

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

DATE: DECEMBER 21, 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 (Excused)  
ROBERT FUMAGALLI, Deputy Village Treasurer  
TOM McALEER, Supt. of Buildings  
ALISON WALSH, Personnel Officer

Judge Robert G. Bogle was recognized with a citation at the December 21, 2015 village board meeting. Judge Bogle will be resigning as Valley Stream Village Justice after serving in that capacity for nearly 30-years. He was presented with a citation acknowledging his service to the Valley Stream community. Judge Bogle has been elected to serve as a Judge in the Nassau County Criminal Courts.

The Regular Meeting was called to order by Mayor Fare at 7:07 p.m. and 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 then voted upon.

**RES.208/15 MINUTES**

RESOLVED that the minutes of the following meetings be approved.

- A. Regular Meeting – November 16, 2015
- B. Work Session – December 7, 2015 (RES.207/15)

MOTION BY TRUSTEE Tufarelli SECOND BY TRUSTEE Grasso

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

**RES.209/15 ASSESSOR'S PETITION #9-2015**

RESOLVED that the following ASSESSOR'S PETITION is hereby approved:

No.09 -2015 Sec. 37 Block 117 Lot 110 Dated December 21, 2015

IT IS FURTHER RESOLVED that ASSESSOR'S PETITION #9-2015, be appended to and be made a part of the minutes of this meeting.

MOTION BY TRUSTEE Grasso SECOND BY TRUSTEE Tufarelli

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

**RES.210/15**

**TENDER AND RELEASE AGREEMENT**

RESOLVED that the Mayor is authorized to execute a Tender And Release Agreement between the Inc. Village of Valley Stream, AGL Contracting ("Tender Contractor") and Colonial Surety Company whereby the Tender Contractor agrees to perform the balance of the contract with A & R Capital Associates, Inc. for construction work in connection with the project known as the "2011 Nassau County Environmental Bond Act - Storm Water Quality Improvement at Hendrickson Pond Park and the Village Green." The remaining balance owed by the Village of Valley Stream on the original contract is \$360,000.00 and the Tender Contractor agrees to complete the contract for an additional amount of \$481,416.78 for a total amount of \$841,416.78 to be paid by the Village. Upon Colonial Surety Company's execution of this Agreement Colonial Surety Company agrees to pay a "Surety Payment" to the Village of Valley Stream in the amount of \$481,416.78.

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.211/15**

**VOLUNTARY EMPLOYEE TAX DEFERRED COLLEGE SAVINGS PLAN (529 PLAN)**

RESOLVED that the Board of Trustees hereby authorizes Joseph O'Shea to offer a 529 College Savings Plan (529 Plan) through New York's 529 Advisor-Guided College Savings Program and JPMorgan Chase Asset Management to Village employees through payroll deduction to be administered by Joseph O'Shea and further directs the Mayor to execute all documents in conjunction with the establishment of these plans including a modification and amendment to the existing Collective Bargaining Agreements with Local 342.

BE IT FURTHER RESOLVED that this resolution when effective replaces Resolution 168/03.

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.212/15**

**CA OVERLAY DISTRICT MODIFICATION - 49 NO. CENTRAL AVENUE ("THE PROMENADE")**

WHEREAS, by Resolution 085/15 the Board of Trustees imposed a CA Overlay District on the property known as 49 No. Central Avenue (Section: 37, Block: S, Lot: 25); and

WHEREAS, a modified site plan for the subject property, dated November 25, 2015 and prepared by Tahir Demircioglu Architect PLLC, has been submitted to the Board of Trustees for review; now be it

RESOLVED, that this Board refers the modified site plan to the Board of Zoning Appeals for final site development plan review; and it is further

RESOLVED, that the Board of Zoning Appeals shall file with the Village Clerk and the Nassau County Planning Commission a report indicating its decision within seven (7) days of its final action.

MOTION BY TRUSTEE Tufarelli SECOND BY TRUSTEE Grasso

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

**RES.213/15**

**OFFICIAL INTENT REIMBURSEMENT OF CERTAIN COSTS FROM PROCEEDS OF TAX-EXEMPT BONDS**

WHEREAS, the Village of Valley Stream located in Nassau County, State of New York (the "Village") has an intent to proceed with the Capital Project #890-514 (as defined in Section 3 of this resolution); and

WHEREAS, the Internal Revenue Code and applicable regulations require the Village to take this action in connection with the incurrence of certain expenses in connection with the Project prior to the issuance of tax-exempt bonds in order to allow the Village to be reimbursed for such expenditures;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE AS FOLLOWS:

1. The statements contained in this resolution with respect to the reimbursement of the expenditures described in this resolution are intended to be statements of official intent as required by, and in conformance with, the provisions of Treasury Regulation Section 1.150-2(e).
2. As required by Treasury Regulation Section 1.150-2(e), this resolution shall be made available for public inspection in the main administrative office of the Village or at the customary location of records of the Village that are available to the general public, and it shall remain available for public inspection on a reasonable basis until the date of issue of the reimbursement issue.
3. The expenditures to be reimbursed pursuant to this resolution will be incurred after the date hereof in connection with the financing of the cost of the acquisition of additional escape fire equipment at a total amount of up to \$100,000.00, including applicable preliminary and incidental costs in connection therewith (the "Project").
4. The maximum principal amount of debt expected to be issued for purposes of reimbursement of the expenditures for this purchase is up to one hundred thousand dollars (\$100,000.00).
5. The Village reasonably expects to reimburse the expenditures set forth in this resolution with the proceeds of tax-exempt debt to be incurred by the Village subsequent to the date hereof, and no funds from sources other than the reimbursement bond issue are or are reasonably expected to be reserved, allocated on a long term basis, or otherwise set aside by the Village pursuant to the Village's budget or financial policies.
6. This resolution shall take effect immediately.

MOTION BY TRUSTEE Grasso SECOND BY TRUSTEE Tufarelli

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

**RES.214/15**

**OFFICIAL INTENT REIMBURSEMENT OF CERTAIN COSTS FROM PROCEEDS OF TAX-EXEMPT BONDS**

WHEREAS, the Village of Valley Stream located in Nassau County, State of New York (the "Village") has an intent to proceed with the Capital Project #890-519 (as defined in Section 3 of this resolution); and

WHEREAS, the Internal Revenue Code and applicable regulations require the Village to take this action in connection with the incurrence of certain expenses in connection with the Project prior to the issuance of tax-exempt bonds in order to allow the Village to be reimbursed for such expenditures;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE AS FOLLOWS:

1. The statements contained in this resolution with respect to the reimbursement of the expenditures described in this resolution are intended to be statements of official intent as required by, and in conformance with, the provisions of Treasury Regulation Section 1.150-2(e).
2. As required by Treasury Regulation Section 1.150-2(e), this resolution shall be made available for public inspection in the main administrative office of the Village or at the customary location of records of the Village that are available to the general public, and it shall remain available for public inspection on a reasonable basis until the date of issue of the reimbursement issue.
3. The expenditures to be reimbursed pursuant to this resolution will be incurred after the date hereof in connection with the financing of the cost of one (1) Toro Aerothatcher 83/Seeder and a 93 3 Point Hitch PTO in the amount of \$7,895.16 and one (1) Toro Groundsmaster 3280-D2WD with a liquid cooled Kubota diesel engine & a 72" side discharge cutting deck in the amount of \$19,871.17 for a total amount up to \$27,766.33 for the Department of Parks, including applicable preliminary and incidental costs in connection therewith (the "Project").
4. The maximum principal amount of debt expected to be issued for purposes of reimbursement of the expenditures for this purchase is up to twenty-seven thousand seven hundred sixty-six dollars and thirty-three cents (\$27,766.33.).
5. The Village reasonably expects to reimburse the expenditures set forth in this resolution with the proceeds of tax-exempt debt to be incurred by the Village subsequent to the date hereof, and no funds from sources other than the reimbursement bond issue are or are reasonably expected to be reserved, allocated on a long term basis, or otherwise set aside by the Village pursuant to the Village's budget or financial policies.
6. This resolution shall take effect immediately.

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.215/15 APPROVE PURCHASE OF ADDITIONAL DEPARTMENT OF PARKS EQUIPMENT**

RESOLVED that the Board of Trustees approves the purchase of one (1) Toro Aerothatcher 83/Seeder and a 93 3 Point Hitch PTO in the amount of \$7,895.16 and one (1) Toro Groundsmaster 3280-D2WD with a liquid cooled Kubota diesel engine & a 72" side discharge cutting deck in the amount of \$19,871.17 from Storr Tractor Company of Branchburg, New Jersey off NYS Contract #66756 in the total amount up to \$27,766.33 for the Department of Parks. (Capital Project 890-519)

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.216/15 OFFICIAL INTENT REIMBURSEMENT OF CERTAIN COSTS FROM PROCEEDS OF TAX-EXEMPT BONDS**

WHEREAS, the Village of Valley Stream located in Nassau County, State of New York (the "Village") has an intent to proceed with the Capital Project #890-522 (as defined in Section 3 of this resolution); and

WHEREAS, the Internal Revenue Code and applicable regulations require the Village to take this action in connection with the incurrence of certain expenses in connection with the Project prior to the issuance of tax-exempt bonds in order to allow the Village to be reimbursed for such expenditures;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE AS FOLLOWS:

1. The statements contained in this resolution with respect to the reimbursement of the expenditures described in this resolution are intended to be statements of official intent as required by, and in conformance with, the provisions of Treasury Regulation Section 1.150-2(e).
2. As required by Treasury Regulation Section 1.150-2(e), this resolution shall be made available for public inspection in the main administrative office of the Village or at the customary location of records of the Village that are available to the general public, and it shall remain available for public inspection on a reasonable basis until the date of issue of the reimbursement issue.
3. The expenditures to be reimbursed pursuant to this resolution will be incurred after the date hereof in connection with the financing of the cost of the purchase of a Marauder II 1500 GPM Pumper Stainless Steel Top Mount for the Valley Stream Fire Department including applicable preliminary and incidental costs in connection therewith (the "Project").
4. The maximum principal amount of debt expected to be issued for purposes of reimbursement of the expenditures for this purchase is up to seven hundred seventy – two thousand eight hundred thirty-nine dollars (\$772,839.00).
5. The Village reasonably expects to reimburse the expenditures set forth in this resolution with the proceeds of tax-exempt debt to be incurred by the Village subsequent to the date hereof, and no funds from sources other than the reimbursement bond issue are or are reasonably expected to be reserved, allocated on a long term basis, or otherwise set aside by the Village pursuant to the Village's budget or financial policies.
6. This resolution shall take effect immediately.

MOTION BY TRUSTEE Tufarelli SECOND BY TRUSTEE Thomas

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

**RES.217/15      AWARD BID**

RESOLVED that the following bid be accepted:

Rescue Vehicles Inc. of Bohemia, NY on September 9, 2015 for a Marauder II 1500 GPM Pumper Stainless Steel Top Mount for the Valley Stream Fire Department manufactured by and payment to Seagrave Fire Apparatus, LLC of Clintonville, WI in the total amount of up to \$772,839.00. (Capital Project 890-522)

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.218/15 ACCEPT PROPOSAL**

RESOLVED that the Mayor is authorized to accept the proposal of Expert Garage Doors, Inc. of Ronkonkoma, NY for the replacement of four doors at Fire Department Headquarters, colored brown, with windows having safety photo eyes and safety edging in the total amount of up to \$13,500.00. (A.3410.260)

MOTION BY TRUSTEE Thomas SECOND BY TRUSTEE Tufarelli

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

**RES.219/15 APPROVE CHANGE ORDER #1 TO RES.183/15 ACCEPT PROPOSAL SUPPLY & INSTALLATION OF WINDOWS**

RESOLVED that the Board of Trustees hereby approve Change Order #1 to the proposal of Brothers Aluminum Siding of Valley Stream, NY for the supply and installation of windows at the municipal building, 195 Rockaway Avenue in the total additional amount of up to \$6,000.00. (Capital Project 890-505)

MOTION BY TRUSTEE Clavin-Higgins SECOND BY TRUSTEE Grasso

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

**RES.220/15 APPROVE CONTRACTS/LEASE AGREEMENTS**

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

HIP HEALTH PLAN OF NEW YORK (an EmblemHealth Company) - to provide health insurance benefits for Village employees for a period of one year effective January 1, 2016 – December 31, 2016.

AVENET LLC – The Village has 79 web-based e-mail accounts. The annual service charges for 77 (2 are free) web-based e-mail accounts at \$50.00 per account for a total annual fee of \$3,850.00 effective from January 1, 2016 – December 31, 2016. (A.1680.469)

IDENTIFIX – Annual agreement for Government Identifix.com – 1 site license, including training and all updates for DPW Central Garage at an annual fee of \$1,308.00 effective from January 1, 2016 – December 31, 2016. (A.1684.458)

MOTION BY TRUSTEE Tufarelli SECOND BY TRUSTEE Clavin-Higgins

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



**RES.223/15            INSTALL /CHANGE SIGNAGE**

RESOLVED that on the recommendation of the Traffic Advisory Committee the following signage be installed:

Install "No Standing Here To Corner" signs on the north and south corners on Steven Place at Mill Road.

Install a "No Thru Exit" sign at the entrance of the small parking lot across from Wheeler Avenue School (side of stores).

Reinstall "No Parking 7 a.m. to 5 p.m. Monday - Friday" signs on the 1100 Peterhoff Street side.

MOTION BY TRUSTEE Thomas SECOND BY TRUSTEE Grasso

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

**RES.224/15            UNIT II APPOINTMENT**

RESOLVED that the following appointment be approved at the salary provided for in the Unit II Collective Bargaining Agreement and shall be effective upon the approval of the Nassau County Civil Service Commission:

Zico O. Williams: To Laborer, Unit II F/T, Grade 10, Parks Dept., Starting Salary

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.225/15            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, Jan. 04, 2016 – Work Session – 6:30 p.m.
- Monday, Jan. 11, 2016 – Regular Meeting – 7:00 p.m.
- Monday, Feb. 01, 2016 – Work Session – 6:30 p.m.
- Monday, Feb. 08, 2016 – Regular Meeting – 7:00 p.m.

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

On a motion by Trustee Tufarelli, seconded by Trustee Grasso and carried unanimously, the Board of Trustees voted to adjourn the Regular Meeting at 7:25 p.m.

Respectfully submitted,



ROBERT D. BARRA  
Village Clerk/Administrator