

**DRAFT MINUTES – TO BE REVIEWED AND APPROVED AT A FUTURE
BOARD OF TRUSTEES MEETING**



**Minutes
Business Meeting
April 19, 2010**

1. Approved: Minutes of March 15, 2010
2. Tabled: Code change - Article XVI – Steep Slope Conservation
3. Tabled: Code change on Section 220-29 sketch plans.
4. Approved: Code change for Chapter 213A – Feeding of Waterfowl.
5. Approved: The 2010 –2011 Budget as presented by Treasurer Pearce on April 12, 2010.
6. Approved: The soil boring test work to be done by the low bidder EEA for the country club cold storage and maintenance building project - not to exceed \$9,800.00, funds to be taken from the PJCC reserve account.
7. Approved: The repair of the Barnum Avenue crosswalks (Barnum and Maple and Barnum and Oakes) at \$14,356.00.
8. Approved: Repair Truck #16 (1995 Autocar 10 wheel dump truck) by replacing the body with a stainless steel body for an estimated amount of \$20,772.00 to correct this problem immediately as this truck is a main line vehicle for snow and leaf and brush program.
9. Approved: Purchase and installation of a new stake body bed with a lift gate, at a cost of \$13,515.13.
10. Approved: Parking Committee recommendation of one pass for each business to December 31, 2010.
11. Approved: to... Bruce Passarelli and Barbara Blend (?).
12. Approved: Re-hire Joseph Arias Jr. at an hourly salary of \$8.00/ hour to May 17, 2010.
13. Approved: Re-hire Kevin Goodwin at the PJCC effective May 1, 2010 at a salary of \$8.00/hour.
14. Approved: Award the Village Hall Carpeting work to Cappy's Carpet with a lump sum price of \$22,640.00 and an alternate price of \$17,800.00.
15. Approved: Request of Brian Meehan to erect a tent on May 16, 2010 in the Parking Lot behind Billie's 1890 Saloon to benefit LI 2 Day Walk for Breast Cancer.
16. Approved: Authorize the repair of the electrical feed to the Dickens Lantern located on Wynne Lane per the estimate dated April 16, 2010 at a price not to exceed \$2,500.00.
17. Approved: Request of the Port Jefferson Fire Dept. and permit Village employees to respond to fire alarms during working hours as long as insurance permits.
18. Approved: Request of Brennan Holmes to hold the Annual Christopher J. Malvetti Memorial 3k walk/run on Saturday, June 19, 2010.
19. Approved: Negative Declaration for SEQRA review of proposed issuance of Bonds for Village road repairs.
20. Approved: Bond Resolution authorizing the issuance of serial bonds for the road improvement project and authorizing the submission of a Proposition for approval or disapproval of such bond resolution at the Village Election to be held on June 15, 2010.
21. Approved: Warrants as presented by Treasurer Pearce.
22. Approved: Adjourn the meeting at 10:34pm

PRESENT: Mayor Garant
Trustees Erland, Kessel and Snyder

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Administrator/Clerk Juliano
Village Attorney Warren
Treasurer Pearce
ABSENT: Trustee Dell Aquila

**Meeting was transcribed by a court stenographer and available for
viewing at Village Hall.**

RESOLUTIONS

Business Meeting

- Approve the minutes of March 15, 2010.
**Motion by Trustee Kessel, second by Trustee Erland, to approve the Minutes of March 15, 2010.
Motion approved: 3-0-1 (Trustee Snyder abstained).**
- Steep Slope – Article XVI – Steep Slope Conservation Law; and Section 220-29 sketch plans
**Motion by ____ second by ____ to approve the code change - Article XVI – Steep Slope Conservation
Law. TABLED**
Motion by ____ second by ____ to approve the code change on Section 220-29 sketch plans. TABLED
- Chapter 213A – Feeding of Waterfowl
**Motion by Mayor Garant, second by Trustee Erland, to approve the code change for Chapter 213A –
Feeding of Waterfowl. Motion approved: 4-0.**
- Treasurer Don Pearce presented the Proposed 2010 –2011 Budget on April 12, 2010
**Motion by Mayor Garant, second by Trustee Kessel, to approve the 2010 –2011 Budget as presented
by Treasurer Pearce on April 12, 2010. Motion approved: 3-1 (Trustee Erland voted No).**

Mayor Garant

- Resolution to have the soil boring test work done by the low bidder EEA for the country club cold storage and
maintenance building project...not to exceed \$9,800.00.
**Motion by Mayor Garant, second by Trustee Erland, to approve the soil boring test work to be done
by the low bidder EEA for the country club cold storage and maintenance building project - not to
exceed \$9,800.00, funds to be taken from the PJCC reserve account. Motion approved: 4-0.**
- Barnum Crosswalk Repair (Barnum and Maple and for Barnum and Oakes) at \$14,356.00
**Motion by Mayor Garant, second by Trustee Snyder, to approve the repair of the Barnum Avenue
crosswalks (Barnum and Maple and Barnum and Oakes) at \$14,356.00. Motion approved: 4-0**
- Highway Superintendent Steve Gallagher is recommending emergency repair to Truck #16 (1995 Autocar 10
wheel dump truck)
**Motion by Trustee Snyder, second by Trustee Erland, to repair Truck #16 (1995 Autocar 10 wheel
dump truck) by replacing the body with a stainless steel body for an estimated amount of \$20,772.00
to correct this problem immediately as this truck is a main line vehicle for snow and leaf and brush
program. Motion approved: 4-0.**
- Highway Superintendent Steve Gallagher is recommending the removal of the Tymco air sweeper mounted on
a 1999 Isuzu chassis and the installation of a new stake body bed with a lift gate. The new bed is \$8907.25 and
the new lift gate is \$4607.88. This will become the new sign room and plastic machine truck.
**Motion by Trustee Snyder, second by Mayor Garant, to approve the recommendation of Highway
Superintendent Steve Gallagher regarding purchase and installation of a new stake body bed with a
lift gate, at a cost of \$13,515.13. Motion approved: 4-0.**
- Metered Parking
**Motion by Trustee Erland, second by Trustee Kessel, to extend to meters to 2am effective May 17,
2010. Vote: 2-2.**

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Motion by Trustee Erland, second by Trustee Kessel, to approve Parking Committee recommendation of one pass for each business to December 31, 2010. Motion approved: 4-0.

Motion by Trustee Erland, second by Trustee Kessel, to.... Bruce Passarelli and Barbara Blend (?)... Motion approved: 4-0.

- Tennis professional Joe Arias is requesting permission to re-hire pro shop attendant employee Joseph Arias Jr. at an hourly salary of \$8.00/ hour.

Motion by Trustee Snyder, second by Mayor Garant, to re-hire Joseph Arias Jr. at an hourly salary of \$8.00/ hour to May 17, 2010. Motion approved: 4-0.

- PJCC Golf Pro Bill Mackedon is recommending the re-hiring of Kevin Goodwin, effective May 1 end date Dec. 31 \$8 an hour carts/tournaments

Motion by Trustee Snyder, second by Trustee Erland, to re-hire Kevin Goodwin at the PJCC effective May 1, 2010 at a salary of \$8.00/hour. Motion approved: 4-0.

- Carpet Bid– Open and Competitive bids have been received for the Village Hall Carpeting. Recommendation the job be awarded to the low Bidder Cappy’s Carpet with a lump sum price of \$22640.00 and an alternate price of \$17,800.00

Motion by Trustee Kessel, second by Trustee Erland, to approve the recommendation of Village Administrator/ Clerk Robert Juliano and award the Village Hall Carpeting work to Cappy’s Carpet with a lump sum price of \$22,640.00 and an alternate price of \$17,800.00. Motion approved: 4-0.

- Letter from Brian Meehan requesting permission to install a tent on May 16, 2010 for a fundraiser to be held in the Parking Lot located behind Billie’s 1890 Saloon to benefit Long Island 2 –Day Walk for Breast Cancer.

Motion by Mayor Garant, second by Trustee Kessel, to approve the request of Brian Meehan to erect a tent on May 16, 2010 in the Parking Lot behind Billie’s 1890 Saloon to benefit LI 2 Day Walk for Breast Cancer. Motion approved: 4-0.

- Repair to electric leading to “Dickens Lantern” located by meter on Wynne Lane (near Paces and Ruvo’s) – estimated price of \$2,500.00.

Motion by Erland, second by Trustee Snyder, to authorize the repair of the electrical feed to the Dickens Lantern located on Wynne Lane per the estimate dated April 16, 2010 at a price not to exceed \$2,500.00. Motion approved: 4-0.

- Fire Department - use of drivers

Motion by Mayor Garant, second by Trustee Kessel, to approve the request of the Port Jefferson Fire Dept. and permit Village employees to respond to fire alarms during working hours as long as insurance permits. Motion approved: 4-0.

- Letter from Brennan Holmes concerning the Annual Christopher J. Malvetti Memorial 3k walk/run on Saturday, June 19, 2010.

Motion by Trustee Erland, second by Trustee Snyder, to approve the request of Brennan Holmes to hold the Annual Christopher J. Malvetti Memorial 3k walk/run on Saturday, June 19, 2010. Motion approved: 4-0.

- A resolution is needed to declare a “Neg. Dec.” concerning the required SEQRA for the proposed Bond Referendum.

Motion by Mayor Garant, second by Trustee Kessel, to approve the following Negative Declaration for SEQRA review of proposed \$5,500,000.00 Bond for Village road repairs. Motion approved: 4-0.

NEGATIVE DECLARATION:

BE IT RESOLVED BY THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF PORT JEFFERSON AS FOLLOWS:

WHEREAS, on June 15, 2010 the voters of the Village of Port Jefferson, New York shall consider a bond resolution authorizing the issuance of general obligation bonds not to exceed \$5,500,000.00 aggregate principal amount to finance certain improvements consisting of road improvement projects,

WHEREAS, to aid the Board of Trustees in determining whether such Projects and financing and other actions of the Village in connection therewith (these “actions”) may have a significant effect on the environment, the Board has caused to be prepared an environmental assessment form or similar information, and

WHEREAS, the appointee of The Board of Trustees has duly reviewed the EAFs and related documents with respect to the above-referenced capital project and duly considered the impacts which may be expected to

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result from the proposed actions with the criteria set forth in Article 8 of the State Environmental Quality Review Act and the applicable regulations promulgated thereunder (“SEQR”);

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

1. Based upon the review by the appointee of The Village Board of Trustees of each EAF and other necessary criteria, the Board hereby finds that the object of the above-referenced actions and approval on any financing therefore (a) will result in no major impacts and therefore, is not one which “may have a significant effect on the environment,” (b) will not have a “significant effect on the environment,” and (c) no “environmental impact statement” need be prepared, as such quoted terms are defined in SEQR. The proposed actions do not constitute a “Type I Action” as such quoted term is defined in the regulations of the Department of Environmental Conservation of the State of New York (6NYCRR Part 617, as amended). Reasons supporting this determination are set forth on the notice of negative declaration of the Board attached hereto and hereby made a part of this resolution for the purposes of SEQR. This determination constitutes a negative declaration for purposes of SEQR.

2. A copy of this resolution, together with the EAF and notice of negative declaration, shall be placed on file in the office of the Clerk of the Village where the same shall be available for public inspection during business hours and such notice of negative declaration shall be filed in such offices, posted in such places and published in such newspapers as shall be necessary to conform to the requirements of SEQR.

This resolution shall take effect immediately.

- The Village wishes to issue serial bonds for the improvement of Village Streets subject to approval by village residents via public vote to be held on June 15, 2010.

Motion by Mayor Garant, second by Trustee Snyder, to approve the following Bond Resolution authorizing the issuance of serial bonds for the road improvement project and authorizing the submission of a Proposition for approval or disapproval of such bond resolution at the Village Election to be held on June 15, 2010. Motion approved: 4-0.

BOND RESOLUTION OF THE VILLAGE OF PORT JEFFERSON, NEW YORK, ADOPTED APRIL 19, 2010, AUTHORIZING THE ISSUANCE OF \$5,500,000 SERIAL BONDS OF SAID VILLAGE TO FINANCE THE CONSTRUCTION OF IMPROVEMENTS TO VARIOUS ROADS IN THE VILLAGE

THE BOARD OF TRUSTEES OF THE VILLAGE OF PORT JEFFERSON, IN THE COUNTY OF SUFFOLK, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than three-fifths of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Port Jefferson, in the County of Suffolk, New York (herein called the “Village”), hereby authorizes the issuance of \$5,500,000 serial bonds 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 “Local Finance Law”), to finance the construction of improvements to various roads in the Village **including all engineering costs pertaining thereto.**

Section 2. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$5,500,000. The plan of financing includes the appropriation of \$5,500,000 to pay the cost of such project, the issuance of \$5,500,000 serial bonds of the Village to finance said appropriation, and the levy and collection of taxes upon all the taxable real property within the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 3. The period of probable usefulness of the object or purpose for which said serial bonds are authorized to be issued, within the limitations of Section 11.00 a. 20(c) of the Law, is fifteen (15) years.

Section 4. 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.

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

Section 6. 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 Local Finance Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village without limitation of rate or amount. 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.

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Section 7. Subject to the provisions of this resolution and of the Local Finance Law and pursuant to the provisions of Section 21.00 of the Local Finance Law relating to the authorization of the issuance of bonds having substantially level or declining annual debt service, Section 30.00 relating to the authorization of the issuance of bond anticipation notes, and Section 50.00, Sections 56.00 to 60.00 and Section 168.00 of the Local Finance 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 agreements for credit enhancement, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 8. 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 9. A Proposition for the approval or disapproval of this resolution shall be submitted to the qualified voters of the Village at the Village Election to be held on June 15, 2010, and this resolution shall take effect upon the approval of said Proposition by a majority of the qualified voters of the Village voting at said Village Election. The Village Clerk is hereby authorized and directed to provide notice of the presentation of such Proposition in the Notice of the Village Election. Such Notice shall be published at least once, not less than ten (10) days prior to such Village Election, in the "Port/Times Record," a newspaper having a general circulation in the Village, and hereby designated the official newspaper of the Village for such publication, and shall be conspicuously posted at least one (1) day prior to such Village Election in at least six (6) public places in the Village and in each polling place. The notice to be included in the Notice of Election shall be in substantially the following form:

PROPOSITION

- **SHALL THE BOND RESOLUTION ENTITLED: "Bond Resolution of the Village of Port Jefferson, New York, adopted April 19, 2010, authorizing the issuance of \$5,500,000 serial bonds of said Village to finance the construction of improvements to various roads in the Village including all engineering costs pertaining thereto," BE APPROVED.**

- Voucher/ Treasurer

<u>FUND</u>	<u>AMOUNT</u>	<u>DATE</u>	<u>CHECK</u>
General (A)	\$ 301,602.02	04/19/10	018635-018712
PJCC (CR)	\$ 21,772.46	04/19/10	004773-004783
Trust (T)	\$ 300.00	04/19/10	001188-001189
Capital (H)	\$ 7,939.54	04/19/10	000706-000708

Motion by Mayor Garant, second by Trustee Kessel, to approve the warrants as presented by Treasurer Pearce. Motion approved: 3-0.

- Adjourn

Motion by Mayor Garant, second by Trustee Kessel, to adjourn the meeting at 10:34pm. Motion approved: 3-0.

Respectfully submitted,

Robert Juliano,
Administrator/Clerk