

October 1, 2015

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 and Emilio F. Grillo

ALSO PRESENT: Village Administrator Keith Spadaro, Village Attorney A. Thomas Levin, Deputy Comptroller Dorothy Hansman, Deputy Village Administrator/Strategic Planning Kathleen Murray, Superintendent of Electric Phil Andreas, Superintendent of Buildings Daniel V. Casella, Deputy Superintendent of Public Works John Thorp, Supervisor of Water Distribution Kevin Reilly, Police Lieutenant Ken Schaefer, Information Technology Director John Peters, Deputy Director of Senior Services Wendy Weinstock, Deputy Clerk/Treasurer Mary Schmeling, Public Relations Counsel Julie Grilli, Secretary to the Board of Trustees Gwynne Feiner

ATTENDANCE: Approximately 2 people

On motion of Trustee Oppenheimer, duly seconded by Trustee Sepe and unanimously carried, the Board voted to approve the following SEQRA Resolution for Bonds for Various Purposes.

STATE ENVIRONMENTAL QUALITY REVIEW ACT RESOLUTION
BONDS FOR VARIOUS PURPOSES

WHEREAS, the Board of Trustees of the Village of Rockville Centre is considering various resolutions for funding of certain construction projects in the Village; and

WHEREAS, pursuant to the State Environmental Quality Review Act (SEQRA) and its implementing regulations, the Lead Agency for each such project is required to conduct some extent of environmental impact review to classify the proposed project and to make a determination of significance with respect thereto; and

WHEREAS, the said projects consist of (a) a new iron filtration plant, (b) improvements to the existing iron filtration plant, and (c) installation of improvements to existing infrastructure related to the Village water supply; and

WHEREAS, the Board of Trustees contemplates the approval of resolutions for funding of one or more of the said projects by issuance of bond anticipation notes and/or serial bonds; and

WHEREAS, the Board of Trustees of the Village of Rockville Centre is the Lead Agency for environmental impact review of each such project, and for the issuance of one or more serial bonds or bond anticipation notes for funding of such projects; and

WHEREAS, the Board of Trustees has reviewed each such project pursuant to SEQRA and considered the nature and extent of each project and other pertinent information with respect to each of them as described hereinafter;

NOW, THEREFORE, BE IT

October 1, 2015

Rockville Centre, New York

RESOLVED, that the Board of Trustees hereby finds and determines that it is the Lead Agency pursuant to SEQRA for environmental impact review of each of the foregoing projects; and it is further

RESOLVED, that the Board of Trustees hereby finds and determines that the projects, and funding thereof, consisting of improvements to an existing iron filtration plant and installation of improvements to existing infrastructure related to the Village water supply each involve one or more of the following characteristics: (a) maintenance or repair involving no substantial changes in an existing structure or facility; (b) replacement, rehabilitation or reconstruction of a facility, in kind, on the same site; (c) street openings and right-of-way openings for the purpose of repair or maintenance of existing utility facilities; and/or (d) extension of utility distribution facilities, including gas, electric, telephone, cable, water and sewer connections to render service in connection with the aforesaid actions, are therefore are each Type II Actions as defined in the SEQRA regulations, as to which no environmental impact review is required; and it is further

RESOLVED, that the Board of Trustees hereby finds and concludes that the foregoing project, and the funding thereof, which involves construction of a new iron filtration facility constitutes an Unlisted Action pursuant to SEQRA; and it is further

RESOLVED, that after review of the said Unlisted Action and a short Environmental Assessment Form completed pursuant to SEQRA, the Board of Trustees hereby finds, concludes and determines that the said Unlisted Action :

(a) would not result in any substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels, nor any substantial increase in solid waste production, nor create a substantial increase in the potential for erosion, flooding, leaching or drainage problems;

(b) would not result in the removal or destruction of large quantities of vegetation or fauna, substantial interference with the movement of any resident or migratory fish or wildlife species, impacts on a significant habitat area, substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species, or other significant adverse impacts to natural resources;

(c) would not impair the environmental characteristics of any Critical Environmental Area;

(d) would not conflict with the community's current plans or goals as official approved or adopted;

(e) would not impair the character or quality of important historical, archeological, architectural or aesthetic resources, or existing community or neighborhood character;

(f) the said Unlisted Action would not result in a major change in the use of either the quantity or type of energy;

(g) would not create a hazard to human health;

October 1, 2015

Rockville Centre, New York

(h) would not create a substantial change in the use, or intensity of use, of land, including agricultural, open space or recreational resources, or in its capacity to support existing uses;

(i) would not encourage or attract large numbers of persons to any place for more than a few days, compared to the number who would come to such place without such action;

(j) would not create changes in two or more elements of the environment, no one of which would have

a significant impact on the environment, but when taken considered together would result in a substantial adverse impact on the environment;

(k) would not create substantial adverse impacts when considered cumulatively with any other actions, proposed or in process;

(l) would not result in substantial adverse impact with respect to any relevant environmental consideration, including noise, aesthetics, traffic, air quality, water quality or adequacy of water supply, drainage, soil conditions, or quality of life in the community in general and the immediate neighborhood in particular; and

(m) would not have a significant adverse environmental impact; and it is further

RESOLVED, that no further environmental review is required with respect to the proposed Unlisted Action.

The Board reviewed the 10-6-15 agenda and the Briefing Session agenda without taking any further action.

On motion of Trustee Oppenheimer, duly seconded by Trustee Sepe and unanimously carried, the Board voted to convene in Executive Session at 6:55 p.m. to obtain legal advice and to discuss pending litigation and the hiring or firing of particular individuals.

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

ALSO PRESENT: Village Administrator Keith Spadaro, Village Attorney A. Thomas Levin, Deputy Village Administrator/Strategic Planning Kathleen Murray

On motion of Trustee Sepe, duly seconded by Trustee Grillo and unanimously carried, the Board voted to return to Public Briefing at 7:40 p.m.

On motion of Trustee Howard, duly seconded by Trustee Oppenheimer and unanimously carried, the Board voted to authorize Claims Service Bureau to negotiate a settlement regarding the claim of DP Sales Distribution within the parameters discussed in Executive Session.

On motion of Trustee Grillo, duly seconded by Trustee Oppenheimer unanimously carried, the Board voted to adjourn the meeting at 7:42 p.m.

October 6, 2015

Rockville Centre, New York

The Board of Trustees held a Public Briefing Session at 6:30 p.m. on the above date.

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

ABSENT: Trustee Michael Sepe

ALSO PRESENT: Village Administrator Keith Spadaro, Village Attorney A. Thomas Levin, Deputy Village Administrator/Strategic Planning Kathleen Murray

On motion of Trustee Oppenheimer, duly seconded by Trustee Grillo and carried by a vote of four to none the Board voted to convene in Executive Session at 6:32 p.m. for the purposes of obtaining legal advice from counsel, and discussing pending and prospective litigation.

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

ABSENT: Trustee Michael Sepe

ALSO PRESENT: Village Administrator Keith Spadaro, Village Attorney A. Thomas Levin, Deputy Village Administrator/Strategic Planning Kathleen Murray

On motion of Trustee Oppenheimer, duly seconded by Trustee Grillo and carried by a vote of four to none, the Board voted to return to Public Briefing and adjourn the meeting at 7:30 p.m.

October 6, 2015

Rockville Centre, New York

The Regular Meeting of the Board of Trustees was held on the above date in Village Hall. Mayor Murray opened the meeting at 7:30 p.m.

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

ABSENT: Trustee Michael Sepe

ALSO PRESENT: Village Administrator Keith Spadaro, Village Attorney A. Thomas Levin, Deputy Village Administrator/Strategic Planning Kathleen Murray, Deputy Comptroller Dorothy Hansman, Police Commissioner Charles Gennario, Deputy Superintendent of Public Works John Thorp, Superintendent of Electric Philip Andreas, Superintendent of Recreation Anthony Brunetta, Superintendent of Buildings Daniel Casella, Deputy Superintendent of Buildings Thomas Domanico, Director of Information Technology John Peters, Director of Senior Services Chris O'Leary, Deputy Director of Senior Services Wendy Weinstock, Deputy Clerk/Treasurer Mary Schmeling, Public Relations Counsel Andy Robles, Secretary to the Board of Trustees Gwynne Feiner

ATTENDANCE: Approximately 51 people

Mayor Murray led the pledge of allegiance.

Mayor Murray introduced Chris Horvath, Construction Manager for 274-284 Sunrise Highway representing landlord Vincent Giffuni and Sun Rock Building Corporation. Mayor Murray presented a Proclamation to the owners for renovating the façade of the shopping center.

Mayor Murray introduced Trustee Oppenheimer. Trustee Oppenheimer read a Proclamation declaring October as Bullying Awareness Month in Rockville Centre. Trustee Oppenheimer introduced Youth Officer Nicholas DeLuca. Officer DeLuca discussed the Police Department's commitment to the cessation of bullying in Rockville Centre.

Mayor Murray introduced Deputy Mayor Nancy Howard. Deputy Mayor Howard read a Proclamation declaring October as Breast Cancer Awareness Month in Rockville Centre.

Mayor Murray introduced Hector Garcia from the LIRR. Mr. Garcia discussed the upcoming station renovation at the Rockville Centre Long Island Rail Road train station. The main staircase and escalator will be under construction for 6 months beginning November 4, 2015.

Deputy Village Administrator Kathleen Murray gave an update regarding the rehabilitation of Water Tower #1 and the iron filtration plant and planned construction of an iron filtration plant at Water Tower #2 on Maple Avenue.

October 6, 2015

Rockville Centre, New York

ACB Case #07-2015 200 Hempstead Ave. St. Mark's United Methodist Church

Building Superintendent Daniel Casella introduced Todd O'Connell, architect for St. Mark's United Methodist Church. The owners are seeking to construct a new Single Family Dwelling at 200 Hempstead Ave. Mr. O'Connell presented the plans to the Board for their review and questions.

After hearing all persons who wished to be heard, on motion of Trustee Howard, duly seconded by Trustee Oppenheimer and carried by a vote of four to none, the Board voted to close the Public Hearing with respect to 200 Hempstead Ave.

For details of the comments and discussions from the Board and public please refer to the DVD.

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 Exterior Design Review Case #07-2015.

ACB Case #08-2015 330 Princeton Rd. Evergreen Land Group, LLC

Building Superintendent Daniel Casella introduced Todd O'Connell, architect for Evergreen Land Group, LLC. The owners are seeking to construct a new Single Family Dwelling at 330 Hempstead Ave. Mr. O'Connell presented the plans to the Board for their review and questions.

After hearing all persons who wished to be heard, on motion of Trustee Oppenheimer, duly seconded by Trustee Howard and carried by a vote of four to none, the Board voted to close the Public Hearing with respect to 330 Princeton Rd.

For details of the comments and discussions from the Board and public please

refer to the DVD.

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 Exterior Design Review Case #08-2015.

ACB Case #09-2015 30 Richmond Rd. Richmond Land Group, LLC

Building Superintendent Daniel Casella introduced Todd O'Connell, architect for Richmond Land Group, LLC. The owners are seeking to construct a new Single Family Dwelling at 30 Richmond Rd. Mr. O'Connell presented the plans to the Board for their review and questions.

After hearing all persons who wished to be heard, on motion of Trustee Howard, duly seconded by Trustee Grillo and carried by a vote of four to none, the Board voted to continue the Public Hearing with respect to 30 Richmond Rd. at the next regular Board Meeting scheduled for November 2, 2015 at 7:00 p.m.

For details of the comments and discussions from the Board and public please refer to the DVD.

October 6, 2015

Rockville Centre, New York

Village Administrator Spadaro opened a Public Hearing regarding Proposed Bill RVC 1508. A local law to amend the Code of the Village of Rockville Centre, in relation to prohibiting sale, dispensing, consuming or use of electronic cigarettes on non-residential premises.

Attorney John Turano, representing Attorney Bruce Migitz and their client Clean Vaper, made comments and read a letter from Dr. Andrew A. Hararah. After hearing all interested persons in attendance, on motion of Trustee Howard, duly seconded by Trustee Grillo and carried by a vote of four to none, the Board voted to continue the Public Hearing regarding proposed local law RVC 1508 at the next regular Board meeting to be held on November 2, 2015 at 7:00 p.m.

For details of the comments and discussions from the Board and public please refer to the DVD.

On motion of Trustee Grillo, duly seconded by Trustee Howard and carried by a vote of four to none, the Board voted to accept the Department of Energy (DOE) Grant for Resilient Electricity Delivery Infrastructure (REDI) for up to \$600,000.00 in project co-funding, and authorized the Mayor to execute any necessary documents in the forms approved by the Village Attorney.

On motion of Trustee Oppenheimer, duly seconded by Trustee Grillo and carried by a vote of four to none, the Board voted to approve the Professional Services Contract with Navigant Consulting, Inc. to assist with Project Management and develop required reports for DOE 50-50 Grant for Resilient Electricity Delivery Infrastructure (REDI) Initiative at a cost not to exceed \$80,840.00-.

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 Professional Services Contract with Advanced Control Systems, Inc. (ACS) to replace the SCADA System and six (6) Remote Terminal Units (RTUs) at a cost not to exceed \$150,211.00 for DOE 50-50 Grant for Resilient Electricity Delivery Infrastructure (REDI) Initiative.

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 Professional Services Contract with CSA Engineering Services, LLC for relay engineering-design, settings, testing and installation support at a cost not to exceed \$200,450.00- for Resilient Electricity Delivery (REDI) Initiative.

On motion of Trustee Grillo, duly seconded by Trustee Oppenheimer and carried by a vote of four to none, the Board voted to approve the Professional Services Contract with Navigant Consulting, Inc. to assist with the development of cyber security plan for DOE Grant for Resilient Electricity Delivery Infrastructure (REDI) at a cost not to exceed \$44,968.

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 attendance of Michael Kirwan at Grade 1 Adv. Ops and Grade 1 Supervisor Courses in Plainview, NY on Monday nights from 2/22/16 through 6/16/16 at a cost not to exceed \$1,329.95.

October 6, 2015

Rockville Centre, New York

On motion of Trustee Grillo, duly seconded by Trustee Howard and carried by vote of four to none, the Board voted to approve the following Bond Resolution for Water System Improvements.

BOND RESOLUTION OF THE VILLAGE OF ROCKVILLE CENTRE, NEW YORK,
ADOPTED OCTOBER 6, 2015, AUTHORIZING THE CONSTRUCTION OF WATER
SYSTEM IMPROVEMENTS, STATING THE ESTIMATED MAXIMUM COST
THEREOF IS \$5,000,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE,
AND AUTHORIZING THE ISSUANCE OF BONDS OF THE VILLAGE IN THE
PRINCIPAL AMOUNT OF \$5,000,000 TO FINANCE SAID APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF ROCKVILLE CENTRE, IN THE COUNTY
OF NASSAU, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the
members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Rockville Centre, in the County of Nassau, New York (herein called the
"Village"), is hereby authorized to construct water system improvements, including, but not limited to, the construction
of a new iron filtration plant, upgrades to the existing iron filtration plant and improvements to existing water system
infrastructure. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the
financing thereof, is \$5,000,000 and said amount is hereby appropriated for such purpose. The plan of financing
includes the issuance of bonds of the Village in the principal amount of not to exceed \$5,000,000 to finance said
appropriation, and the levy and collection of rents and charges to pay the principal of and interest on said bonds as the
same shall become due and payable.

Section 2. Bonds of the Village in the principal amount of not to exceed \$5,000,000 are hereby
authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the
Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the purpose for which said bonds are authorized are
to be issued, within the limitations of Section 11.00 a. 1 of the Law, is forty (40) years.

(b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation
of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution

for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

October 6, 2015

Rockville Centre, New York

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and Section 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of credit enhancement agreements, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to publish or cause to be published, in full, in "*The Rockville Centre Herald*," a newspaper having a general circulation within said Village and hereby designated the official newspaper of the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the following form:

October 6, 2015

Rockville Centre, New York

On motion of Trustee Howard, duly seconded by Trustee Grillo and carried by a vote of four to none, the Board voted to approve the following resolution to adopt corrected text of Proposed Local Law 8-2015. A copy of the Local Law is on file with these minutes.

RESOLUTION TO ADOPT CORRECTED TEXT OF PROPOSED LOCAL LAW

Whereas, on September 8, 2015, the Board of Trustees held a public hearing with respect to the adoption of proposed local law RVC 1507 and, after completing the said public hearing, voted unanimously to adopt the proposed law as Local Law 8-2015; and

Whereas, subsequent to the foregoing events, and before the local law was filed with the New York State Secretary of State as a prerequisite to the law being effective, it came to the attention of the Board of Trustees that there was an error in the text of the proposed law with respect to the definition of "Director", which inadvertently referred to a position which no longer exists in the Village; and

Whereas, the Board of Trustees wishes to correct the said error, and insert a correct definition for the term "Director", and to adopt the corrected version of the law in the place and stead of the version adopted on September 8, 2015; and

Whereas, the Board of Trustees has had the corrected text of the proposed law in its possession for more than the minimum required number of days,

Now, therefore, it is

RESOLVED, that the action of the Board of Trustees at its September 8, 2015 meeting to adopt proposed local law RVC 1507 be, and hereby is, rescinded *ab initio*, and it is further

RESOLVED, that the Board of Trustees finds that the correction which has been made to the text of that proposed local law is not a material change in the proposed law, and that no further public hearing is required with respect to the corrected text, and it is further

RESOLVED, that the Board of Trustees hereby adopts the corrected text of Bill RVC 1507 as Local Law 8-2015 and authorizes the filing of such corrected text with the New York State Secretary of State.

October 6, 2015

Rockville Centre, New York

On motion of Trustee Oppenheimer, duly seconded by Trustee Grillo and carried by a vote of four to none, the Board voted to approve the attendance of Police Commissioner Charles Gennario at the IAACP Conference in Chicago, IL from 10-2-15 through 10-28-15 at a cost not to exceed \$2,310.00-.

On motion of Trustee Grillo, duly seconded by Trustee Howard and carried by a vote of four to none, the Board approved the Professional Services Contract with H2M Architects, Engineers, Land Surveying and Landscape Architecture, D.P.C. for semi-annual storage tank inspections at a cost not to exceed \$12,000.00-.

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 attendance of RVC Fire Department Chief Robert Seaman and RVCFD Member P. Stuyvesant, J. Griffin, S. Rakeman, C. Geraghty and T. Walsh at the final inspection of new aerial ladder in Appleton, WI from 10/29/15 through 10/30/15 at a cost not to exceed \$3,510.00-.

On motion of Trustee Oppenheimer, duly seconded by Trustee Grillo and carried by a vote of four to none, the Board voted to approve the following minutes:

Briefing Session -----	September 3, 2015
Executive Session -----	September 3, 2015
Board Meeting -----	September 8, 2015
Executive Session -----	September 8, 2015

Village Administrator Spadaro advised that properly advertised Bid #1609CP1(820) Village Hall Exterior Rehabilitation was opened on September 17, 2015 with the following results.

The following companies did not respond: Outer County Construction, Sea Breeze General Contractors, NJK Contractors Inc., Benchmark Construction Group, Inc., iSqFt Inc., AFL Construction Co. and BWP General Construction, Inc.

<u>VENDOR</u>	<u>COST</u>
Talty Construction	\$281,000.00

On motion of Trustee Howard, duly seconded by Trustee Grillo and carried by a vote of four to none, the Board voted to award the bid to the sole bidder substantially meeting all required specifications, namely Talty Construction, Inc., for a total expenditure after negotiations not to exceed \$279,000.00-.

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 following resolution rejecting the Bid for the Sign Shop Van.

RESOLUTION REJECTING BIDS – SIGN SHOP VAN

Whereas, the Village of Rockville Centre has solicited competitive bids [BID NO. 1608DPW1(817)] for purchase of a Walk In Step Van for Village of Rockville Centre Department of Public Works pursuant to the provisions of General Municipal Law Article 5-A; and

October 6, 2015

Rockville Centre, New York

Whereas, one sealed bid has been received pursuant to such solicitation and has been reviewed, and

Whereas, the said review has disclosed that the bid received did not conform to the required specifications, and contained material deviations from such specifications, and

Whereas, the Board of Trustees hereby finds that it is in the best interest of the Village to reject all bids received in response to this solicitation, and advertise for competitive bids for this project at a future date,

NOW, therefore, it is

RESOLVED, that the Board of Trustees of the Village of Rockville Centre hereby finds and concludes that all bids submitted in response to Bid Solicitation 1608DPW1(817) should be, and hereby are, rejected.

Village Administrator Spadaro announced that the Fire Department had submitted a report regarding changes in department membership as of September 22, 2015. They had no changes in Department membership. Membership is at 341 members. The following joined the Junior Fire Department: James Garrett, Michael

Murray and Ryan Russell. The Junior Membership is now 20.

On motion of Trustee Oppenheimer, duly seconded by Trustee Grillo and carried by a vote of four to none, the Board voted to approve the Fire Department Membership Report.

This concluded the business portion of the meeting. For a verbatim record, and for the special comment period, please refer to the DVD.

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 meeting at 10:40 p.m.

Keith Spadaro
Village Administrator

KS/gf

October 6, 2015

Rockville Centre, NY

Local Law 8-2015

A local law to amend the Code of the Village of Rockville Centre, in relation to regulation of activities in Village parks.

Section one. The Code of the Village of Rockville Centre is hereby amended, by adding thereto a new chapter, to be Chapter 241, to read as follows:

“Chapter 241. PARKS

§241-1. Definitions. Unless otherwise expressly provided, as used in this chapter the following words shall have the meaning herein indicated:

Adult. A person 18 years of age or older.

Board. The Village Board of Trustees.

Director. The Superintendent of the Village Department of Public Works.

Park or Parks. Includes all parks, playgrounds, athletic field and other recreation areas and facilities under the jurisdiction of the Village.

Person. An individual person or an entity.

Village. The Village of Rockville Centre.

§241-2. Applicability. Use of the parks in the Village shall be subject to the provisions of this chapter. All other provisions of this Code also shall be applicable except where expressly provided otherwise in this chapter, or where such other Code provision is inconsistent with a provision of this chapter; in the event of any inconsistency, the provisions of this chapter shall prevail.

§241-3. Regulations.

A. The Director may issue such regulations for the use of a park or parks as the Director shall determine to be appropriate for the protection of the public health, safety and general welfare. No such regulation may be inconsistent with any provision of this chapter. Each such regulation shall be deemed to be enforceable as if it were a provision of this chapter and set forth herein.

B. The Board of Trustees shall have authority, by resolution, to alter, amend or repeal any regulation issued by the Director pursuant to this chapter.

§241-4. Advertising. Except with the written permission of the Director or pursuant to regulation issued by the Director, no person shall post, distribute, cast or leave about any bills, placards, tickets, handbills, circulars, advertisements in any form or any other matter for advertising purposes directly in or in the immediate vicinity of any park.

§241-5. Alcoholic beverages. Except with the written permission of the Director or pursuant to regulation issued by the Director, no person shall bring into any park, nor consume or possess in any park with the intent to consume, any liquor, ale, beer, wine, spirits or other alcoholic beverages in a keg, case, can, bottle or other container.

§241-7. Smoking in parks. No person shall smoke or carry any lighted smoking substances, including but not limited to cigarettes, cigars, pipes and the like, in or at any park within the Village, except in designated smoking areas established by regulation of the Director.

§241-8. Animals. No person shall bring or harbor any animal in any park except as authorized by regulations with respect thereto as may be promulgated by the Director. A person owning or having custody of any animal shall not cause or permit such animal to enter or be in any park in violation of such regulations, nor shall such person commit any act in violation of such regulations.

October 6, 2015

Rockville Centre, NY

§241-9. Bathing regulations. No person shall bathe, wade or swim, or engage in any aquatic or recreational activities, in any waters within any park except at such times and places, in such proper attire, and in such time, place or manner, as authorized by regulation promulgated by the Director.

§241-10. Disorderly Conduct in a Park.

A. No person shall perform any act in violation of this chapter or any regulation lawfully issued pursuant to this chapter.

B. No person shall disobey a lawful order of a police officer, peace officer, law enforcement officer or any person authorized to enforce the provisions of this chapter, or any person employed in the Village Recreation Department in a supervisory capacity.

C. No person shall perform any act in violation of instructions on any park sign; throw stones or other missiles; interfere with, encumber, obstruct or render dangerous any drive, road, path, walk or area of a park; climb upon any wall, fence, shelter, cabana or other structure not intended as climbing apparatus; enter or leave any park area except at established entrances or exits; introduce, carry or fire any fireworks; engage in, instigate, aid or encourage a contention or fight, whether or not a ring or prizefight; assault any person; spit on any walk, platform or stairway; or urinate or defecate except in public restrooms.

D. No person shall make or permit the making of excessive or unreasonable noise which would create a nuisance and prevent park patrons or residents of the area surrounding the park from participating in their usual activities.

§241-11. Fires.

A. No fire shall be permitted in any park except as authorized by the regulations promulgated by the Director or with the written permission of the Director.

B. Except as authorized by such regulations or written permission of the Director, no person shall kindle, build, maintain or use a fire anywhere within any park. Where a fire is authorized by such regulation or permission, each such fire shall be continuously under the care and direction of an adult from the time it is kindled until it is extinguished, and no fire shall be built within 10 feet of any tree or building, or beneath the branches of any trees or in any underbrush.

D. No person shall throw away or discard any lighted match, cigar, cigarette or other lighted object, and all such objects shall be deposited in suitable receptacles. No shall dump, lay or place or dispose of any hot coals, ashes or embers except in suitable receptacles.

§241-12. Fishing. Fishing is prohibited in any park area except where authorized by regulation promulgated by the Director or with the written permission of the Director.

§241-13. Games. The following activities are prohibited in any park except in areas where authorized by the Director: throwing or using any type of ball, bean bag, frisbee, knife, missile or other object; playing any ball game; flying any model aircraft of any size; engaging in kite flying or model boating; riding bicycles, scooters, go-carts, motor bikes, motorcycles, beach buggies or other such vehicles other than on roads; roller skating, skate-boarding; engaging in archery; using air rifles, pistols, BB guns or any type of firearm or other such device or instrumentality which may create a hazard to person or property or which may cause a nuisance or discomfort to any person.

§241-14. Loss, damage or theft. The Village is not responsible for loss, damage or theft of motor vehicles or other personal property brought into any park, unless said property is received by persons authorized by the Village and at designated facilities provided for that purpose under a written agreement with the Village, and in the event of receipt by such authorized person in no event shall the Village's liability exceed the sum of \$150. Persons checking clothing and parking motor vehicles as authorized herein do so at their own risk and without any liability on the part of the Village except as provided herein.

October 6, 2015

Rockville Centre, NY

§241-15. Opening and closing. The regulations promulgated by the Director may include provisions with respect to the dates and times when any park is open to the public, and any such dates and times shall be posted at the park. No person shall be in any park without the written permission of the Director at any time when such park is closed to the public. The Director is authorized to pen or close any park at any time, in the sole discretion of the Director, for emergency, health or safety reasons.

§241-16. Payment of charges. Where a fee is applicable for the use of any park or any facility in a park, no person shall use or attempt to use or gain admittance to such park or facility unless such person first shall have paid any such charges or fees.

§241-17. Prohibition against use or landing of airborne vehicles. Except as authorized by regulation or written permission issued by the Director, no person shall voluntarily use or land any airborne vehicle, object or apparatus in any park.

§241-18. Protection of property. .No person shall injure, deface, displace, remove, fill in, raze, destroy or tamper with any park property, drive, path or walk; take up, remove or carry away trees, shrubs, turf or other material; remove, deface or destroy any structure, building or any appurtenances connected with the park or any other property or equipment, real or personal owned by the Village or others under the jurisdiction and control of the Village.

§241-19. Refuse and garbage. No person shall take, carry, leave, throw, lay, drop, discard or in any manner discharge any cans, bottles, broken glass, refuse, garbage, rubbish or waste or debris into or on any park. All such materials shall be placed in receptacles provided for that purpose.

§241-20. Restrictions on taking photographs. Except as authorized by law or regulation, or with the written permission of the Director, no person shall take, cause to be taken, or assist to be taken any photograph or other visual or video record for commercial purposes.

§241-21. Structures, platforms, picnics, outings and special events. Except as authorized pursuant to regulation or with the written permission of the Director, no person shall erect any structure, stand or platform, hold any meetings, perform any ceremony, make a speech or address, give or exhibit any performance or form any parade or procession in any park, unless authorized by the Board or Director.

§241-26. Traffic control. In addition to any other applicable provisions of this Code, no person shall operate or park a vehicle in any park except as authorized by regulation promulgated by the Director, or by rule or regulation adopted by resolution of the Board of Trustees. It shall be unlawful for the operator of any to disobey the direction of any sign or marking relating to traffic control in any Village which shall be placed in accordance with any such provision, rule or regulation.

A. Except as otherwise posted, the speed limit applicable to any vehicle authorized to be operated in any park shall be 15 miles per hour.

B. Driving instruction of persons operating motor vehicles, motorcycles or minibikes, either under a New York State learner's permit or otherwise, is prohibited in all parks.

C. No person shall solicit for hire passengers in any park.

D. Hitchhiking is prohibited in any park.

E. Obstruction of traffic by vehicle or otherwise, except in case of emergency, is prohibited.

F. Exemption of emergency and municipally owned or leased vehicles and equipment. Nothing herein contained shall be construed to prohibit the standing, parking or operation of police or fire vehicles, ambulances and other emergency vehicles or government owned or leased vehicles and equipment when being operated or parked or otherwise used in connection with an emergency.

October 6, 2015

Rockville Centre, NY

§241-27. Miscellaneous restrictions. Except where authorized by regulation or written permission of the Director:

A. no person under the age of 10 years shall be admitted to a park unless accompanied by an adult who shall assume full responsibility for his or her safety and conduct.

B. no person shall use park property for business or professional purposes, including the sale or offering for sale of any goods or the rendering of or offer to render any service for a fee or for the purpose of soliciting alms or contributions.

§241-28. Unhygienic activities. No person shall use any water fountain, drinking fountain, sprinklers, reservoir, lake or any other water contained in a park for the purpose of washing or cleaning any person, or the clothing or personal belongings of any person. This section shall not apply to those areas or facilities within a park which are specifically designated for personal hygiene purposes (i.e., bathroom, shower room, wash basins, etc.); provided, however, that no person shall wash clothes or personal belongings in such areas, nor shall any person who has not been using a facility in a manner authorized by this chapter for park or recreational purposes use a shower room or other facility for personal hygiene purposes.

§241-29. . Penalties for offenses.

A. Any person found to violate any of the provisions set forth in this chapter, or any regulation issued by the Director pursuant to this chapter, shall be guilty of a violation punishable by a fine as provided herein. In addition, where such violation results in damage to the property of any person, a person found to have committed such violation may be required to make restitution in whole or in part to the owner of such property.

B. Each offense against any provision of this chapter or such regulation shall constitute a separate violation.

C. Upon conviction of an offense as provided herein, a person shall be subject to the following fine:

(1) A first offense within any period of ninety days shall be punishable by a fine of not less than \$50 nor more than \$250 or by imprisonment for a period not exceeding 5 days for each offense, or by both such fine and imprisonment;

(2) A second offense within such period of ninety days shall be punishable by a fine of not less than \$100 nor more than \$350 or by imprisonment for a period not exceeding 10 days for each offense, or by both such fine and imprisonment;

(3) Each additional offense within such period of ninety days shall be punishable by a fine of not less than \$150 nor more than \$500 or by imprisonment for a period not exceeding 15 days for each offense or by both such fine and imprisonment.

Section two. Any local law or provision of the Code of the Village of Rockville Centre in conflict with this local law is hereby repealed to the extent of such conflict, except that such repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of such local law, ordinance or resolution prior to the effective date of this local law. Notwithstanding the foregoing, any existing rule or regulation regarding activity in Village parks, as promulgated by the Director of the Village Recreation Department or any other Village official or body or as currently displayed at any Village park or recreation facility, is hereby adopted and reaffirmed as a valid rule or regulation until amended, superseded or repealed by a rule or regulation adopted pursuant to this local law.

October 6, 2015

Rockville Centre, NY

Section three. If any clause, sentence, paragraph, section, article, or part of this local law shall be adjudged to be invalid by any court of competent jurisdiction, such judgment shall not affect, impair or invalidate any other part of this local law, or the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, article, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section four. This local law shall take effect immediately upon adoption and filing pursuant to the Municipal Home Rule Law.

