

**INCORPORATED VILLAGE OF MUTTONTOWN
MEETING OF THE BOARD OF TRUSTEES
REGULAR MONTHLY MEETING
March 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 5:15 p.m.

Present

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

Motion to Enter into Executive Session

Trustee Economou moved to enter into executive session to discuss a personnel issue at 5:16 p.m. which was seconded by Deputy Mayor Prasad and carried.

At 5:35 Trustee Fagen arrived.

At 6:30 p.m. Trustee Economou moved to close executive session which was seconded by Deputy Mayor Prasad and carried.

At 6:45 p.m. Trustee Singh arrived.

At 7:05 p.m. Deputy Mayor Prasad moved to reopen the public meeting which was seconded by Trustee Dasilva and carried.

Department Reports

Trustee Economou gave a report on the Muttontown Police Department. Sergeant Ernst of the Muttontown Police Department gave a report on Police activity for the month of February 2019.

Trustee Dasilva gave a report on the Building Department.

Deputy Mayor Prasad gave a technology report.

Trustee Todaro gave a report on filming permits and cellular communication.

Mayor Liguori asked Acting Clerk Joe Russo to give a treasurer's report for the month ending February 2019. Acting Clerk Russo discussed the bank reconciliation data from village statements ending January 31, 2019 through statement end date February 28, 2019.

Acting Clerk Joe Russo presented the findings of the New York State Comptroller's audit report of the Village's financial operations between June 1, 2016 and May 31, 2018. A copy of the report is on file with the Village Clerk.

Village Counsel Stephanie Tanzi gave an update on pending litigation.

PUBLIC HEARING

Village Counsel Stephanie Tanzi introduced proposed Local Law 1 of 2019 which would amend the Village Code Section 15-2 of Chapter 15: Animals at large; dangerous animals; restrain of animals.

At 7:23 p.m. Trustee Economou moved to open the public hearing on Local Law 1 of 2019, seconded by Deputy Mayor Prasad and carried.

Mayor Liguori asked those in attendance if they had any comments on the proposed law. Phyllis Kinsleberg of 35 Wynn Court, Judith Kirsh of 1964 Edge Road, Mark Klauber of 1964 Edge Road, Julue Albernas of 21 Geralind Drive, Barbara Liguori of 250 Circle Road, and Bee Wester of 300 Circle Road commented.

There being no further comments, Deputy Mayor Prasad moved to close the public hearing at 7:45 p.m., seconded by Trustee Dasilva and carried.

Deputy Mayor Prasad moved to approve Local Law 1 of 2019, seconded by Trustee Singh and carried with a 6-0 vote and Trustee Dasilva abstaining.

Mayor Liguori declared the law adopted as Local Law 1 of 2019.

NEW BUSINESS

Resolution 19-38 – A motion was made by Trustee Singh, seconded by Trustee Dasilva and carried to waive the reading of the prior meetings minutes.

Resolution 19-39 – A motion was made by Trustee Fagen, seconded by Trustee Economou and carried to approve the prior meeting's minutes.

Resolution 19-40 – A motion was made by Trustee Singh, seconded by Trustee Todaro and carried to approve the prior meetings Executive Board minutes.

Resolution 19-41 – A motion was made by Deputy Mayor Prasad, seconded by Trustee Economou and carried to approve the warrants as presented.

Resolution 19-42 – Acting Clerk-Treasurer Joe Russo gave a report on the tax roll and warrant for the collection of taxes for the fiscal year ending May 31, 2019, together with the account of unpaid taxes as of March 1, 2019. Pursuant to said warrant dated June 1, 2018, the Clerk-Treasurer was commanded to receive and collect the sum of \$3,316,891.90 of which \$73,277.30 is unpaid as of March 1, 2019.

A motion was made by Trustee Todaro and seconded by Deputy Mayor Prasad and carried to accept Clerk-Treasurer Joe Russo's report.

Resolution 19-43 – A motion was made by Trustee Fagen and seconded by Trustee Singh and carried to set the April 5, 2019 as the public lien sale date and that the Village will bid on all tax lien certificates.

Resolution 19-44 – A motion was made by Trustee Dasilva, seconded by Trustee Economou to authorize Clerk-Treasurer Joe Russo to execute the Nassau County Board of Elections memorandum of agreement for use of scanner voting machines in the Village election being held on June 18, 2019.

Resolution 19-45- A motion was made by Trustee to set the standard work day

Public Input

Mark Klauber of 1964 Edge Road, Steve Levitt of 40 Circle Road, Chuck Peck of 10 Serenite Lane, Kevin Spillane, Randi Lehman of 12 Shamrock Court, Joanna Sasso of 61 Viola Drive, and Telmo Dasilva of 2 Wakefield Drive addressed the Board during public input.

Motion to Adjourn

At 8:05 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 and pending litigation.

At 9:15 p.m. Trustee Economou made a motion, seconded by Deputy Mayor Prasad and carried to close the executive session.

At 9:15 p.m. Trustee Economou made a motion, seconded by Trustee Singh and carried to reopen the public portion of the meeting.

Resolution 19-46 – A motion was made by Trustee Economou, seconded by Trustee Singh and carried with a vote of 5-2, Trustee Dasilva and Deputy Mayor Prasad voting nay to approve the proposed settlement in the case of Linardos Vs. Village of Muttontown.

Resolution 19-47 – A motion was made by Trustee Economou, seconded by Trustee Singh and carried to approve the proposed settlement in the amount of \$35,000 in the tax certiorari case of GSM LI LLC, property located at 6851 Jericho Turnpike.

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

Submitted By: _____ **Joe Russo** _____

Minutes Approved on: _____ **4/10/19** _____

Resolution No: _____ **19-53** _____

**INCORPORATED VILLAGE OF MUTTONTOWN
MEETING OF THE BOARD OF TRUSTEES
REGULAR MONTHLY MEETING
March 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
Trustee Jeanine Todaro

Trustee Economou moved to enter into executive session to discuss a personnel issue at 5:16 p.m. which was seconded by Deputy Mayor Prasad and carried.

At 5:35 Trustee Fagen arrived.

A discussion was had concerning a personnel issue.

At 6:30 p.m. Trustee Economou moved to close executive session which was seconded by Deputy Mayor Prasad and carried.

At 8:05 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 and pending litigation.

A discussion with counsel was had concerning the Village of Muttontown Collective Bargaining Agreement, and pending litigation cases 6851 Jericho LLC V Board of Assessors of the Village of Muttontown and Peter Hsu V Incorporated Village of Muttontown.

At 9:15 p.m. Trustee Economou made a motion, seconded by Deputy Mayor Prasad and carried to close the executive session.

Submitted By: _____ Joe Russo_____

Minutes Approved on: ___4/10/19_____

Resolution No: __19-54_____

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

FILED
STATE RECORDS

MAR 27 2019

County City Town Village

(Select one.)

of Muttontown

DEPARTMENT OF STATE

Local Law No. 1 of the year 20¹⁹

A local law to amend the Village Code 15-2 Chapter 15: Animals at large; dangerous animals; restraint
(Insert Title)
of animals

Be it enacted by the Board of Trustees of the
(Name of Legislative Body)

County City Town Village

(Select one.)

of Muttontown as follows:

see attached

(If additional space is needed, attach pages the same size as this sheet, and number each.)

§ 15-2. Animals at large; dangerous animals; restraint of animals

A. Any person who owns, harbors or has custody or control of any animal, except domesticated house cats, shall not permit it to be at large in the village.

B. No person shall have custody of, harbor or permit to be harbored in the village any dangerous animal.

C. Any person who owns or has custody or control of a dog that is left outdoors in inclement weather shall provide it with shelter appropriate to its breed, physical condition and climate.

D. Inclement weather shall mean weather conditions that are likely to adversely affect the health or safety of the dog, including but not limited to rain, sleet, ice, snow, wind or extreme heat and cold.

E. For all dogs that are left outdoors in inclement weather, a housing facility, which must: (1) have a waterproof roof; (2) be structurally sound with insulation appropriate to local climatic conditions and sufficient to protect the dog from inclement weather; (3) be constructed to allow each dog adequate freedom of movement to make normal postural adjustments, including the ability to stand up, turn around and lie down with its limbs outstretched; and (4) allow for effective removal of excretions, other waste material, dirt and trash. The housing facility and the area immediately surrounding it shall be regularly cleaned to maintain a healthy and sanitary environment and to minimize health hazards.

F. Any person who acts in violation of this Section shall be reported to the applicable authorities for prosecution.

G. Exemption. This article shall not apply to any federal, state or local law enforcement agency.

Section 4. Severability.

If a court determines that any clause, sentence, paragraph subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this Local Law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation, or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Applicability.

This article shall apply to all actions occurring on or after the effective date of this article.

Section 6. Effective Date.

This Local Law shall take effect immediately upon filing with the Secretary of State.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 2019 of the (County)(City)(Town)(Village) of Muttontown was duly passed by the Board of Trustees (Name of Legislative Body) on March 13 2019, in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ (Name of Legislative Body) on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ (Elective Chief Executive Officer*) and was deemed duly adopted on _____ 20____, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ (Name of Legislative Body) on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ (Elective Chief Executive Officer*) on _____ 20____.

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ (Name of Legislative Body) on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ (Elective Chief Executive Officer*) on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____ above.

Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: 3/20/19

(Seal)

Village of Muttontown
Warrants
As of March 12, 2019

| Resolution 19-41 | March 2019 | # of Warrants |
|--|------------|---------------|
| ACCUDATA PAYROLL 87 & 88 | 124,399.99 | 2 |
| ATLANTIC BLUEPRINT | 102.00 | 1 |
| ATLANTIC SALT | 1,886.91 | 1 |
| CHEYANNE ROZENZWEIG | 200.00 | 2 |
| Christopher Gomoka | 600.00 | 2 |
| DANIEL FINLEY ALLEN & CO., INC. | 50.00 | 1 |
| DENNIS W. FARRELL & ASSOCIATES, LLC | 10,000.00 | 1 |
| Division of Safety and Health | 75.00 | 1 |
| DWIGHT KENNEDY | 300.00 | 1 |
| Emergency Responder Products LLC | 305.82 | 1 |
| FERRARI'S AUTO REPAIR | 3,676.68 | 2 |
| Flexible Systems | 1,904.36 | 2 |
| GLOBAL COMMERCIAL CLEANING SVCS., INC. | 593.00 | 1 |
| Harris Beach, PLLC | 7,500.00 | 2 |
| Home Depot Credit Services | 453.87 | 1 |
| HORAN SAND & GRAVEL | 12,858.75 | 2 |
| HSBC Commercial Credit Card | 469.44 | 1 |
| ICD Consultants, Inc | 10,285.00 | 1 |
| LEVITT LLP | 285.00 | 1 |
| LOOSELEAF LAW | 147.85 | 1 |
| MARY ANNE COPPINS | 150.00 | 1 |
| MINUTEMAN PRESS | 218.00 | 1 |
| NCVOA | 1,325.00 | 1 |
| NEWSDAY, INC. | 512.00 | 2 |
| NYCOM | 1,998.00 | 1 |
| NYS & LOCAL RETIREMENT SYSTEM | 2,155.24 | 1 |
| NYS DEFERRED COMPENSATION PLAN | 9,470.00 | 1 |
| NYS EMPLOYEE'S HEALTH INS. PENDING ACCT. | 34,207.27 | 1 |
| NYS UNEMPLOYMENT INSURANCE | 11.67 | 1 |
| OFFICE OF THE STATE COMPTROLLER | 2,212.00 | 1 |
| OPTIMUM | 378.37 | 1 |
| PERILLO BROS. FUEL OIL CORP. | 915.10 | 1 |
| PETTY CASH | 72.45 | 1 |
| PITNEY BOWES INC. | 1,725.32 | 3 |
| PROHEALTH CARE ASSOC., LLP | 300.00 | 1 |
| PRUDENTIAL | 385.00 | 1 |
| PSEGLI 01-2 | 405.73 | 1 |
| PSEGLI 02-0 | 15.53 | 1 |
| PSEGLI 59-9 | 465.86 | 1 |
| READY REFRESH | 120.32 | 1 |
| Robert McLaughlin | 600.00 | 1 |
| RONALD KOENIG | 150.00 | 1 |
| SHERIFF OF NASSAU COUNTY | 396.16 | 2 |
| STATE COMPTROLLER | 85.00 | 1 |
| Syosset CAR WASH | 184.80 | 1 |
| T & A WELDING INC. | 350.00 | 1 |
| THE LITTLE REPORTING COMPANY | 1,442.00 | 1 |
| UNITED HEALTHCARE | 1,244.41 | 1 |
| VERIZON-PD | 297.04 | 1 |
| VERIZON-VC | 52.44 | 1 |
| VERIZON WIRELESS-MODEMS | 472.48 | 3 |

Village of Muttontown
Warrants
As of March 12, 2019

| Resolution 19-41 | March 2019 | # of Warrants |
|---------------------------------|-------------------|----------------------|
| VERIZON WIRELESS-PD Phones | 350.88 | 1 |
| VERIZON WIRELESS-VILLAGE | 49.50 | 1 |
| WB Mason | 1,233.53 | 2 |
| William Jaye | 300.00 | 1 |
| WILLIAM PENN LIFE INSURANCE CO. | 79.04 | 1 |
| WRIGHT EXPRESS FLEET SERVICES | 2,451.16 | 1 |
| XEROX CORPORATION | 56.27 | 1 |
| TOTAL | 242,931.24 | 72 |

| S/B/L | Property Address | Base Tax | Total Due by March 31 |
|--------------|---------------------------|-----------------------|------------------------------|
| 15-A-2242 | 10 Carriage Court | \$ 2,111.66 | \$ 2,388.18 |
| 15-A-2326 | 130 Coachman Place | \$ 151.01 | \$ 172.64 |
| 16-A-0053 | 15 Locust Ave | \$ 33.77 | \$ 40.16 |
| 16-B-0012 | 164 Brookville Rd | \$ 2,279.29 | \$ 2,577.60 |
| 25-46-19 | 190 Circle Road | \$ 4,901.54 | \$ 5,540.74 |
| 15-53-002 | 1968 Knollwood Lane | \$ 2,148.36 | \$ 2,429.65 |
| 15-206-38 | 2 Buckingham Court | \$ 1,130.40 | \$ 1,279.35 |
| 24-F-352 | 2 Greenway | \$ 3,108.54 | \$ 3,514.65 |
| 16-A-1980 | 2 Summerwind Drive | \$ 2,671.97 | \$ 3,021.33 |
| 25-46-0005 | 20 Circle Road | \$ 5,493.13 | \$ 6,209.24 |
| 16-A-1024 | 20 Winchester Drive | \$ 4,246.00 | \$ 4,799.98 |
| 15-A-683 | 2018 Midlane South | \$ 12.72 | \$ 16.37 |
| 16-B-1597 | 2140 Ironwood Rd | \$ 2,911.12 | \$ 3,291.57 |
| 16-B-1647 | 238 Brookville Rd | \$ 2,060.15 | \$ 2,329.97 |
| 16-B-1696A | 30 Woodhollow Court | \$ 3,043.75 | \$ 3,441.44 |
| 15-A-2238 | 35 Carriage Court | \$ 2,355.00 | \$ 2,663.15 |
| 24-F-0324 | 375 Mill River Road | \$ 13,510.00 | \$ 15,268.30 |
| 24-H-0013 | 5901 Northern Blvd | \$ 2,229.15 | \$ 2,520.94 |
| 16-A-1001 | 6 Serenite Lane | \$ 2,206.11 | \$ 2,494.90 |
| 16-A-1088 | 6120 Northern Blvd | \$ 13,130.15 | \$ 14,839.07 |
| 24-F-0347 | 7 Greenway | \$ 1,980.18 | \$ 2,239.60 |
| 16-A-1084 | pen-mor drive | \$ 1,563.30 | \$ 1,768.53 |
| | TOTAL OUTSTANDING: | \$ 73,277.30 | |
| | Total Levy | \$3,006,246.83 | |



Office of the New York State Comptroller
 New York State and Local Retirement System
 Employees' Retirement System
 Police and Fire Retirement System
 110 State Street, Albany, New York 12244-0001

Standard Work Day Resolution for Employees* RS 2418

(Rev. 7/11)

BE IT RESOLVED, that the _____, Location code _____, hereby establishes the following as standard work days for its employees and will report days worked to the New York State and Local Employees' Retirement System based on the time keeping system or the record of activities maintained and submitted by these members to the clerk of this body:

| Title | Standard Work Day (Hrs/day) |
|-------|--------------------------------|
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |

On this _____ day of _____, 20__

 (Signature of clerk) Date enacted: _____

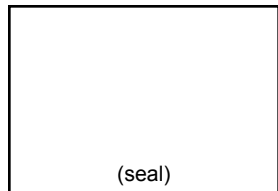
I, _____, clerk of the governing board of the _____,
 (Name of Employer)

of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board, at a legally convened meeting held on the _____ day of _____, 20__ on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

I further certify that the full board, consists of _____ members, and that _____ of such members were present at such meeting and that _____ of such members voted in favor of the above resolution.

IN WITNESS WHEREOF, I have hereunto
 Set my hand and the seal of the

 (Name of Employer)



(seal)

*To be used for all employees. Please list Elected and Appointed Officials on the form (RS2417-A) Standard Workday and Reporting Resolution for Elected and Appointed Officials.

See Instructions for Completing Form on Back

Instructions for completing the Standard Work Day Resolution

| A | B |
|----------------|--------------------------------|
| Title | Standard Work Day (Hrs/day) |
| Accountant | 8.00 |
| Clerk | 7.00 |
| Bookkeeper | 7.50 |
| Data Collector | 6.00 |
| Secretary | 7.25 |
| Typist | 7.50 |
| Custodian | 8.00 |
| Laborers | 8.00 |

- A. **Title:** You must establish a standard work day for each employee title (e.g. clerks, bus drivers, etc.) even if you do not have any full-time employees in that title. You may establish several standard work days for different positions. For example, all laborers may have an eight hour standard work day, all clerical workers seven and a half hours, and all elected officials six hours. Employers may also establish several standard work days for the same title, depending if there are significant variances in the job duties.
- B. **Standard Work Day (Hrs/day):** The minimum number of hours that can be established for a standard workday is six, while the maximum is **eight**. A standard workday is the denominator to be used for the days worked calculation; it is not necessarily always the number of hours a person works. For example, if a clerk is only required to work three hours a day, you must still establish a standard workday between six and eight hours as the denominator for their days worked calculation.

Once the Resolution is passed, it must be kept on file by the employer and made available to the Retirement System upon request.