

MINUTES OF A REGULAR MEETING  
OF THE BOARD OF TRUSTEES  
THE INC. VILLAGE OF VALLEY STREAM

DATE: JULY 20, 2015

BEFORE: EDWIN A. FARE Mayor  
JOHN L. TUFARELLI, Trustee  
VINCENT M. GRASSO, Trustee  
DERMOND E. THOMAS, Deputy Mayor  
VIRGINIA CLAVIN-HIGGINS, Trustee

PRESENT: ROBERT BARRA, Village Clerk/Administrator  
HOPKINS & KOPILOW, General Counsel  
MICHAEL J. FOX, Village Treasurer  
ROBERT FUMAGALLI, Deputy Village Treasurer  
TOM McALEER, Supt. of Buildings  
ALISON WALSH, Personnel Officer

Before the meeting Mayor Fare presented a citation to Valley Stream Fire Inspector Frank Roca in recognition of his receiving the U.S. Chamber of Commerce IP Champions Award for his role in shutting down a major illegal counterfeit products operation.

The Regular Meeting was called to order by Mayor Fare at 7:15 p.m. The Village Clerk was asked to call the roll:

Trustee Tufarelli	Yes
Trustee Thomas	Yes
Trustee Grasso	Yes
Trustee Clavin-Higgins	Yes
Mayor Fare	Yes

The following resolutions were voted upon.

**RES.123/15 AMEND RESOLUTION 110/15  
ADOPT A STANDARDIZATION OF PURCHASE**

RESOLVED that as there is a Resolution numbered 110/15 entitled Annual Adoption of Village Procurement Policy, the second Resolution 110/15 entitled Adopt a Standardization of Purchase is amended to read Resolution 110A/15.

MOTION BY TRUSTEE Tufarelli SECOND BY TRUSTEE Grasso

ROLL CALL: Trustee Grasso	Yes	Trustee Thomas	Yes
Trustee Tufarelli	Yes	Trustee Clavin-Higgins	Yes

**RES.124/15 MINUTES**

RESOLVED that the minutes of the following meetings be approved:

- A. Regular Meeting – June 15, 2015 as amended (RES.123/15)
- B. Work Session – July 6, 2015 (RES.122/15)

MOTION BY TRUSTEE Grasso SECOND BY TRUSTEE Tufarelli

ROLL CALL: Trustee Grasso	Yes	Trustee Thomas	Yes
Trustee Tufarelli	Yes	Trustee Clavin-Higgins	Yes

**RES.125/15 TAX CERTIORARI SETTLEMENTS**

WHEREAS, there are writs of certiorari pending in the Supreme Court of Nassau County against the Village of Valley Stream (the "Village") with respect to certain real property located within the Village; and

WHEREAS, the firm of Ryan, Brennan & Donnelly LLP, counsel to the Village for tax certiorari matters, has negotiated settlements of such cases; and

WHEREAS, the Village believes it is in the best interests of the Village to settle the outstanding writs upon such terms and conditions as have been negotiated by counsel to the Village;

NOW, THEREFORE, BE IT RESOLVED, that Ryan, Brennan & Donnelly LLP, counsel to the Village for tax certiorari matters, is authorized to execute stipulations of settlement in respect to the following cases; and

BE IT FURTHER RESOLVED, that the Clerk of the Board of Assessors is authorized to honor such assessment reduction upon the tax rolls of the Village for the years 2015/16.

Petitioners	Sec.	Block	Lot(s)	Open Years	Original Assessed Value	New Assessed Value	Negotiated Refund
Barriet Realty LLC	37	116	1	2008/09-2014/15	10,500	9,000	\$3,625.95
L B J Realty LLC	37	219	51	2008/09-2014/15	15,314	no change	\$32,500.00
Hancock Realty	37	401	1	2008/09-2014/15	12,597	no change	\$50,000.00

MOTION BY TRUSTEE Thomas SECOND BY TRUSTEE Clavin-Higgins

ROLL CALL: Trustee Grasso Yes Trustee Thomas Yes  
Trustee Tufarelli Yes Trustee Clavin-Higgins Yes

**RES.126/15 ACCEPT DONATION**

RESOLVED that the Board of Trustees hereby accepts a donation of \$5,000.00 from Advantage Toyota for sponsorship of the summer concert series on the Village Green and authorizes the deposit of this donation into A.7550.469.

MOTION BY TRUSTEE Clavin-Higgins SECOND BY TRUSTEE Thomas

ROLL CALL: Trustee Grasso Yes Trustee Thomas Yes  
Trustee Tufarelli Yes Trustee Clavin-Higgins Yes

**RES.127/15 FORENSIC EXPERT**

RESOLVED that the Board of Trustees hereby authorizes the firm of Goldberg & Carlton, PLLC to retain the firm of Robson Forensic Inc., 340 Willis Avenue, Mineola, New York 11501 to provide a forensic expert engineer for litigation purposes in the matter of Eric Smith v. The Incorporated Village of Valley Stream, et.al. at a retainer fee of \$2,750.00 with an hourly rate of \$415 for review of documents, analysis & writing of a report (approx. 18 hours) and site inspection including travel from Mineola, NY (approx. 4 hours).

MOTION BY TRUSTEE Grasso SECOND BY TRUSTEE Tufarelli

ROLL CALL: Trustee Grasso Yes Trustee Thomas Yes  
Trustee Tufarelli Yes Trustee Clavin-Higgins Yes

**RES.128/15 ACCEPT PROPOSAL**

RESOLVED that the Board of Trustees hereby accepts the proposal received on July 1, 2015 from Mobility Elevator & Lift of West Caldwell, New Jersey for the purchase and installation of a commercial grade handicap vertical platform lift at the Municipal Court House located at 195 Rockaway Avenue in the total amount of up to \$15,200.00 plus an annual service agreement of \$1,495.00. (Capital Project #890-505)

MOTION BY TRUSTEE Tufarelli SECOND BY TRUSTEE Grasso

ROLL CALL: Trustee Grasso Yes Trustee Thomas Yes  
Trustee Tufarelli Yes Trustee Clavin-Higgins Yes

**RES.129/15            AWARD BIDS**

RESOLVED that the following bids be approved:

McHugh Institutional Furnishings of Hauppauge, New York for the design-fabrication and installation of custom interior architectural millwork for the Village Justice Court Room at the Municipal Court House, 195 Rockaway Avenue received on July 1, 2015 in the total amount of up to \$238,815.00 which includes a wood upgrade from original bid. (Capital Project #890-505)

GCC Contracting Inc. of Yonkers, New York for the exterior building masonry restoration repairs at the Municipal Court House, 195 Rockaway Avenue received on June 10, 2015 in the total amount of up to \$94,222.00. (Capital Project #890-505)

MOTION BY TRUSTEE Clavin-Higgins SECOND BY TRUSTEE Thomas

ROLL CALL: Trustee Grasso	Yes	Trustee Thomas	Yes
Trustee Tufarelli	Yes	Trustee Clavin-Higgins	Yes

**RES.130/15            APPROVAL TO RE-BID**

RESOLVED as there were no bids received on June 10, 2015 for the purchase and installation of commercial grade windows at the Municipal Court House, 195 Rockaway Avenue, the Board of Trustees hereby approves the re-bid of the commercial grade window project and authorizes the Village Clerk to publish a Notice to Bidders in the Valley Stream Herald.

MOTION BY TRUSTEE Thomas SECOND BY TRUSTEE Clavin-Higgins

ROLL CALL: Trustee Grasso	Yes	Trustee Thomas	Yes
Trustee Tufarelli	Yes	Trustee Clavin-Higgins	Yes

**RES.131/15            AMEND RESOLUTION 087/15  
APPROVE CONTRACTS/AGREEMENTS**

RESOLVED that the 38<sup>th</sup> entry in Resolution 087/15 entitled RICOH USA INC. is hereby rescinded. No lease was signed as the Village is looking into a different scanner for the Building Department Document Scanning System.

MOTION BY TRUSTEE Tufarelli SECOND BY TRUSTEE Thomas

ROLL CALL: Trustee Grasso	Yes	Trustee Thomas	Yes
Trustee Tufarelli	Yes	Trustee Clavin-Higgins	Yes

**RES.132/15            LEASE TERMINATION AGREEMENTS**

RESOLVED that the Board of Trustees authorizes the Mayor to execute three (3) lease termination agreements with MetroPCS New York, LLC on T-Mobile towers located at 55 Clearstream Avenue, 50 Jadwin Place and 123 West Merrick Road. Effective termination date is August 31, 2015. MetroPCS New York LLC will pay Lessor (Village) a lump sum payment of \$14,328.66 for each site terminated.

MOTION BY TRUSTEE Grasso SECOND BY TRUSTEE Clavin-Higgins

ROLL CALL: Trustee Grasso	Yes	Trustee Thomas	Yes
Trustee Tufarelli	Yes	Trustee Clavin-Higgins	Yes

**RES.133/15            CABLEVISION WI-FI AGREEMENTS**

RESOLVED that the Board of Trustees authorizes the Mayor to execute three (3) Commercial Access Wi-Fi agreements with Cablevision for Wi-Fi access at Barrett Park, Village Hall/Dog Park/Village Green and the Library effective July 21, 2015 for five (5) years with one (1) year renewals thereafter at no fee to the Village.

MOTION BY TRUSTEE Clavin-Higgins SECOND BY TRUSTEE Tufarelli

ROLL CALL: Trustee Grasso	Yes	Trustee Thomas	Yes
Trustee Tufarelli	Yes	Trustee Clavin-Higgins	Yes

RESOLVED that the Board of Trustees authorizes the Mayor to execute a Land Lease Agreement with New York SMSA Limited Partnership d/b/a Verizon Wireless for ground space at cell site in Firemen’s Field, 120 Albermarle Avenue, Valley Stream, NY. The term of the lease is an initial five (5) year term with four (4) five (5) year term extensions. This agreement shall be effective as of the date of execution by both parties and commence on the first (1<sup>st</sup>) day of the month following the date of this agreement as executed by both parties. Verizon Wireless will pay a rental payment of \$21,600.00 annually for the initial five (5) year term. For each additional extension term, the rental shall be equal to 115% of the annual rental payable during the preceding five (5) year term.

MOTION BY TRUSTEE Thomas SECOND BY TRUSTEE Grasso

ROLL CALL: Trustee Grasso	Yes	Trustee Thomas	Yes
Trustee Tufarelli	Yes	Trustee Clavin-Higgins	Yes

**RES. 135/15 APPROVE CONTRACTS/LEASE AGREEMENTS**

RESOLVED that the Mayor is authorized to execute contracts/lease agreements as follows:

MICHAEL HABERMAN ASSOCIATES – Assessment review agreement effective July 1, 2015 to June 30, 2016 to review assessments of all residential and commercial establishments at a fee of \$125.00 an hour not to exceed \$40,000.00 per year. (A.1355.469)

RICOH USA INC. – Lease/Maintenance Agreement for Copier Model MP4054SP for the VSFD Chief’s Office at Firehouse Headquarters effective when installed for a term of 36 months ending in 2018 at a monthly cost of \$205.54 including toner, parts and service. (A.3410.453)

AUCTION INTERNATIONAL, INC. – Agreement for On-Line Auction Services provided to sell village surplus or obsolete assets through Auction International’s website effective July 21, 2015 – July 20, 2017. The village will pay zero (0%) percent to Auction International and the buyer of the surplus will pay to Auction International, Inc. a four (4%), five (5%) or ten (10%) percent Buyers Premium based on age of equipment from manufacturer’s date.

MOTION BY TRUSTEE Grasso SECOND BY TRUSTEE Thomas

ROLL CALL: Trustee Grasso	Yes	Trustee Thomas	Yes
Trustee Tufarelli	Yes	Trustee Clavin-Higgins	Yes

**RES. 136/15 PURCHASE OF USED FIRE APPARATUS**

RESOLVED that the Board of Trustees authorizes the purchase of a used 1995 Seagrave 100’ aerial ladder apparatus from Fleetmaster LLC of Windsor Locks, CT for the Valley Stream Fire Department in the total amount not to exceed \$20,000.00. (Capital Project #890-514)

MOTION BY TRUSTEE Thomas SECOND BY TRUSTEE Clavin-Higgins

ROLL CALL: Trustee Grasso	Yes	Trustee Thomas	Yes
Trustee Tufarelli	Yes	Trustee Clavin-Higgins	Yes

RES.137/15

**AMEND THE CODE OF THE VILLAGE OF VALLEY STREAM,  
CHAPTER 93 ENTITLED "VEHICLES AND TRAFFIC",  
ARTICLE VIII, MUNICIPAL PARKING FIELDS**

RESOLVED that pursuant to Chapter 93, of the Code of the Village of Valley Stream entitled "Vehicles And Traffic", the Board of Trustees hereby amends Article VIII, "Municipal Parking Fields" by adding Municipal Parking Field No. 32 as follows:

Section 93-44 Enumeration.

Amend Subsection (A.)

Add (32) Municipal Parking Field No. 32 located on the north side of West Merrick Road adjacent to 123 West Merrick Road.

Section 93-45 Permitted uses of parking fields.

Amend Subsection (A.)

Add 32

Section 93-47 Time limitations.

Amend Subsection (A.)

Field	Location	Restrictions
32	North side of West Merrick Road adjacent to 123 West Merrick Road	24-hour parking limit. Permit Required. No Commercial Vehicles. Park head in only. 24/7 Enforcement.

MOTION BY TRUSTEE Tufarelli SECOND BY TRUSTEE Grasso

ROLL CALL: Trustee Grasso	Yes	Trustee Thomas	Yes
Trustee Tufarelli	Yes	Trustee Clavin-Higgins	Yes

RES.138/15

**INSTALL SIGNAGE - EAST MAPLE STREET**

RESOLVED that on the recommendation of the Traffic Advisory Committee, the Board of Trustees hereby approves the installation of "2 Hour Parking Except Sat., Sun. & Holidays" signs on both sides of East Maple Street between North Cottage Street and Emerson Place.

MOTION BY TRUSTEE Clavin-Higgins SECOND BY TRUSTEE Tufarelli

ROLL CALL: Trustee Grasso	Yes	Trustee Thomas	Yes
Trustee Tufarelli	Yes	Trustee Clavin-Higgins	Yes

RES.139/15

**OBSOLETE EQUIPMENT**

RESOLVED that as Valley Stream Fire Department village owned equipment no longer meets requirements and/or has been condemned it is hereby declared obsolete and the Chief of Department is given permission to dispose of same:

5 AED LifePak 500

MOTION BY TRUSTEE Thomas SECOND BY TRUSTEE Clavin-Higgins

ROLL CALL: Trustee Grasso	Yes	Trustee Thomas	Yes
Trustee Tufarelli	Yes	Trustee Clavin-Higgins	Yes

**RES.140/15**

**TEMPORARY CLOSING OF PARKING FIELD #19**

RESOLVED that upon compliance with such terms and conditions as may be required by the Village of Valley Stream permission is given to temporarily close Municipal Parking Field #19 on Saturday, September 26, 2015 from 8:00 a.m. – 5:00 p.m. to include an auto show during the scheduled Community Fest with a rain date of Saturday, October 3, 2015.

MOTION BY TRUSTEE Grasso SECOND BY TRUSTEE Tufarelli

ROLL CALL: Trustee Grasso	Yes	Trustee Thomas	Yes
Trustee Tufarelli	Yes	Trustee Clavin-Higgins	Yes

**RES.141/15**

**USE OF VILLAGE FACILITIES**

RESOLVED that upon compliance with such terms and conditions as may be required by the Village of Valley Stream permission to use Village facilities is granted as follows:

Parking Field #32 (A.J. Hendrickson Park Pool Lot) – Wheeler Avenue School 6<sup>th</sup> Grade Car Wash fundraiser – Sunday, October 4, 2015 – 9:00 a.m. – 2:00 p.m. – No rain date.

MOTION BY TRUSTEE Tufarelli SECOND BY TRUSTEE Grasso

ROLL CALL: Trustee Grasso	Yes	Trustee Thomas	Yes
Trustee Tufarelli	Yes	Trustee Clavin-Higgins	Yes

**RES.142/15**

**PAYMENT OF AUDITED VOUCHERS**

Trustee Clavin-Higgins: I hereby move that the abstract of audited vouchers be paid as soon as same is approved by the majority.

MOTION BY TRUSTEE Clavin-Higgins SECOND BY TRUSTEE Thomas

ROLL CALL: Trustee Grasso	Yes	Trustee Thomas	Yes
Trustee Tufarelli	Yes	Trustee Clavin-Higgins	Yes

Schedule of Meetings

- Monday, Aug. 3, 2015 – Work Session – 6:30 p.m.
- Monday, Aug. 17, 2015 – Regular Meeting – 7:00 p.m.
- Monday, Sept. 14, 2015 – Work Session – 6:30 p.m.
- Monday, Sept. 21, 2015 – Regular Meeting – 7:00 p.m.
- Monday, Oct. 5, 2015 – Work Session – 6:30 p.m.
- Monday, Oct. 19, 2015 – Regular Meeting – 7:00 p.m.
- Monday, Nov. 2, 2015 – Work Session – 6:30 p.m.
- Monday, Nov. 16, 2015 – Regular Meeting – 7:00 p.m.
- Monday, Dec. 7, 2015 – Work Session – 6:30 p.m.
- Monday, Dec. 21, 2015 – Regular Meeting – 7:00 p.m.

Mayor Fare asked for a motion to close the Regular Meeting.

On a motion by Trustee Grasso, seconded by Trustee Tufarelli and carried unanimously, the Board of Trustees voted to adjourn the Regular Meeting at 7:19 p.m.

Respectfully submitted,



ROBERT D. BARRA  
Village Clerk/Administrator