

May 14, 2020

Rockville Centre, New York

The Special Meeting of the Board of Trustees was held on the above date via video conference call at 6:05 p.m. due to the Covid-19 pandemic health emergency, and in compliance with Executive Orders issued by Governor Cuomo. All participants were on the video conference call at the same time, and all participants were able to hear each other. The public was afforded an opportunity to participate in the meeting by video conference. The meeting was recorded, and the transcription is on file in the Village office. The recording is available on the Village website.

PRESENT: Mayor Francis X. Murray, Deputy Mayor Kathy Baxley, Trustees Michael Sepe and Nancy Howard. Trustee Emilio F. Grillo arrived at 6:45pm.

ALSO PRESENT: Village Administrator Kathleen Murray, Village Attorney A. Thomas Levin, Village Comptroller Dennis Morgan, Police Commissioner James Vafeades, Superintendent of Electric Philip Andreas, Village Engineer Kevin Reilly, Superintendent of Building Patrick D. O'Brien, Director of Public Works Administration Gwynne Feiner, Director Suzanne Sullivan, Director of Section 8 Claire McLoughlin, Public Relations Counsel Julie Grilli, and Secretary to the Board Lisa Butler.

ATTENDANCE: 6 people

The Village Administrator read a statement regarding the circumstances under which the meeting was held. See the recording of the meeting for the full text of the statement.

On motion of Trustee Howard, duly seconded by Trustee Baxley and carried by a vote of four to none the Board adopted the following resolution authorizing a change in the payment terms regarding Niagara Transformer Corp.

WHEREAS, by resolution duly adopted August 29, 2019, after a competitive bidding process pursuant to law, the Board of Trustees duly accepted a proposal from and awarded a contract to Niagara Transformer Corporation ("Niagara"), and

WHEREAS, pursuant to the said contract and award, payment for the contract was to be made upon completion of delivery and installation, and

WHEREAS, due to changed circumstances and economic conditions, Niagara has requested that the Village make payment in stages, as performance of the contract progresses, and

WHEREAS, the Village Superintendent of Electric. the Village Purchasing Officer, and the Village Comptroller have reviewed this request, and have recommended approval,

NOW, THEREFORE, BE IT

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RESOLVED, that the Board of Trustees consents and agrees that payment pursuant to the aforesaid contract may be made to Niagara in stages, as follows:

- (a) Ninety Six Thousand Dollars (\$96,000) upon completion of engineering and design, and receipt by the Village of engineering drawings for two (2) transformers;
- (b) The balance of the contract price upon completion of performance of the contract.

On motion of Trustee Howard, duly seconded by Trustee Baxley and carried by a vote of four to none the Board adopted the following resolution authorizing the Mayor or his designee to execute an agreement with All County Hook Up Towing, Inc. to amend the provisions of the October 1, 2019 contract in a form approved by the Village Attorney.

Whereas, by resolution duly adopted on October 7, 2019, the Board of Trustees of the Village of Rockville Centre ("Village") authorized a contract with All County Hook Up Towing, Inc. ("All County") for towing rights, and

Whereas, pursuant to such authorization, the Village and All County entered into a contract agreement ("Contract") dated as of October 1, 2019, which Contract included provisions for payments to be made by All County to the Village, and

Whereas, due to unanticipated conditions caused by the COVID-19 pandemic emergency, the volume of towing available to be conducted pursuant to the Contract has been substantially diminished, through no fault of either party to the Contract, which circumstances have caused a hardship to All County which places future performance of the Contract provisions in jeopardy, and

Whereas, All County has requested that the Village consider partial relief to All County from some of the contractual provisions, in order that All County may continue to provide towing services and exercise towing rights as provided in the Contract, and

Whereas, the Board of Trustees wishes to modify some of the contractual provisions regarding payments to the Village, which modification are deemed to be in the best interest of the Village,

Now, therefore, be it

RESOLVED, that the Board of Trustees authorizes the Mayor to execute an agreement with All County to amend the provisions of the October 1, 2019 Contract, in a form approved by the Village Attorney, such that the payment required from All County for the month of March 2020 shall be reduced by fifty (50%) per cent, and the payments required from All County for the months of April, May and June 2020 shall be waived in their entirety.

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On motion of Trustee Baxley, duly seconded by Trustee Sepe and carried by a vote of four to none the Board adopted the following resolution authorizing the Mayor to execute a consulting agreement with G.B Schenone Nurseries Inc. for a period of one year commencing June 1, 2020, in a form approved by the Village Attorney.

RESOLVED, that the Mayor is authorized and directed to execute, on behalf of the Village, a consulting agreement with G.B. SCHENONE NURSERIES, INC., for a period of one year commencing June 1, 2020, in a form approved by the Village Attorney.

On motion of Trustee Baxley, duly seconded by Trustee Howard and carried by a vote of four to none the Board approved an agreement with New Era Technologies d/b/a DJJ Technologies for telephone maintenance for the Police Department, Village Hall and 110 Maple Avenue for an amount not to exceed \$12,503.28 effective 6/1/20.

On motion of Trustee Howard, duly seconded by Trustee Sepe and carried by a vote of four to none the Board adopted the following resolution authorizing disposition of surplus property of the Electric Department.

RESOLUTION AUTHORIZING DISPOSITIOIN OF SURPLUS PROPERTY

Whereas, the Village of Rockville Centre (“Village”) heretofore designated the following equipment and property as surplus, and authorized and directed the Village Purchasing Department to solicit proposals for the sale of such equipment in its present and existing condition, and location, and without any warranties, express or implied, and submit the same to the Village Administrator:

Item/Model	Serial Number/VIN	Dimensions Height/Width/Weight	Estimated Value
MO-8 (1962)	176 watt street light	20#	@.20/#=\$4.00
MO-8 (1962)	176 watt street light	20#	@.20/#=\$4.00

and

Whereas, after due diligence in attempting to locate a purchaser for such property, the only proposal received was from the American Industrial Mining Company Museum (“Museum”), a 501(c)(3) not for profit corporation, for the sum of One (\$1.00) Dollar, to use and display such property as part of the museum collection, and

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Whereas, the Board of Trustees hereby determines that the aforesaid property has no monetary value, and that the disposition of the property to the Museum would serve a public purpose,

NOW, THEREFORE, BE IT

RESOLVED, that the Board of Trustees hereby authorizes and approves the sale of the aforesaid surplus property in “as is, where is” condition, to American Industrial Mining Company Museum, 1300 Telegram Ave., Elmont, New York 11003, for the amount of One (\$1.00) Dollar, and it is further

RESOLVED, that the Mayor, or his designee, is authorized to execute and deliver a bill of sale or such other documentation as may reasonably be required to effectuate the transfer of such property to its approved purchaser upon payment in full for the purchase price for such property.

On motion of Trustee Howard, duly seconded by Trustee Baxley and carried by a vote of four to none the Board approved a Change Order with Keep it Green Landscapes, Inc. for additional funds for FY 20 in the amount of \$1,646.39 and for FY 21 in the amount of \$5,190.05-. The Village is in the second year of a three year bid approved on 2/5/18.

On motion of Trustee Baxley, duly seconded by Trustee Howard and carried by a vote of four to none the Board approved the Section 8 Five Year Plan.

On motion of Trustee Sepe, duly seconded by Trustee Howard and carried by a vote of four to none the Board adopted the following resolution authorizing the Village Administrator to designate a newspaper other than the official newspaper for publication of any particular legal notice, where publication in the official newspaper is not possible, practical or appropriate.

Whereas, the Village of Rockville Centre is required for various purposes, from time to time, to publish legal notices in an official newspaper, and/or in a newspaper of general circulation in the Village; and

Whereas, at its annual organizational meeting, the Village customarily designates an official newspaper for the purposes of compliance with such publication requirements; and

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Rockville Centre, New York

Whereas, the Board of Trustees of the Village of Rockville Centre is concerned that unforeseen circumstances may arise, in one or more instances, whereby the Village is unable to have its required legal notices published in that official newspaper; and

Whereas, without changing the designation of the official newspaper as made by the Board of Trustees, the Board of Trustees concludes that it in the best interests of the Village to provide for unanticipated events in which it may be unable to publication required notice in that designated newspaper, and it may instead be necessary to publish in another newspapers of general circulation in the Village;

NOW, THEREFORE, BE IT

RESOLVED, that the Board of Trustees hereby delegates to the Village Administrator the authority to designate a newspaper for publication of particular legal notices required to be published by the Village, and it is further

RESOLVED, that the authority delegated to the Village Administrator in this resolution shall be exercised only in such instances when the Village Administrator makes an individualized written finding, stating the reasons for such finding, that publication of a particular notice in the Village official newspaper is not possible, practicable or appropriate, and it is further

RESOLVED, that in the exercise of the authority delegated in this resolution, the Village Administrator may designate only a newspaper which is of general circulation in the Village and which would be eligible for designation as the Village official newspaper, and it is further

RESOLVED, that the designation of a newspaper for publication of any notice pursuant to this resolution shall not constitute designation or change in designation of an official Village newspaper for the publication of any other notice, and it is further

RESOLVED, that the authority delegated to the Village Administrator by this resolution may be rescinded, or amended, or otherwise limited, at any time by resolution of the Board of Trustees.

On motion of Trustee Baxley, duly seconded by Trustee Howard and carried by a vote of four to none the Board approved a professional service contract with H2M Architects, Engineers, Land Surveying and Landscape Architecture, D.P.C to provide miscellaneous engineering and consulting service for the Water Department on routine as well as miscellaneous operational tasks for the fiscal year 2021.

On motion of Trustee Sepe, duly seconded by Trustee Baxley and unanimously carried the Board adjourned the meeting at 7:11pm.

May 28, 2020

Rockville Centre, New York

The Board of Trustees held a Public Meeting on the above date via video and telephone conference call at 6:00 p.m. due to Covid-19 pandemic, and in compliance with Executive Orders issued by Governor Cuomo. All participants were on the conference call at the same time, and all participants were able to hear each other; members of the public were afforded the opportunity to hear and observe by video or telephone conference call. The meeting was recorded, and the transcription is on file in the Village office. The recording is available on the Village website.

PRESENT: Mayor Francis X. Murray, Deputy Mayor Kathy Baxley, Trustees Michael Sepe and Nancy Howard.

ABSENT: Trustee Emilio F. Grillo

ALSO PRESENT: Village Administrator Kathleen Murray, Village Attorney A. Thomas Levin, Village Comptroller Dennis Morgan, Police Commissioner James Vafeades, Superintendent of Electric Philip Andreas, Village Engineer Kevin Reilly, Superintendent of Building Patrick D. O'Brien, Deputy Clerk Wendy Weinstock, Director of Senior Services Chris O'Leary, Director of Public Works Administration Gwynne Feiner, Superintendent of Recreation Ginger Creegan, Community Development Director Suzanne Sullivan, Public Relations Counsel Julie Grilli, Secretary to the Board Lisa Butler

ATTENDANCE: 4 people

The Village Administrator read a statement regarding the circumstances under which the meeting was held. See the recording of the meeting for the full text of the statement.

The Board reviewed the proposed agenda for the June 1, 2020 Board Meeting.

On motion of Trustee Howard, duly seconded by Trustee Sepe and carried by a vote of four to none the Board approved the following resolution awarding a contract to Land Tek Group, Inc., for turf conversion and various site improvements at the Village recreational property known as Tighe Field, in furtherance of a grant received from the Dormitory Authority of the State of New York.

RESOLUTION AWARING CONTRACT – THE LAND TEK GROUP, INC.
Whereas, the Village of Rockville Centre wishes to award a contract for turf conversion and various site improvements (the “Project”) at the Village recreational property known as Tighe Field, in furtherance of a grant received from the Dormitory Authority of the State of New York (DASNY);
and

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Whereas, the Village Purchasing Department has conducted a thorough investigation of potential contractors for the Project, and

Whereas, General Municipal Law section 103(16) permits the Village to award a contract for such project based on a contract issued for the same or similar work, labor, materials or services in another qualifying municipality, without completing the customary competitive bidding requirements of General Municipal Law section 103(1), when certain conditions are met, including (1) the contract must have been let by a New York political subdivision, (2) the contract must have been made available for use by other governmental entities, and (3) the contract must have been “let to the lowest responsible bidder or on the basis of best value in a manner consistent with [General Municipal Law section 103]” ; and

Whereas, The Land Tek Group, Inc. holds contracts with the Town of Babylon (Bid #18E11) and the Town of Huntington (Contract ES 2018-01/O-E), each of which towns is a qualifying political subdivision of the State of New York, each of which contracts was awarded after competitive bidding in accordance with General Municipal Law section 103, each of which contracts is for the same or similar work, materials, labor and services, and each of which contracts specifically authorizes its terms to be used for purchases and public works projects in other municipalities; and

Whereas, the Purchasing Department has recommended that the Village award its contract for the Project to The Land Tek Group, Inc.,

Now, therefore, be it

RESOLVED, that the Board of Trustees hereby accepts proposal for the Project as submitted by The Land Tek Group, Inc., dated May 1, 2020, Proposal #20-344R, in an amount not to exceed \$1,066,585.80, and authorizes the Mayor and other Village officials to execute such documents, in form approved by the Village Attorney, as may be necessary and appropriate to proceed with and complete such Project.

On motion of Trustee Howard, duly seconded by Trustee Baxley and carried by a vote of four to none, the Board voted to convene in executive session at 6:37 p.m.to discuss legal advice.

Trustee Grillo joined the meeting at 7:00pm.

No action was taken in executive session.

On motion of Trustee Howard, duly seconded by Trustee Baxley and unanimously carried, the Board closed the executive session and returned to public session and adjourned the meeting at 7:48p.m.

June 1, 2020

Rockville Centre, New York

The Board of Trustees meeting was held on the above date via video and telephone conference call at 7:00 p.m. due to Covid-19 pandemic, and in compliance with Executive Orders issued by Governor Cuomo. All participants were on the conference call at the same time, and all participants were able to hear each other; members of the public were afforded the opportunity to hear and observe by video or telephone conference call. The meeting was recorded, and the transcription is on file in the Village office. The recording is available on the Village website.

PRESENT: Mayor Francis X. Murray, Deputy Mayor Kathy Baxley, Trustees Michael Sepe, Emilio F. Grillo and Nancy Howard.

ALSO PRESENT: Village Administrator Kathleen Murray, Village Attorney A. Thomas Levin, Village Comptroller Dennis Morgan, Police Commissioner James Vafeades, Superintendent of Electric Philip Andreas, Village Engineer Kevin Reilly, Superintendent of Building Patrick D. O'Brien, Deputy Clerk Wendy Weinstock, Director of Senior Services Chris O'Leary, Director of Public Works Administration Gwynne Feiner, Superintendent of Recreation Ginger Creegan, Community Development Director Suzanne Sullivan, Public Relations Counsel Julie Grilli, Secretary to the Board Lisa Butler

ATTENDANCE: 5 people

The Village Administrator read a statement regarding the circumstances under which the meeting was held. See the recording of the meeting for the full text of the statement.

The Board discussed unauthorized changes which had been made to the exterior design of premises 160 Morris Avenue, for which a certificate of occupancy has not yet been issued. On motion of Trustee Grillo, duly seconded by Trustee Sepe and unanimously carried the Board voted to reopen Exterior Design Review Case No. 06-2019 160 Morris Avenue for public comment on June 18, 2020 at 6:00pm.

Mayor Murray made appointments of new hires, promotions and other appointments as shown on the list of "Managerial & Confidential and Part Time Employees from March 22, 2020 through May 22, 2020" on file in the Village office together with these minutes.

On motion of Mayor Murray, duly seconded by Trustee Baxley and unanimously carried the Board approved the new hires, promotions and appointments, and the compensation rates for Managerial & Confidential and Part Time employees from March 22, 2020 through May 22, 2020, effective on the respective dates indicated on the full list.

June 1, 2020

Rockville Centre, New York

On motion of Trustee Howard, duly seconded by Trustee Sepe and unanimously carried the Board adopted the following resolution for publication of a legal notice for a public hearing regarding Bill RVC 2020E.

RESOLUTION

Publication of legal notice for public hearing

Bill RVC 2020E. A local law to amend the Code of the Village of Rockville Centre in relation to temporary outdoor dining licenses.

WHEREAS, the Village Board of Trustees is considering the adoption of legislation which would authorize temporary licenses for use of Village roads, parking lots, and other public property for outdoor dining; and

WHEREAS, adoption of a local law is required in order to implement any such action; and

WHEREAS, a public hearing is required for the adoption of such proposed local law, and a legal notice is required to announce the subject, time and place of the public hearing,

IT IS HEREBY RESOLVED that the Village Administrator shall cause a legal notice to be published in the next available edition of the official newspaper of the Village of Rockville Centre to announce that a public hearing will commence with respect to the proposed local law RVC 2020E on June 18, 2020 at 6:00 pm., and shall give such other notice of hearing as may be required by law.

On motion of Trustee Howard, duly seconded by Trustee Grillo and unanimously carried (with Mayor Murray abstaining) the Board authorized the 2019 Length of Service Award Program payments of \$700.00 for 209 eligible Volunteer Firefighter, as shown on the list submitted by the Fire Department and attached to these minutes (in redacted form).

On motion of Trustee Baxley, duly seconded by Trustee Grillo and unanimously carried, the Board approved the FY 2021 Water Budget. Copies of the approved budget are on file in the Village office.

On motion of Trustee Grillo, duly seconded by Trustee Howard and unanimously carried, the Board approved the FY 2021 Electric Budget. Copies of the approved budget are on file in the Village office.

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On motion of Trustee Baxley, duly seconded by Trustee Sepe and unanimously carried the Board authorized an annual software maintenance agreement with Tritech Software Systems, formerly Admit Computer Services, Inc., a CentralSquare Company for Police Records Management System for the term of 6/1/20 through 5/31/21 for a cost not to exceed \$26,261.00 subject to form approval from the Village Attorney.

On motion of Trustee Howard, duly seconded by Trustee Baxley and unanimously carried the Board adopted the following resolution regarding an amnesty program with respect to unpaid parking tickets.

WHEREAS, the Board of Trustees has been informed that the Village Justices are considering implementation of an amnesty program with respect to unpaid parking tickets in order to dispose of a backlog of such tickets and to facilitate and improve collection of unpaid fines owed to the Village, and

WHEREAS, the Board of Trustees supports such an incentive program, and wishes to authorize those attorneys who represent the Village as prosecuting attorneys in the Village Court as Deputy Village Attorneys to consent to such program;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees hereby authorizes the Deputy Village Attorneys who act as prosecutors in the Village Justice Court under the supervision of the Village Attorney to consent to the institution and implementation of an amnesty program proposed by the Village Justices with respect to unpaid parking tickets, such consent to be subject to the approval of the Village Attorney.

On motion of Trustee Howard, duly seconded by Trustee Sepe and unanimously carried the Board authorized the Mayor or his designee to execute a letter agreement for Lead Agency Designation for Living with the Bay Storm Recovery ("GOSR").

On motion of Trustee Grillo, duly seconded by Trustee Howard and unanimously carried the Board authorized the Mayor or his designee to execute the First Amendment to the Subrecipient Agreement with the Governor's Office of Storm Recovery dated November 1, 2015.

On motion of Trustee Sepe, duly seconded by Trustee Grillo and unanimously carried the Board accepted a tree donation from Joy Pacella to be planted at the Recreation Center in memory of her late husband.

On motion of Trustee Baxley, duly seconded by Trustee Howard and unanimously carried the Board accepted a donation from "Friends of Anthony Petrocelli" for a storage box filled with basketballs to be placed at the Mill River basketball courts.

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On motion of Trustee Baxley, duly seconded by Trustee Sepe and unanimously carried, the Board approved the following minutes for filing:

Special Meeting ----- April 16, 2020
Executive Session ----- April 16, 2020
Briefing Meeting ----- April 30, 2020
Board Meeting ----- May 4, 2020

Village Administrator Kathleen Murray advised that an RFP for Laboratory Sampling and Analysis for Rockville Centre's Water Department was properly distributed and opened on May 12, 2020. The results of the RFP are attached with these minutes.

The following vendor declined to provide a response: Eagle Control Corp.

On motion of Trustee Grillo, and duly seconded by Trustee Sepe and unanimously carried, the Board awarded the contract to Pace Analytical for an expenditure not to exceed \$70,000.00-.

On motion of Trustee Sepe, duly seconded by Trustee Howard and unanimously carried the Board adopted the following resolution rescinding portions of the April 6, 2020 award for Bid No. 2002E3(976) Overhead/Underground Electrical Wire & Cable, and awarding new contract for line items 1 and 3.

RESCISSION OF BID AWARD, AND NEW BID AWARD, FOR LINE ITEM 6 IN BID NO. 2002E3(976) OVERHEAD/UNDERGROUND ELECTRICAL WIRES & CABLE FOR THE ELECTRIC DEPARTMENT

Whereas, on April 6, 2020, based upon a recommendation from the Village Purchasing Department, Line items 1 and 3 in Bid No. 2002E3(976) Overhead/Underground Electrical Wires & Cable for the Electric Department were awarded to the lowest responsible bidder, Michael's Electrical Supply Corp.; and

Whereas, Michael's Electrical Supply Corp. has informed the Electric Department that it is not able to purchase from their supplier the wire which is required in satisfaction of this purchase item; and

Whereas, in order to acquire the supplies in this item, which are necessary for the Village to obtain, rescission of the previous bid award to Michael's Electrical Supply Corp., for Line items 1 and 3 is necessary; and

Whereas, the Village Purchasing Department is advised that the required items are available from the next lowest responsible bidder, Stuart C. Irby Co. at an additional cost of approximately \$180.00; and

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Whereas the Village Purchasing Department has requested that the Board of Trustees rescind the prior award as stated herein, and award the contract for purchase of such line items to Stuart C. Irby Co.;

NOW, THEREFORE, BE IT

RESOLVED, that the Board of Trustees hereby rescinds so much of its April 6, 2020 award to Michael's Electrical Supply Corp. as was for purchase if Line items 1 and 3 in such award; and it is further

RESOLVED, that the said bid award for line item 1 and 3 in such April 6, 2020 award be, and hereby is, made to Stuart C. Irby Co., *nunc pro tunc*, as of May 12, 2020, for an additional cost not to exceed \$180.00, as the lowest responsible bidder able to supply such line items; and it is further

RESOLVED, that in all other respects the bid award made on April 6, 2020 May 13, 2019 for Bid No. 2002E3(976) Overhead/Underground Electrical Wires & Cable for the Electric Department shall remain in full force and effect.

Village Administrator Kathleen Murray announced that the Fire Department had the following changes; Honorary Chief George John "Jack" Easterman passed away. Membership is now 315 members.

On motion of Trustee Howard, duly seconded by Trustee Baxley and unanimously carried, the Board approved the Fire Department Membership report.

On motion of Trustee Howard, duly seconded by Trustee Baxley and carried by a vote of four to none, the Board voted to convene in executive session at 7:56 p.m.to discuss pending litigation.

Trustee Sepe left the executive session at 8:28 pm. No action was taken in executive session.

There being no further business, on motion by Trustee Grillo, seconded by Trustee Baxley, and unanimously carried the Board voted to return to public session at 8:41 pm.

On motion of Trustee Grillo, duly seconded by Trustee Howard and unanimously carried the Board authorized settlement of a general liability claim from Scott Zachar within the guidelines as proposed by Claims Service Bureau.

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On motion of Trustee Howard, duly seconded by Trustee Baxley and carried by a vote of four to none, the Board voted to close the public session and adjourn the meeting at 8:44p.m.

Kathleen Murray
Village Administrator/
Clerk-Treasurer

KM/lb