>	<u>1 College Place</u>	<u>TOTAL</u>
ial g ance	\$4,764.00	\$5,040.00	\$4,692.00	\$8,064.00	\$1,104.00	\$4,968.00	\$6,588.00	\$35,220.00
g s	N/B	N/B	N/B	N/B	N/B	N/B	N/B	
g s	\$4,800.00	\$8,184.00	\$5,880.00	\$13,200.00	\$1,200.00	\$4,812.00	\$11,820.00	\$49,896.00
g ance ional g	\$3,684.00	\$6,384.00	\$3,480.00	\$10,200.00	\$600.00	\$4,332.00	\$9,372.00	\$38,052.00
	\$7,800.00	\$10,980.00	\$6,840.00	\$11,760.00	\$1,020.00	\$8,700.00	\$14,820.00	\$61,920.00

The following companies did not respond: Capital Cleaning Contractors, Deluca Cleaning Systems, F. X. Murray Cleaning Contractors Inc., Jani King and Rainbow

Maintenance Cleaning.

After negotiations with the low bidder, Commercial Building Maintenance, they agreed to lower their prices on the following buildings: 10 Sunrise Highway to \$3,684.00, 142 Maple Avenue to \$3,480, 120 S. Village Avenue to \$600.00 and 50 S. Park Avenue to \$4,332.00.

On motion by Trustee Karamouzis, duly seconded by Trustee Krasula and unanimously carried, the Board awarded the bid to the lowest responsible bidder, namely Commercial Building Maintenance for a total expenditure not to exceed \$95,364.00 for a three-year period.

This concluded the business portion of the meeting. For a verbatim record please refer to the video.

On motion by Trustee Krasula, duly seconded by Trustee Joyce and unanimously carried, the meeting adjourned at 11:10 p.m.

Francis D. Quigley, Jr.
Village Administrator

/mfd

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May 19, 2008

Rockville Centre, New York

The Board of Trustees held a public Briefing Session on the evening of the above date in the Mayor's office at Village Hall. The meeting was called to order at 7:00 p.m.

PRESENT: Mayor Mary Whalen Bossart, Trustees Jeanne Farnan Mulry, Andrew P. Karamouzis, Charles R. Joyce and David A. Krasula.

ABSENT: None.

ALSO PRESENT: Village Administrator Francis D. Quigley, Jr., Acting Village Attorney A. Thomas Levin, Deputy Administrator-Finance Michael Schussheim, Deputy Administrator-Operations Steve Kritsas, Superintendent of Electric Paul J. Pallas, Superintendent of Buildings Daniel V. Casella, Deputy Superintendent of Buildings Thomas Domanico, Superintendent of Parks and Recreation Anthony T Brunetta, Superintendent of Water Anthony Iannone, Superintendent of Public Works Harry L. Weed, Deputy Clerk-Treasurer Carol A. Kramer, Director of Senior Services Cyd B. Charrow, Director of Information Technology John A. Peters, Public Relations Counsel Jeff Kluewer and Secretary to the Board of Trustees Monica Farrell Derr.

The Board reviewed and discussed various agenda items without taking action.

The Briefing Session adjourned at 8:10 p.m.

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May 12, 2008

Rockville Centre, New York

The Board of Trustees held a public Briefing Session on the above date in the Mayor's office at Village Hall. The meeting was called to order at 11:00 a.m.

PRESENT: Mayor Mary Whalen Bossart, Trustees Jeanne Farnan Mulry, Andrew P. Karamouzis, Charles R. Joyce and David A. Krasula.

ABSENT: None.

ALSO PRESENT: Village Administrator Francis D. Quigley, Jr.

On motion by Trustee Karamouzis, duly seconded by Trustee Jeanne Farnan Mulry and unanimously carried, the Board authorized Mayor Bossart to sign the STEP contract.

At 11:15 a.m. the Board convened in Executive Session to discuss pending litigation and an employee's withdrawal from the 457 Deferred Compensation Plan.

Trustee Krasula moved to name Anthony J. Colletta as Special Counsel to assist in regard to Avalon Bay. Mayor Bossart and Trustees Joyce and Krasula voted aye. Trustee Karamouzis voted nay and Trustee Mulry abstained. The motion carried by a vote of 3-2.

On motion by Trustee Joyce, duly seconded by Trustee Krasula and unanimously carried, the Board voted to approve the 457 Deferred Compensation Plan withdrawal requested by James M. Vafeades.

The Board returned to public session, and the meeting adjourned at 1:00 p.m.