

**INCORPORATED VILLAGE OF MUTTONTOWN
MEETING OF THE BOARD OF TRUSTEES
REGULAR MONTHLY MEETING
February 13, 2019
Minutes**

Call to Order

The meeting of the Incorporated Village of Muttontown was called to order by Mayor Dr. James Liguori, at Village Hall, located at One Raz Tafuro Way, Muttontown, New York, at 7:01p.m.

Present

Mayor Dr. James M. Liguori
Deputy Mayor Sudha Prasad
Trustee Susan Dasilva
Trustee Chris Economou
Trustee Brian Fagen
Trustee Mohinder Singh

Absent

Trustee Jeanine Todaro

Pledge of Allegiance

The Pledge to the Flag of the United States of America was recited by the Board, Village personnel, residents and the general public.

Department Reports

Trustee Economou gave a report on the Muttontown Police Department. Police Commissioner Dennis Farrell of the Muttontown Police Department gave a report on Police activity for the month of January 2019.

Trustee Dasilva gave a report on the Building Department.

Deputy Mayor Prasad gave a technology report.

Mayor Liguori asked Acting Clerk Joe Russo to give a treasurer's report for the month ending January 2019. Acting Clerk Russo discussed the bank reconciliation data from village statements ending December 31, 2018 through statement end date January 31, 2019.

ADVISORY BOARDS

Deputy Mayor Prasad gave an update on the Community Events Advisory Committee.

NEW BUSINESS

Resolution 19-26 – A motion was made by Trustee Singh, seconded by Trustee Dasilva and carried to waive the reading of the prior meetings minutes.

Resolution 19-27 – A motion was made by Trustee Fagen, seconded by Trustee Economou and carried to approve the prior meeting's minutes.

Resolution 19-28 – A motion was made by Trustee Singh, seconded by Deputy Mayor Prasad and carried to approve the prior meetings Executive Board minutes.

Resolution 19-29 – A motion was made by Deputy Mayor Prasad, seconded by Trustee Economou and carried to approve the warrants as presented.

Resolution 19-30 – A motion was made by Trustee Fagen and seconded by Deputy Mayor Prasad and carried to approve the following resolution:

NOTICE IS HEREBY GIVEN, that a Special Election of the Incorporated Village of Muttontown, Nassau County, New York, shall be held at Muttontown Village Hall, One Raz Tafuro Way in said Village on Tuesday June 18, 2019, that the hours of opening and closing the polls thereof shall be 8:00 A.M. and 9:00 P.M. respectively and that during such period of thirteen (13) consecutive hours the polls shall be kept open for the purpose of choosing and electing the following officers: Three (3) Trustees – for the remaining term of one (1) year to fill three (3) vacancies.

Resolution 19-31 – A motion was made by Deputy Mayor Prasad and seconded by Trustee Singh and carried to authorize Mayor Liguori to enter into an agreement for consulting engineering services for the Village's Stormwater Compliance program and annual reporting to the New York State Department of Environmental Conservation with James Antonelli, P.E. as proposed in his letter dated February 7, 2019.

Resolution 19-32 – A motion was made by Trustee Fagen, seconded by Trustee Economou to authorize Mayor Liguori to enter into an agreement for consulting, engineering, planning and environmental services with James Antonelli, P.E. as proposed in his letter dated February 7, 2019.

Resolution 19-33 – A motion was made by Trustee Dasilva, seconded by Deputy Mayor Prasad and carried to approve the proposed revisions to the Village of Muttontown Fee Schedule. A copy is annexed to these minutes.

Resolution 19-34 – A motion was made by Trustee Dasilva, seconded by Deputy Mayor Prasad and carried to approve the proposal from General Code dated February 11, 2019 for Codification services.

Village Counsel Stephanie Tanzi announced that a litigation update was planned for tonight's meeting by Village Counsel Keith Corbett but due to unforeseen circumstances he is not in attendance and will give the update at the March 2019 regularly scheduled Board meeting.

Public Input

Julie Albernese of 21 Geralind Drive, Rich Kasio of the Muttontown Horseman’s Association 90 Newman Road, Huntington, and Joana Sasso 1884 Nassau Road addressed the Board during public input.

Motion to Adjourn

At 7:20 p.m. Trustee Economou made a motion, seconded by Deputy Mayor Prasad and carried to enter into executive session to discuss the Village of Muttontown Collective Bargaining Agreement, pending litigation and a personnel matter.

At 9:14 p.m. Trustee Economou made a motion, seconded by Trustee Singh and carried to reopen the public portion of the meeting.

Resolution 19-35 – A motion was made by Deputy Mayor Prasad, seconded by Trustee Singh and carried to approve the proposed settlement in the case of 6901 Jericho LLC

Resolution 19-36 – A motion was made by Deputy Mayor Prasad , seconded by Trustee Fagen and carried to approve the settlement in the case known as Peter Hsu V Incorporated Village of Muttontown.

Resolution 19-37 – A motion was made by Deputy Mayor Prasad, seconded by Trustee Fagen and carried to approve the Village of Muttontown Employee Handbook. A copy is on file with the Village Clerk.

There being no further business, at 9:16 p.m. a motion was made by Trustee Economou, seconded by Trustee Singh and carried to adjourn.

Submitted By: _____ **Joe Russo** _____

Minutes Approved on: _____ **3/13/19** _____

Resolution No: _____ **19-39** _____

**INCORPORATED VILLAGE OF MUTTONTOWN
MEETING OF THE BOARD OF TRUSTEES
REGULAR MONTHLY MEETING
February 13, 2019
Executive Session Minutes**

Present

Mayor Dr. James M. Liguori
Deputy Mayor Sudha Prasad
Trustee Chris Economou
Trustee Brian Fagen
Trustee Susan Dasilva
Trustee Mohinder Singh

Absent

Trustee Jeanine Todaro

At 7:36 p.m. a motion as made by Deputy Mayor Prasad, seconded by Trustee Economou and carried to open executive session.

A discussion with counsel was had concerning the Village of Muttontown Collective Bargaining Agreement, a personnel matter, and pending litigation cases 6901 Jericho LLC V Board of Assessors of the Village of Muttontown and Peter Hsu V Incorporated Village of Muttontown.

At 9:14 p.m. a motion as made by Trustee Economou, seconded by Deputy Mayor Prasad and carried to close executive session.

Submitted By: _____ **Joe Russo** _____

Minutes Approved on: _____ **3/13/19** _____

Resolution No: _____ **19-40** _____

A. Building permit fee:

- (1) Due on the filing of an application of a building permit, application fees shall be estimated as indicated below or at a rate of 1.5% of the estimated cost of construction, whichever is greater.
- (2) Costs of construction.
 - a) The estimated standard construction costs for the following construction shall be:
 - (1) New Single-family dwelling: \$3.75 per square foot (p/sf.) for each story above grade. (fee includes driveways, sanitary, storm drainage and all exterior finishes)
 - (2) Addition to a single-family dwelling or accessory structure: \$3.00 p/sf. (includes all exterior finishes)
 - (3) Roof overs & porticoes (not included in initial dwelling fee): \$3.00 p/sf.
 - (4) Interior Alterations (including basements): \$1.00 p/sf of the total floor area.
 - (5) Accessory building: \$3.00 p/sf of the total floor area. (fee includes sanitary, storm drainage and all exterior finishes)
 - (6) Decks:
 - (a) Deck less than 18" above grade: \$.50 p/sf, \$250 min., whichever is greater.
 - (b) Raised Deck greater than 18" above grade: \$.75 p/sf, \$500 min., whichever is greater.
 - (7) Masonry patio/steps/walkways/uncovered terraces & porches: \$.50 p/sf, \$250 min., whichever is greater.
 - (8) Siding, stone veneer & roofing: \$.30 p/sf, \$300 min., whichever is greater.
 - (9) Retaining Walls and Piers (Other than entry piers): \$1.50 p/face sf., \$250 min., whichever is greater.
 - (10) Commercial construction (new buildings & additions): \$4.50 p/sf., \$500 min., whichever is greater.
 - (11) Commercial interior renovation construction: \$2.00 p/sf., \$500 min., whichever is greater.
 - b) All other costs of construction shall be determined by the Building Inspector and approved by the Board of Trustees or Building Commissioner.
- (3) Due on the filing of an application for a building permit for the following construction, the permit fee shall be:

| | |
|---|------------|
| (a) Swimming pool with or without attached spa: (includes drainage, fencing & pool heater) | \$1,500.00 |
| (b) Spa, hot tub (independent of pool): | \$500.00 |
| (c) Tennis court, putting green, or sports court of any kind: | \$1,500.00 |
| (d) Storage shed (Greater than 100 square feet): | \$250.00 |
| Sheds greater than 200 sf shall be considered an accessory structure and will require a foundation. | |
| (e) BBQ Kiosk (not including gas line): | \$500.00 |
| (f) Elevator (within dwelling only): | \$100.00 |

| | |
|--|-----------------|
| (g) Fireplace (Gas & Masonry): | \$75.00 ea. |
| (h) Firepit (Including gas line) | \$275.00 |
| (i) Septic System | \$500.00 |
| (j) Demolition of principal dwelling: | \$2,000.00 |
| (k) Demolition of accessory structure over 500 SF: | \$1,000.00 |
| (l) Demolition of accessory structure under 500 SF: | \$250.00 |
| (m) Generator Installation (includes gas line): | \$575.00 |
| (n) All Fencing (including fencing around existing pools): | \$275.00 |
| (o) New Driveway: (sealing or re-surfacing no permit required) | |
| a. Driveway under 2,500SF | \$350.00 |
| b. Driveway greater than 2,500SF | \$750.00 |
| c. Drywells: | \$75.00 Each |
| d. Piers | |
| a. Piers with wing walls | \$500.00 (Pair) |
| b. Piers alone | \$100.00 |
| c. Pier Right of Way Agreement Letter: | \$100.00 |
| d. Gates (any size): | \$100.00 |
| (p) <u>Plumbing:</u> | |
| 1. New Dwelling: | \$500.00 |
| 2. Additions & Alterations: | \$275.00 |
| 3. Oil to Gas Conversion: | \$300.00 |
| 4. Radiant Heating: | \$50.00 per rm. |
| 5. Underground propane Tanks: | \$275.00 |
| a. Each additional Tank: | \$100.00 |
| 6. Above Ground Propane Tanks: | \$275.00 |
| a. Each additional Tank: | \$50.00 |
| 7. Above ground Oil Tank: | \$175.00 |
| a. Each additional Tank: | \$50.00 |
| 8. Underground Oil Tank: | \$275.00 |
| a. Each additional Tank: | \$50.00 |
| 9. Abandon Oil Tank: | \$275.00 |
| a. Each additional Tank: | \$50.00 |
| 10. Pool Heater (if not part of pool permit): | \$275.00 |
| (q) <u>HVAC:</u> | |
| 1. New Dwelling: | \$500.00 |
| 2. Additions & Alterations: | \$275.00 |
| (r) <u>Basement Egress:</u> | |
| 1. Bilko entry door: | \$250.00 |
| 2. Entry stair (not included in dwelling fee): | \$350.00 |
| 3. Window egress wells (not included in dwelling fee): | \$100.00 ea. |
| (s) Solar panels: | \$500.00 |
| (t) <u>Tree removal permit:</u> | |
| 1. Application fee: | \$100.00 |
| 2. Per tree: | \$25.00 |

| | |
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| 3. New Single-Family Dwelling Tree Removal Permit: | \$750.00 Escrow |
| (u) <u>Excavation and grading permit (may require SWPPP and Village Engineer):</u> | |
| 1. Less than 5,000 cubic yards: | \$750.00 |
| 2. 5,000 cubic yards to 7,500 cubic yards: | \$1,500.00 |
| 3. Over 7,500 cubic yards | \$2,000.00 |
| (v) Sign Permit: | |
| 1. Permanent | \$500.00 |
| 2. Temporary | \$100.00 (per month) |
| (w) Street Opening (Deposit Minimums) | |
| 1. Improved surface | \$1,500.00 |
| 2. Unimproved surface | \$1,000.00 |
| 3. Bond for street opening (minimum) | \$50,000.00 |

B. Additional fees:

In addition to the above permit fees, the following fees are due on the filing of an application for a building permit:

(1) Road Maintenance fee (where applicable):

| | |
|--|---------|
| (a) Swimming Pools, Sport Courts of any kind: | \$1,500 |
| (b) Cost of Construction Under \$10,000: | NO FEE |
| (c) Cost of Construction Over \$10,000 but less than \$50,000: | \$500 |
| (d) Cost of Construction \$50,000 or Greater: | \$2,000 |
| (e) New Single-Family Dwelling: | \$5,000 |

NSFD are new homes and additions \geq 50% of total floor area. Road impact fees for multiple applications submitted with a new dwelling, may be reduced as determined by the building inspector, depending on scope of work.

(f) Upon renewal of building permits requiring a road maintenance fee, renewals shall include $\frac{1}{2}$ the initial paid road impact fee.

(2) The following Road Maintenance Fees shall apply to active Home Owners Associations (HOA) that maintain/pave their own roadways within the Village Limits of Muttontown:

| | |
|--|---------|
| (a) Swimming Pools, Sport Courts of any kind: | \$750 |
| (b) Cost of Construction Under \$10,000: | NO FEE |
| (c) Cost of Construction Over \$10,000 but less than \$50,000: | \$250 |
| (d) Cost of Construction \$50,000 or Greater: | \$1,000 |
| (e) New Single-Family Dwelling | \$2,500 |

** (NSFD are new homes and additions \geq 50% of space)

(3) Certificate of Occupancy: \$100.00

(a) Duplicate certified copy of CO/CC: \$50.00

(4) Architectural Review Board filing fee:

| | |
|---|--------------|
| (a) New Single Family Dwelling: | \$500.00 |
| (i) Fee for Subsequent Applications Filed Together: | \$50.00 Each |
| (b) <u>Accessory Structures:</u> | \$200.00 |
| (i) Fee for Subsequent Applications Filed Together: | \$50.00 Each |
| (c) Additional appearance or missed appearance: | \$200.00 |

(5) Site plan review:

- (a) New Single-family dwelling: \$1,250.00
 - (b) All other construction subject to site plan review: \$750.00
- (as determined by the Building Inspector and Building Commissioner)

C. Miscellaneous:

- (1) Any fee that is based upon an estimated cost of construction, shall be recalculated, at the option of the Village, upon submission of a permit application. In the event that the revised estimate exceeds the original estimate, the applicant shall pay the additional funds required prior to the issuance of the building permit, certificate of completion, or certificate of occupancy. In determining the actual cost of construction, the Building Inspector may base such determination upon his or her own experience, judgment, and available data, and shall not be bound to the cost of construction stated by the applicant.
- (2) Building permits for a single-family dwelling, expire 18 months from the date of issuance. All other construction, permits expire after 12 months from the date of issuance. Building permits may be extended as follows:
 - (a) 1st year extension – 25%
 - (b) 2nd year extension – 50%
 - (c) 3rd year extension – 100%
 - (d) After the 3rd year extension - No further renewals of a building permit will be granted, unless authorized by the Board of Trustees or Building Commissioner.
- (3) Fees for duplication of Building Department records including surveys shall be the actual cost of reproduction, with a minimum charge of \$25.
- (4) A reinspection fee of \$100 is required for duplicate inspections of work incomplete or insufficient for a particular scheduled inspection.
- (5) All fees set forth in shall be “doubled” in the event that the construction, installation, demolition or other activity, or item or work [hereinafter, within this Subsection A & B, all together referred to as "work"], requiring a permit has been commenced, but not substantially completed, prior to the filing of a completed application for a permit.
- (6) All fees set forth in shall be “tripled” in the event that the construction, installation, demolition, or other activity, or item or work [hereinafter, within this Subsection A & B, all together referred to as "work"], requiring a permit has been substantially completed prior to the filing of a completed application for a permit.
- (7) Whenever an applicant proposes construction that requires review by the Village Engineer, as determined by the building inspector, the applicant shall submit a separate check for the minimum amount of \$3,000 dollars for escrow. Escrow monies will be utilized to pay such consultant during application review, and construction, until such permit has been properly closed, and a final certificate of occupancy has been issued. Once a certificate of occupancy has been issued, the Village will refund the applicant any remaining monies in escrow.

§ 67-8. Refunds; waivers; assessment of unpaid fees.

Refund of fees. No filing fees, deposits or charges required by §§ 67-3, 67-4, 67-5, 67-6 and 67-7 shall be returned or refunded, except as follows:

- (1) If the construction of a building is discontinued or abandoned, the Commissioner of the Department of Buildings may authorize a refund of up to 50% of the total building construction fees and the site & drainage fee, 100% of the certificate of occupancy fee, road impact fee, and SARB fee, to the extent that the Village's actual charges of review and inspection have not been incurred as certified to the Board of Trustees by the Building Inspector.

Village of Muttontown
Warrants
As of February 11, 2019

| Resolution 19-29 | <u>February 2019</u> |
|---|----------------------|
| ACCUDATA PAYROLL | 65,439.67 |
| ATLANTIC BLUEPRINT | 192.00 |
| ATLANTIC SALT | 1,508.72 |
| BEE READY FISHBEIN HATTER & DONOVAN LLP | 1,642.37 |
| BROTHERS CONSTRUCTION & LANDSCAPING | 1,000.00 |
| Calvin Danzig | 1,850.00 |
| CHEYANNE ROZENZWEIG | 100.00 |
| Christopher Gomoka | 300.00 |
| DANIEL FINLEY ALLEN & CO., INC. | 50.00 |
| DENNIS W. FARRELL & ASSOCIATES, LLC | 12,500.00 |
| DWIGHT KENNEDY | 300.00 |
| EAST NORWICH FIRE CO. | 77,071.43 |
| FERRARI'S AUTO REPAIR | 5,439.68 |
| Flexible Systems | 5,869.11 |
| GALLS, LLC | 189.00 |
| GLOBAL COMMERCIAL CLEANING SVCS., INC. | 1,078.00 |
| GOODYEAR | 1,031.84 |
| GT Power Systems, Inc | 389.30 |
| Harris Beach, PLLC | 7,500.00 |
| HORAN SAND & GRAVEL | 10,657.50 |
| ICD Consultants, Inc | 12,980.00 |
| JENNIFER LAVIN | 762.55 |
| LIRO ENGINEERS, INC. | 360.00 |
| Marc Sharinn | 10,327.60 |
| MICHAEL HABERMAN ASSOCIATES | 875.00 |
| MINUTEMAN PRESS | 155.00 |
| NEWSDAY, INC. | 72.00 |
| Nicholas J. Massimo | 236.64 |
| NORTH SHORE FIRE EQUIPMENT | 101.70 |
| Nuhealth | 217.00 |
| NYS & LOCAL RETIREMENT SYSTEM | 2,263.86 |
| NYS ASSOC. OF MAGISTRATE COURT CLERKS INC | 50.00 |
| NYS DEFERRED COMPENSATION PLAN | 2,360.00 |
| NYS EMPLOYEE'S HEALTH INS. PENDING ACCT. | 23,510.69 |
| OFFICE OF THE STATE COMPROLLER | 2,864.00 |
| OPTIMUM | 387.86 |
| PARACO GAS | 1,362.25 |
| PERILLO BROS. FUEL OIL CORP. | 980.35 |
| PROHEALTH CARE ASSOC., LLP | 300.00 |
| PSEGLI 01-2 | 463.74 |
| PSEGLI 02-0 | 15.53 |
| READY REFRESH | 285.59 |
| Robert McLaughlin | 300.00 |
| RONALD KOENIG | 150.00 |
| RYNKAR VAIL & BARRETT | 2,415.00 |
| SHERRIFF OF NASSAU COUNTY | 198.08 |
| THE LITTLE REPORTING COMPANY | 1,117.00 |
| UNITED HEALTHCARE | 1,244.41 |
| VERIZON-PD | 276.91 |
| VERIZON-VC | 45.95 |
| VERIZON RPC | 77.87 |

Village of Muttontown
Warrants
As of February 11, 2019

| Resolution 19-29 | February 2019 |
|---------------------------------|--------------------------|
| VERIZON WIRELESS-MODEMS | 350.88 |
| VERIZON WIRELESS-VILLAGE | 98.91 |
| WB Mason | 496.99 |
| WELSBACH | 315.00 |
| william Jaye | 300.00 |
| WILLIAM PENN LIFE INSURANCE CO. | 239.99 |
| WRIGHT EXPRESS FLEET SERVICES | 2,871.43 |
| XEROX CORPORATION | 51.64 |
| Total | <u>265,590.04</u> |