

**MINUTES OF THE ORGANIZATIONAL MEETING  
OF THE BOARD OF TRUSTEES  
OF THE VILLAGE OF THOMASTON  
APRIL 8, 2013**

The Board of Trustees met on Monday, April 8, 2013 at the Village Hall, 100 East Shore Road, Great Neck, New York at 7:30 p.m.

**Present:** Mayor Robert Stern, Deputy Mayor Steven Weinberg, Trustee James Sharkey and Trustee To-on Pang

**Absent:** Trustee Gary Noren,

The Mayor opened the meeting at 7:30 p.m.

**ELECTION:**

The Deputy Village Clerk read the canvass of election of March 19, 2013, as follows:

Robert Stern, Mayor	30 Votes
Steven Weinberg, Trustee (2 years)	21 Votes
Gary Noren, Trustee (2 years)	20 Votes
To-on Pang, Trustee (1year)	28 Votes

Each duly elected candidate had already been sworn in and signed the oath of office.

**APPROVAL OF MINUTES:**

**RESOLUTION 13 -19**

Upon motion of Deputy Mayor Weinberg, seconded by Trustee Sharkey and unanimously approved, the following resolution was adopted:

RESOLVED, that the minutes of the Board of Trustees meetings held on March 11, 2013 are hereby approved and accepted as presented.

**GENERATOR:**

The Mayor reported to the Board that the provider previously selected by the Village for acquisition and installation of the natural gas generator withdrew his proposal. However, the supplier of the generator (Electric Generators Direct) offered to sell to the Village directly a new generator and transfer switch meeting the specifications in the Village's prior request for proposals, at a price equal to \$9,703.42, including delivery but not installation. This price, together with the expected installation costs, is below the combined proposal from the withdrawing vendor for both acquisition and installation of the generator, so the Village should come out in a better position despite the withdrawal of the vendor. The Village has received two other written proposals to supply the same equipment (without installation) as follows: from Norwall Power Systems for a price of \$9,847; and from AP Electric for a price of \$9,847 (i.e. both proposals were for same amount).

## RESOLUTION 13-20

Upon motion of Mayor Stern, seconded by Trustee Sharkey and unanimously approved, the following resolution was adopted:

RESOLVED, that the Village purchase from Electric Generators Direct, for a price of \$9,703.42 (including delivery charges), the following equipment:

One Generac QuietSource Series 22 KWA standby Power Generator (120/240V 3 phase)  
Model (QT02224JNAX)

One Guardian 200 Amp Automatic Transfer Switch (120/140V 3 phase)  
Model (RTSN200J3),

and that the Village try and obtain proposals, by the May board meeting, for installation of such equipment.

## OTHER APPOINTMENTS

### DEPUTY MAYOR:

The Mayor appointed Steven Weinberg as Deputy Mayor

### APPOINTMENTS REQUIRING BOARD APPROVAL:

The Mayor made the following appointments, subject to approval of the Board:

Commissioner of Public Works	Robert Stern
Commissioner of Administration	Steven Weinberg
Commissioner of Cable Television, Representative to the Cable Commission and Director of Public Access Television	Robert Schaufeld
Emergency Coordinator	Gary Noren
Commissioner of Planning and Development	Steven Weinberg
Commissioner-At-Large	Donald Stern
Building Commission	Robert Stern, To-on Pang Steven Weinberg (alternate)
Building Inspector	Joseph J. Chearmonte, RA
Village Historian	Leila Mattson
Chair of the Design Review Board (1 yr.)	Larry Levy
Member of the Design Review Board (1 yr.)	Robert Schaufeld
Member of the Design Review Board (1 yr.)	Karen Krieger
Member of the Design Review Board (1 yr.)	Toby Noren
Member of the Design Review Board (1 yr.)	Glenn Wilson
Chairman of the Landmarks Preservation Commission (1 yr.)	Arthur Lesser
Vice Chair of the Landmarks Preservation Commission (1 yr.)	Leila Mattson

Member of the Landmarks Preservation Commission (1 yr.)	Monique Ono Lee Joel Friedman
Chair of the Tree Board (1 yr.)	Ruth Rosenstein
Member of the Tree Board (1 yr.)	(vacant)
Registrar of Vital Statistics	North Hempstead Town Clerk
Zoning Board of Appeals (5-year term)	Mr. Michael Nikrooz

#### RESOLUTION 13-21

Upon motion of Mayor Stern, seconded by Deputy Mayor Weinberg and unanimously approved, it was

RESOLVED, that all the appointments indicated above are hereby approved.

#### **RETAINING OF VILLAGE ATTORNEY AND SPECIAL COUNSEL:**

#### RESOLUTION 13-22

On motion of Trustee Sharkey, seconded by Mayor Stern the following resolutions were unanimously adopted:

RESOLVED, that the Board of Trustees of the Village of Thomaston hereby approves the Mayor's appointment of A. THOMAS LEVIN, as Village Attorney for the official year 2013-2014, to serve at the pleasure of the Mayor, and it is further

RESOLVED, that the compensation for the services of the Village Attorney for those legal services for which the Village is required to retain or appoint a Village Attorney shall be \$290 per hour, plus reimbursement of all reasonable and necessary disbursements incurred in connection with the performance of such retainer legal services, which sums will be billed to the Village monthly, and it is further

RESOLVED, that the Board of Trustees hereby retains MEYER, SUOZZI, ENGLISH & KLEIN, P.C. as special counsel to the Village for legal services other than those provided by the Village Attorney during the official year 2013-2014, on a non-exclusive basis, the services of such special counsel to be compensated at the rate of \$290 per hour, plus reimbursement of all reasonable and necessary disbursements incurred in connection with the performance of such non-retainer legal services, which sums shall be billed to the Village monthly.

#### **FIRE INSPECTOR:**

The Mayor appointed Rene Guerrero as Village Fire Inspector.

#### RESOLUTION 13-23

On motion of Deputy Mayor Weinberg, seconded by Trustee Sharkey, and unanimously approved, it was

RESOLVED that the Board of Trustees approves the appointment of Rene Guerrero as Village Fire Inspector for the official year 2013-2014 to serve at the pleasure of the Mayor, at a rate of \$20 per hour.

## **RESOLUTION CONCERNING THE SCHEDULE OF MEETINGS:**

### **RESOLUTION 13 - 24**

On motion of Deputy Mayor Weinberg seconded by Trustee Sharkey, the following resolutions were unanimously adopted:

RESOLVED that the Board of Trustees designates the second Monday in each month at 7:30 p.m. in the Village Hall, 100 East Shore Road, Great Neck, as the time and place for the regular meetings of the Board of Trustees. The annual organizational meeting shall be held on the first Monday in April or on such other date in April as the Board of Trustees may determine in accordance with applicable law. The Clerk is directed to advise the news media of this schedule, and to post notice of each meeting, as required under the Open Meetings Law. For special meetings, notice will be provided to the extent required by law.

And it is further

RESOLVED that the Board notes that the first regular meeting in October falls on a legal holiday and so hereby changes the October 14 meeting to October 7, 2013.

## **RESOLUTION REGARDING AUDITOR:**

Mayor Stern submitted the following appointment for the approval of the Board of Trustees.

Skinnon and Faber C.P.A., P.C.

Auditor for the Village

### **RESOLUTION 13 – 25**

On motion of Mayor Stern, Seconded by Trustee Sharkey it was

RESOLVED, that the Board of Trustees approves the Mayor's appointment of Skinnon and Faber C.P.A., P.C as Auditor for the Village for the official year 2013-2014, to serve at the pleasure of the Mayor, and it was further

RESOLVED that he is to be compensated at the rate of \$7,400.00 per year to include the annual Village audit, plus an addition fee for the conversion of the GASB34 and filing with the NYS Comptroller the audit as required by law.

## **OFFICIAL BANKS:**

### **RESOLUTION 13 - 26**

On motion of Trustee Sharkey, seconded by Mayor Stern and unanimously approved, it was

RESOLVED to designate the following depositories for Village funds (which depositories may be changed from time to time by resolution of the Board):

Capitol One Bank  
HSBC  
Bank of America

Maximum Deposit \$5,000,000  
Maximum Deposit \$2,500,000  
Maximum Deposit \$5,000,000;

provided that each of such depositories holding funds in excess of \$100,000 pledges securities to the Village as collateral pursuant to a collateral agreement in accordance with provisions of the General Municipal Law, and it was further

RESOLVED that all instruments shall be signed by any two of the following: Mayor and co-signed by either the Village Administrator or the Deputy Mayor.

#### **MILEAGE ALLOWANCE - OFFICIAL NEWSPAPER POLICIES, ETC.:**

##### **RESOLUTION 13 - 27**

On motion of Trustee Sharkey, seconded by Mayor Stern and unanimously approved, it was

RESOLVED, that the Board of Trustees has determined to pay a fixed rate for mileage as reimbursement to officers and employees of the Village who use their personal automobiles while performing their official duties on behalf of the Village, and it is further

RESOLVED that for the 2013-2014 official year, the Board of Trustees sets the mileage reimbursement rate at 58.5 cents per mile.

RESOLVED that the Board of Trustees designates The Great Neck News as the official newspaper of the Village.

RESOLVED that the Purchasing Policy originally adopted October 29, 1991 and as amended, is readopted.

RESOLVED that the investment policy, as updated to reflect current depositories, is readopted.

RESOLVED that the Emergency Preparedness Plan, updated as regards the Village personnel, is readopted.

#### **UNDERTAKINGS FOR VILLAGE SIGNATORIES**

##### **RESOLUTION 13-28**

Upon motion of Mayor Stern, seconded by Trustee Sharkey and unanimously approved, the following resolution was adopted:

RESOLVED that the Village shall purchase undertakings, at Village expense, as required by Village Law Section 3-306 as follows: A bond, in the amount of \$25,000 each for the Village Administrator and Deputy Village Clerk.

#### **PAYMENT OF CLAIMS POLICY**

##### **RESOLUTION 13 - 29**

Upon motion of Mayor Stern, seconded by Trustee Sharkey and unanimously approved, the following resolution was adopted:

Whereas, pursuant to Village Law §5-524 and subject to certain exceptions as authorized by that statute, the Board of Trustees is required to audit all claims against the Village prior to payment; and

Whereas, the Board of Trustees wishes to establish in documented form the policy of the Village with respect to payment of claims,

Now, therefore, be it

RESOLVED, that except as otherwise provided in this resolution, no claim against the Village shall be paid and no instrument of payment of a claim shall be issued by the Village unless and until the claim is (a) in writing, (b) certified or verified under oath of the claimant or the claimant's duly authorized agent, (c) itemized to the satisfaction of the Board of Trustees, (d) approved by the officer or employee whose action gave rise or origin to the claim, and (d) audited and approved by the Board of Trustees, and it is further

RESOLVED, that notwithstanding the foregoing, and pursuant to Village Law §5-524(5), the following claims may be paid without prior audit and approval by the Board of Trustees:

- (a) fixed salaries;
- (b) debt service;
- (c) amounts becoming due upon lawful contracts for periods exceeding one year;
- (d) compensation for services of employees or officers regularly engaged by the Village at agreed wages by the hour, day, week, month or year;

provided, however, that with respect to items (a) and (d) in this paragraph, no such payment shall be made unless the payroll or other claim for compensation for personal services rendered to the Village by any person other than an elective Village officer shall be certified by the Village officer or employee having direct supervision of the claimant to the effect that such services were actually performed by the person or persons mentioned therein; and it is further

RESOLVED, that notwithstanding the foregoing and pursuant to Village Law §5-524(6), the following claims may be paid in advance of audit and approval of the Board of Trustees, provided such claims are presented for audit and approval at the next regular meeting of the Board of Trustees:

- (a) public utility services;
- (b) postage;
- (c) freight and express charges;
- (d) charges for expenses incurred with the approval of the Board of Trustees where there is a discount for timely payment and audit of such claims is not feasible prior to the date for such discounted payment; and it is further

RESOLVED, that the policy established by this resolution shall be reviewed at each ensuing organizational meeting of the Board of Trustees, and shall remain in effect until amended by resolution of the Board of Trustees at any duly convened meeting of the Board of Trustees.

## **BID 2013-01 ROAD REPAIRS**

Mayor Stern presented each Trustee with a summary of the bids opened on Friday April 5, 2013 at 12:00 noon.

John McGowan and Sons, Inc.   \$184,900

Galvin Bros., Inc.               \$236,300

Upon motion of Deputy Mayor Weinberg, seconded by Trustee Pang, and unanimously approved the following resolution was adopted.

#### **RESOLUTION 13-30**

RESOLVED, that the bid of \$184,900 for Road Improvements (2013) covering all or portions of Crescent Road, Lincoln Road, Windsor Road, Sheffield Road and Lodge Road as specified in the bid documents prepared by the Village, in the amount of \$184,900, is hereby accepted, and the Mayor is hereby authorized for and on behalf of the Village to enter into Contract No. 2013-1 with respect to such Road Improvements, and documents ancillary thereto, in accordance with the documents contained in the bid package prepared by the Village.

#### **PUBLIC HEARING ON USE OF RESERVE FUNDS**

Mayor Stern opened the Public Hearing on the appropriation of funds in the Village's Repair Reserve Fund to pay for Road Improvements (2013) as described in the bid documents prepared by the Village, in the amount of \$184,900.

There being no comments from the audience, the Mayor closed the Public Hearing.

Upon motion of Mayor Stern, seconded by Trustee Sharkey and unanimously approved the following resolution was adopted.

#### **RESOLUTION 13-31**

RESOLVED, the amount of \$184,900 is hereby appropriated from the Village's Repair Reserve Fund to pay expenses for Road Improvements (2013) as described in the bid documents prepared by the Village, and the appropriate Village personnel are hereby authorized to disburse funds in such Repair Reserve Fund, up to such amount, to pay such expenses.

#### **VOUCHERS**

#### **RESOLUTION 13 - 32**

Upon motion of Deputy Mayor Weinberg seconded by seconded by Trustee Pang and unanimously approved, the following resolution was adopted:

RESOLVED, that vouchers, in the aggregate amount of \$55,727.17 (as itemized on the Abstract of Vouchers dated Monday April 8, 2013), are hereby approved for payment, all allocated to the General Fund.

#### **ADJOURNMENT**

At 8:08 p.m., there being no further business, the motion to adjourn was made by Mayor Stern, seconded by Trustee Pang and unanimously approved.

Respectfully Submitted

Denise Knowland

Deputy Village Administrator