

March 31, 2016

Rockville Centre, New York

The Board of Trustees held a Public Briefing Session at 6:00 p.m. on the above date in the Mayor's Office.

**PRESENT:** Mayor Francis X. Murray, Trustees Nancy Howard, Edward J. Oppenheimer, Michael Sepe

**ABSENT:** Trustee Emilio F. Grillo

**ALSO PRESENT:** Village Administrator Kathleen Murray, Deputy Village Administrator/Comptroller Michael Schussheim, Village Attorney A. Thomas Levin, Police Commissioner Charles Gennario, Director of Public Works Operations John Thorp, Director of Public Works Administration Gwynne Feiner, Superintendent of Electric Phil Andreas, Superintendent of Recreation Anthony Brunetta, Supervisor of Water Distribution Kevin Reilly, Superintendent of Buildings Daniel Casella, Director Information Technology John Peters, Director of Senior Services Chris O'Leary, Deputy Director of Senior Services Wendy Weinstock, Deputy Clerk/Treasurer Mary Schmeling, Director of MLK Center Patrick Morris, Public Relations Counsel Julie Grilli, Secretary to the Board of Trustees Lisa Butler

**ATTENDANCE:** Approximately 4 people

On motion of Trustee Oppenheimer, duly seconded by Trustee Howard and carried by a vote of four to none, the Board voted to approve the Community Development Block Grant Program 2016-2017 42<sup>nd</sup> Year. A copy of the program is on file in the Village office.

On Motion of Trustee Oppenheimer, duly seconded by Trustee Sepe and carried by a vote of four to none, the Board authorized the Mayor to sign the Long Island Rail Road Entry Permit in the form approved by the Village Attorney.

The Board reviewed the remainder of the April 4, 2016 agenda without taking any further action

On motion of Trustee Howard, duly seconded by Trustee Sepe and carried by a vote of four to none, the Board voted to convene in Executive Session at 6:37 p.m. to discuss pending litigation and to obtain legal advice from the Village Attorney.

**PRESENT:** Mayor Francis X. Murray, Trustees Nancy Howard, Edward J. Oppenheimer, Michael Sepe, Village Attorney A. Thomas Levin

**Absent:** Trustee Emilio F. Grillo

**ALSO PRESENT:** Village Administrator Kathleen Murray, Deputy Village Administrator/Comptroller Michael Schussheim, Deputy Clerk Treasurer Mary Schmeling.

The Board took no action in executive session.

On motion of Trustee Sepe, duly seconded by Trustee Howard and carried by a vote of four to none, the Board voted to return to public session, adjourn the public briefing and convene for the budget hearing at 7:01 p.m.

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The Board of Trustees convened a Public Hearing at 7:02 p.m. on the above date

in the public courtroom, The hearing was moved to the adjacent Mayor's Office as a more suitable location for the limited number of persons in attendance.

**PRESENT:** Mayor Francis X. Murray, Trustee Nancy Howard, Edward J. Oppenheimer, Michael Sepe.

**ABSENT:** Trustee Emilio F. Grillo

**ALSO PRESENT:** Deputy Village Administrator/Comptroller Michael Schussheim, Public Relations Counsel Julie Grilli, Board Secretary Lisa Butler

**Attendance:** Approximately 3 people

Mayor Francis X. Murray opened a Public Hearing for the purpose of reviewing the FY 2017 Tentative Budget, and requested that Village Comptroller Michael Schussheim proceed with the review. Mr. Schussheim presented the following Budget Message:

### Fiscal Year 2017 Tentative Budget Message

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If one were to ask the average NYS resident to explain the fundamental differences between the highly popular real estate tax cap and real estate tax freeze credit programs, you're likely to get a blank stare in return. Notwithstanding this unfamiliarity, it is fair to say that both programs have profoundly impacted the manner in which local governments develop their annual budgets. The tax cap program established a formula that ostensibly sought to limit real estate tax levy growth to the lesser of 2.0% or the rate of inflation. Certain exceptions were added to the formula that permit municipalities to exceed the 2.0% levy growth limit yet comply with the overall constraint in levy growth that was established by the program. The Village of Rockville Centre's FY2017 Tentative Budget containing tax levy growth of 2.0% complies with the limit established by the tax cap program.

The tax freeze credit is a two year real estate tax relief program that reimburses qualified NYS homeowners for increases in their real estate taxes. In order to be eligible for these cash reimbursements, homeowners must reside in a municipality where there is both complete compliance with tax cap program growth restrictions and the submission/approval of a government efficiency plan that demonstrates a minimum of 1% budget savings during fiscal years 2017, 2018 and 2019. The Village of Rockville Centre is in compliance with both facets of the tax freeze credit program.

Earlier this calendar year, qualified Rockville Centre homeowners received a NYS cash reimbursement for the amount of growth associated with their FY2016 Village real estate taxes. This reimbursement represented the results from the first year of the tax freeze program for Village governments. The limited growth in Village real estate taxes contained in the FY2017 Tentative Budget means that either later this calendar year or early next year, qualified Rockville Centre homeowners will be eligible to receive a NYS cash reimbursement during the second and likely final year of the tax freeze program.

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## Budget Summary

The total FY 2017 Tentative Budget amounts to \$43,569,634 which is an increase of \$375,769 or .87% above the FY 2016 Adopted Budget. The new real estate tax rate will be \$48.27 per \$100 of net assessed valuation, a 2.35% increase above the current real estate tax rate.

## Assessed Valuation

Total net assessed valuation declined from \$59,636,027 to \$59,434,116. This represents a .34% reduction in net assessed valuation and a loss of \$97,462 in real estate tax revenues utilizing the Tentative Budget tax rate of \$48.27. Total net assessed valuation has declined 2.89% since FY 2012 when it totalled \$61,205,973.

## Fund Balance

Current projections indicate that the General Fund will complete FY 2016 with a \$3,500,000 unassigned fund balance, none of which has been appropriated to the FY 2017 Tentative Budget.

## Revenues

- Parking permit fees will generate \$1,230,000
- On Street Parking is anticipated to produce \$1,310,000
- Parks and Recreation charges are expected to total \$1,925,000
- Building Permit fees will generate \$1,050,000
- Fines and forfeitures will produce \$1,400,000
- Cable TV franchise fees are projected at \$659,000
- Mortgage Tax revenue is projected at \$430,000
- Transfers from the Electric & Water Funds will decrease to \$4,045,676

## Expenditures

- Personal Services budgets reflect the salary levels contained in the CSEA Clerical Unit contract that expires on May 31, 2016 and the PBA contract that expires on December 31, 2016
- Retirement systems funding will total \$3,795,000
- Health Insurance appropriations equal \$5,142,000
- Debt Service expenditures will decline by \$63,647
- Sanitation Disposal fees are anticipated to total \$1,200,000
- Workers Compensation transfers will amount to \$900,000

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**Village of Rockville Centre Real Estate Tax Rate  
Increases For Fiscal Years 1995 Through 2017**

<u>Fiscal Year</u>	<u>%</u>
1995	3.81
1996	2.88
1997	2.75
1998	2.46
1999	2.66
2000	2.39
2001	3.87
2002	4.78
2003	4.93
2004	5.91
2005	5.75
2006	3.96
2007	5.60
2008	5.91
2009	9.92
2010	5.89
2011	7.95
2012	4.89
2013	6.76
2014	4.20
2015	4.44
2016	2.83
2017	2.35 *
Average Annual Increase	4.65

\*Tentative Rate

Fiscal Year 2017 Proposed Real Estate Tax Increase  
For A Homeowner With A \$7,803 Property Tax Assessment

<u>Current Real Estate Tax</u>	<u>Proposed Real Estate Tax</u>	<u>Increase</u>
\$3,679.89	\$3,766.51	\$86.62

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After discussion of the proposed budget, and hearing comments from those in attendance, on motion of Trustee Oppenheimer, duly seconded by Trustee Howard and carried by a vote of four to none, the Board closed the Budget Hearing at 7:55 pm, and reserved decision for the further discussion on April 4, 2016 at 7:00 pm.

On motion of Trustee Howard and duly seconded by Trustee Oppenheimer and carried by a vote of four to none, the Board voted to return to Public Briefing at 7:56 pm.

On motion of Trustee Oppenheimer, duly seconded by Trustee Howard and carried by a vote of four to none, the board adopted the following resolution regarding settlement of the Jansen Litigation regarding 83 Clinton Avenue.

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**RESOLUTION IN FURTHERANCE OF SETTLEMENT OF LITIGATION**  
**Jansen etc. v. Village of Rockville Centre**

Whereas, counsel representing the Village of Rockville Centre has concluded negotiations for, and executed documents to effectuate, a settlement of litigation commenced against the Village in 2014, under the current caption "ROSEANNE JANSEN, as Executor of the ESTATE OF KATHLEEN POWELL v. INCORPORATED VILLAGE OF ROCKVILLE CENTRE", in Supreme Court, Nassau County, under Index No. 600516/14; and

Whereas, among the terms and conditions of the said settlement is that the Village will waive and cancel any tax liens held or owned by the Village of Rockville Centre with respect to unpaid Village property taxes for the property located at 83 Clinton Avenue, Rockville Centre, New York, and also known as Section 38, Block 189, Lot 17 on the Nassau County Land and Tax Map; and

Whereas, by virtue of a tax lien sale held in May 2015, the Village of Rockville Centre is the owner and holder of such a lien in the amount of \$724.49 for the tax year 2014/2015, plus interest accrued to date; and

Whereas, the Village of Rockville Centre also is the owner and holder of such a lien in the amount of \$675.28 for unpaid taxes, penalties, interests and costs through

March 10, 2016 for the tax year 2015/2016, which lien has not been the subject of a tax lien sale as provided by law;

Now, therefore, be it

**RESOLVED**, in consideration of the aforesaid settlement of litigation,

that the Board of Trustees of the Village of Rockville Centre hereby consents that the aforesaid 2014/2015 tax lien be cancelled, and marked satisfied of record; and it is further

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RESOLVED, in consideration of the aforesaid settlement of litigation, that the Board of Trustees further consents that the aforesaid unpaid taxes for the 2015/2016 tax year, including any interest and penalties thereon, be cancelled; and it is further

RESOLVED, that the Village Clerk-Treasurer is hereby directed to mark the records of the aforesaid tax liens and unpaid taxes for the said property for the foregoing tax years to reflect that such liens and unpaid taxes are cancelled and satisfied on the Village tax records.

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On motion of Trustee Oppenheimer, duly seconded by Trustee Sepe and carried by a vote of four to none, the board adopted the following resolution for settlement of a property damage subrogation claim from Merchants Insurance Company:

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Whereas the Village of Rockville Centre has receive a property damage subrogation claim from Merchants Insurance Group (Village SIR053955) on behalf of its insured, DP Sales Distributors, Inc. for a claimed loss arising out of an accident involving Village vehicle on March 31, 2015 in the amount of \$12,090.11; and

Whereas, after due investigation of the said claim, the Village's claims representative, Claims Service Bureau, has recommended settlement of the said claim by payment from the Village in the amount of 11,887.40; and

Whereas, no notice of claim has been received with respect to claims arising out of the said accident except as aforesaid, and in light of the facts and circumstances of the accident it is not likely that any such claims can be made at this time; and

Whereas, the Board of Trustees has considered the said claim and recommendation, and finds and determines that it is reasonable and proper for the Village to settle the said claim as recommended,

NOW, THEREFORE, BE IT

RESOLVED, that the Board of Trustees hereby authorizes Claims Service Bureau to settle the aforesaid property damage subrogation claim in the sum of \$11,887.40 in exchange for such releases as Claims Service Bureau determines are appropriate and reasonable.

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There being no other business, on motion of Trustee Oppenheimer, duly seconded by Trustee Howard and carried by a vote of four to none, the Board voted to adjourn the Public Briefing at 8:00 pm.

April 4, 2016

Rockville Centre, New York

The Regular Meeting of the Board of Trustees was held on the above date in Village Hall. Mayor Francis X. Murray opened the meeting at 7:00 p.m.

**PRESENT:** Mayor Francis X. Murray, Trustees Nancy Howard, Edward J. Oppenheimer, Michael Sepe and Emilio F. Grillo

**ALSO PRESENT:** Village Administrator Kathleen Murray, Village Administrator/Comptroller Michael Schussheim, Village Attorney A. Thomas Levin, Superintendent of Recreation Anthony Brunetta, Police Commissioner Charles Gennario, Fire Chief Robert J. Seaman, Supervisor of Water Distribution Kevin Reilly, Superintendent of Buildings Daniel Casella, Director of Information Technology John Peters, Superintendent of Electric Phil Andreas, Director of Senior Services Chris O'Leary, Deputy Director of Senior Services Wendy Weinstock, Deputy Clerk/Treasurer Mary Schmeling, Public Relations Counsel Julie Grilli, Director of Public Works Administration Gwynne Feiner, Director of Public Works Operations John Thorp, Secretary to the Board Lisa Butler

**ATTENDANCE:** Approximately 29 people

Mayor Francis X. Murray asked Joseph W. Busching to lead the Pledge of Allegiance.

Mayor Francis X. Murray announced that the Village Board has supported his recommendation to appoint Kathleen Murray as Rockville Centre's new Administrator/Clerk-Treasurer.

Mayor Francis X. Murray appointed Kathleen Murray as Clerk/Treasurer effective March 14, 2016

On motion by Trustee Oppenheimer and duly seconded by Trustee Howard and unanimously carried, said appointment was approved.

Mayor Francis X. Murray appointed Kathleen Murray as Village Administrator effective March 14, 2016

On motion by Trustee Sepe and duly seconded by Trustee Howard and unanimously carried, said appointment was approved.

Mayor Francis X. Murray spoke on another favorable article that was published in the Wall Street Journal on Saturday April 2, 2016, titled "Rockville Centre: An Urban New York Suburb". The article highlighted the Village's diverse downtown, parks and recreation amenities, our top notch schools, proximity to Manhattan, our abundant selection of dining and entertainment, and booming real estate market.

Mike Sepe introduced Karen Polito as April's Employee of the Month. Karen Polito has been a full time staff member of the Recreation Center for the past two years. Karen worked for the Village of Rockville Centre on a part time basis for 15 years as our Tennis Instructor and is currently Supervisor of the Nursey School program.

Supervisor of Water Distribution Kevin Reilly informed the public on the scheduled 2016 Hydrant Flushing they will be performing for in the Month of April.

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Mayor Francis X. Murray opened a Public Hearing regarding Proposed Bill 1603. A local law to amend the Code of the Village of Rockville Centre in relation

to swimming pools on corner lots.

After hearing all interested persons in attendance, on motion of Trustee Howard, duly seconded by Trustee Oppenheimer and unanimously carried, the Board voted to close the Public Hearing regarding proposed local law RVC 1603.

On motion of Trustee Oppenheimer, duly seconded by Trustee Howard and unanimously carried, the Board voted to approve proposed Bill RVC 1603 as Local Law 2 of 2016. A copy of the local law is on file with these minutes.

Mayor Francis X. Murray opened a Public Hearing regarding Proposed Bill RVC 1604. A local law to amend the Code of the Village of Rockville Centre in relation to the definition of "building height".

After hearing all interested persons in attendance, on motion of Trustee Howard, duly seconded by Trustee Oppenheimer and unanimously carried, the Board voted to close the Public Hearing regarding proposed Bill RVC 1604.

On motion of Trustee Sepe, duly seconded by Trustee Oppenheimer and carried, the Board voted to approve proposed Bill RVC 1604 as Local Law 3 of 2016. A copy of the local law is on file with these minutes.

After discussion of the proposed budget, on motion of Trustee Howard, duly seconded by Trustee Oppenheimer and carried, the Board approved the 2017 Tentative Budget, as amended, and adopted the following Resolution.

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RESOLVED, that the tentative budget as amended and revised and as hereinafter set forth is hereby adopted and that the several amounts stated in the column titled "Adopted" be and they hereby are, appropriated for the objects and purposes specified and the salaries and wages stated in such budget, shall be and are hereby fixed at the amounts shown therein, effective June 1, 2016, at the tax rate of \$48.27 per \$100.00 of total net assessed valuation. All fees shall be established pursuant to the revised Village fee schedule. Furthermore, fund balance measures the net financial resources available to finance expenditures within current and/or future fiscal years. Under the Village's Fund Balance Policy, the Board of Trustees, Village Comptroller and Village Purchasing Agent are responsible for assigned fund balance and the order of spending in various fund balance categories. The Board of Trustees recognizes the importance of maintaining an adequate level of unassigned fund balance in the General Fund and will endeavor to implement financial policies to accomplish same.  
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A copy of the adopted budget and fee schedule is filed with these minutes.

On motion of Trustee Oppenheimer, duly seconded by Trustee Grillo and unanimously carried, the Board voted to approve, and authorized the Mayor to sign, the Community Development Block Grant Subrecipient Agreement between the County of Nassau and Village of Rockville Centre.

On motion of Trustee Howard, duly seconded by Trustee Grillo and unanimously carried, the Board voted to approve, and authorized the Mayor to sign, the



Asset Network for Education Worldwide, Inc. (ANEW) agreement for furniture donation to the Village of Rockville Centre.

On motion of Trustee Grillo, duly seconded by Trustee Oppenheimer and carried, the Board approved a change order in the amount of \$1,215.00 to Talty Construction, Inc. for necessary repairs to a broken water closet, and exhaust fans with heating elements within the units. This repair was necessary in all three toilet rooms.

On motion of Trustee Howard, duly seconded by Trustee Oppenheimer and carried, the Board approved a change order in the amount of \$27,265.00 to Richard W. Gimm, Inc. for road improvements to Arleigh Road and Nottingham Road.

On motion of Trustee Oppenheimer, duly seconded by Trustee Howard and unanimously carried, the Board voted to approve the following resolution to publish a Legal Notice for a Public Hearing regarding Proposed Water Consumption Rates.

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**RESOLUTION**

**Publication of legal notice for public hearing  
Proposed Water Consumption Rates**

**WHEREAS, the Board of Trustees is considering the adoption of new proposed water consumption rates; and**

**WHEREAS, no public hearing is required for the adoption of such rates, but the Board of Trustees wishes to provide a reasonable opportunity for public comment and participation in the process of considering such rates;**

**NOW, THEREFORE,**

**IT IS HEREBY RESOLVED that the Village Administrator shall cause a legal notice to be published in the next available edition of the official paper of the Village of Rockville Centre (the Rockville Centre Herald) to announce that a public hearing will commence on May 9, 2016 at 7:00 pm., with respect to proposed water consumption rates, and shall give such other notice as may be required by law.**

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On motion of Trustee Sepe, duly seconded by Trustee Grillo and unanimously carried, the Board voted to close the following Capital Fund projects.

**Board approval is hereby requested to close the following completed Capital Fund projects. All monies were expended for these projects, hence, there is no transfer to the Debt Service Fund.**

<u>Project #</u>	<u>Project Name</u>	<u>Total Authorization</u>	<u>Available Balance</u>	<u>Date Funded</u>
2010 - 7	Computerization	\$ 105,000	\$ -0-	12/09
2011 - 3	Computer Work Station	55,000	-0-	02/11
2011 - 7	Aerial Truck	170,000	-0-	02/11

2012 - 9	Athletic Fields	750,000	-0-	08/12
2014 - 4	DPW Vehicle	195,000	-0-	10/13
2014 - 6	DPW Vehicle	245,000	-0-	10/13
2014 -12	Lap Top Computers	<u>30,000</u>	<u>-0-</u>	10/13
<b>Total</b>		<b>\$1,550,000</b>	<b>-0-</b>	

On motion of Trustee Howard, duly seconded by Trustee Oppenheimer and unanimously carried, the Board approved the award of a contract for storm sewer repair in the amount of \$50,631.50 to ABC Electric Corp. for emergency overhaul repair and installation of fail-safe system to the Roxen Road storm sewer in-ground pumps and rebuilt motor for the Beverly Road in-ground storm sewer pump.

On motion of Trustee Grillo, duly seconded by Trustee Howard and unanimously carried, the Board voted to approve the professional services contract with D & B Engineers and Architects, P.C. for engineering services for preparation of annual storm water permit for Nassau County Department of Health at a cost not to exceed \$4,800.00-.

On motion of Trustee Oppenheimer, duly seconded by Trustee Howard and unanimously carried, the Board voted to approve the following minutes:

Briefing Session ----- March 3, 2016

Executive Session ----- March 3, 2016

Board Meeting ----- March 7, 2016

April 4, 2016

Rockville Centre, New York

Village Administrator Murray advised that properly advertised Bid No.1612E1(825) SEL Digital Relays & Communications Equipment for the Village of Rockville Centre Purchasing Department and had been opened on December 18, 2015 with the following results:

Relays & Communication Equipment

# 1612E1(825)

3:12/18/2015

15	Vendor			
	Electrical Transmissions Solutions,			

	PLLC		CSA Engineering Services, LLC	
Cost for 751A for 45 Relays	\$ 65,790.00		\$ 70,500.00	
Cost for 351A for 6 Relays	\$ 8,508.00		\$ 8,600.00	
Cost for 700G for 8 Relays	\$ 29,672.00		\$ 29,800.00	
Cost for 300G for 8 Relays	\$ 42,240.00		\$ 42,500.00	
Total Base Bid	\$ 146,210.00		\$ 151,400.00	
5 Optional Bid Items				
Cost for 2730M for 8 units	\$ 14,576.00		14,700.00	
Cost for 8130-01 for 12 units	\$ 2,160.00		2,400.00	
Cost for 3505x & 9322 for 4 s	\$ 3,796.00		3,200.00	
Cost for 2725 for 2 units	\$ 1,198.00		1,200.00	
Cost for 3620 for 2 units	\$ 5,600.00		5,600.00	
Total Optional Bid	\$ 27,330.00		27,100.00	
Design & Configuration		Estimated Hours		Estimated Hours
" not to exceed" cost	58,717.00		79,800.00	
Engineer	\$170.00/ hour	0	\$200.00/hour	150
ineer	\$160.00/hour	296	\$150.00/hour	370
er Postion #1	\$150.00/hour	17	\$125.00/hour	8
er Postion #2	\$120.00/hour	9	No Bid	

The following companies did not respond: Robinson Sales Inc. & Stuart C. Irby Company.

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On motion of Trustee Howard, duly seconded by Trustee Oppenheimer and unanimously carried, the Board awarded the bid to the lowest responsible bidder substantially meeting all required specifications for the base bid relays, namely Electric Transmission Solutions, PLLC (ETS) for items 1-4, for an

expenditure not to exceed \$146,210.00; CSA Engineering Services, LLC for bid items 5-9 for an expenditure not to exceed \$27,100.00; and CSA Engineering Services, LLC for item 10 for an expenditure not to exceed \$63,800.00 (negotiated from \$79,800.00).

Village Administrator Murray announced that the Fire Department had submitted a report regarding changes in department membership as of March 22, 2016. Christopher Boylan resigned from Floodlight Co No 1. Membership is now 342 members. The Junior membership remains at 25 members.

On motion of Trustee Howard, duly seconded by Trustee Oppenheimer and unanimously carried, the Board voted to approve the Fire Department Membership Report.

There being no further business, on motion of Trustee Oppenheimer, duly seconded by Trustee Howard and unanimously carried, the Board voted to adjourn the meeting at 8:12 p.m.

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Kathleen Murray  
Village Administrator/  
Clerk-Treasurer

KM/lb