

**January 11, 2016
Board of Trustees
Tentative Agenda**

1. Licenses

- a. Automotive License, New- Thomas A. Nuss for Bang's Towing Inc, 37 Elm Place
- b. Automotive License, Renewal- Arthur Szu for Lake Town Motors, 118 Merrick Rd
- c. Storage of Trailer - John McGee for the Long Island Home (dba South Oaks Hospital) 410 Sunrise Highway

2. Application for On-Street Parking Permit

Patrick Weber, 8 Norman Avenue, requesting 1 year on-street parking

3. Request from the Deputy Treasurer

- a. Approval of Treasurer's Abstract

4. Request from the Clerk/Treasurer

- a. Request from Nelson & Pope for payment of \$29,400 for design plans, plans, estimates, bid documents and construction services related to Bayview Avenue Improvements (Merrick Road to Oak Street) to be reimbursed from CHIPS, A5112.200
- b. Request to replace Registrar computer (XP machine) and a laptop for business continuity in amount of \$3,353.30, line A1410.411 (supplies/equip/software)
- c. Request to replace existing Cisco Switches with 1 new HP switch in amount of \$1,223.38, line 50% from A1410.411 (supplies/equip/software) and 50% from A3620.411 (supplies/equip/software)
- d. Request from the Kiwanis Club of Amityville to host the Mayor's Spring Social, Sunday, March 6th
- e. Request from Tom Whalen, Chief Code Enforcer, to carry over 5 vacation days into 2016 as per Policy 10 (to be used by March 31, 2016)
- f. Request from Deirdre Parker, Deputy Clerk, to buy-back 3 days of unused vacation time from 2015
- g. Request to enter into agreement for 2016 Fire Protection, West Amityville Fire Protection District 23
- h. Request from Amityville Chamber of Commerce to hold movies at the Amityville Beach Wednesday, August 3rd and Wednesday, August 17th, and a movie Wednesday, August 10th at the Nautical Park.

5. Request from Village Court

- a. Request for Waiver of Residency for Kim-Marie Engel, Justice Court Clerk

6. Request from Village Attorney

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- a. Proposed Easement Agreement for Waterlines and appurtenances between Village of Amityville and Edward Lieberman

7. Request from Fire Department

- a. Request to pay Hendickson in the amount of \$3,122.75 for repairs to 1-1-12, line A3410.231(vehicle repair & maint.)
- b. Request to pay Physio-Control Inc. in the amount of \$3,024.00 for Life Pak Service Contract 11-1-15 through 10-31-16, A3410.450 (leases/rentals/contracts)
- c. Request to pay See Neville Auto Supply in the amount of \$3979.55 for repairs to 1-1-12, line A3410.231 (vehicle repair & maint)

8. Resolutions

- a. Resolution 16-01-11-01 Skinnon & Faber, CPA, completed audit of the Justice Court of the Village of Amityville
- b. Resolution 16-01-11-02 to repeal April 25, 1977 and March 28, 1983 resolutions
- c. Resolution 16-0-11-03 to terminate the medical insurance and related health-care insurance benefits paid by the Village on behalf of former or retired part-time elected and appointed officials and their families

9. Local Laws

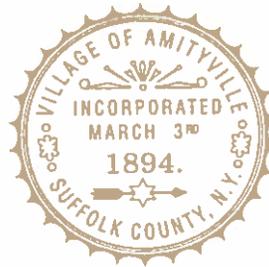
- a. Proposed Local Law #1 of 2016 to amend Chapter 183- Zoning, of the code of the Village of Amityville (CVA), by repealing §183-6
- b. Proposed Local Law #2 of 2016, a local law to amend Chapter 28, of the Code of the Village of Amityville (CVA) Section 28-2 thereof, by removing any entitlement that may exist for former elected officials of the Village of Amityville to receive health or any form of medical insurance coverage at village expense for themselves or their dependents.

Mayor
James P. Wandell

Village of Amityville

Clerk/Treasurer
Dina Shingleton

Trustees
Dennis M. Siry
Jessica T. Bernius
Nick LaLota
Kevin P. Smith



Assessor
Thomas Donato
Building Inspector
Thomas Whalen
Superintendent of Public Works
Bruce S. Hopper

Village Attorney
Richard G. Handler

Tel (631) 264-6000
Fax (631) 598-0363

Resolution # 16-01-11-01

RESOLVED that Skinnon and Faber, Certified Public Accountants, P.C. be, and the firm hereby is, authorized to conduct an examination/audit of the court records and dockets of the Justice Court of the Village of Amityville; and

BE IT FURTHER RESOLVED that Skinnon and Faber, Certified Public Accountants, P.C. did complete the audit and, as a result, have stated that the Justice Court of the Village of Amityville is in substantial compliance with the fiscal responsibilities as outlined in the Handbook for Village Justices and Court Clerks.

On MOTION by _____ seconded by _____ the Resolution was adopted with the following vote:

Mayor Wandell - _____

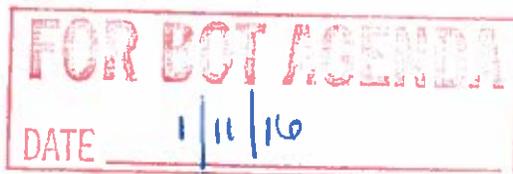
Deputy Mayor Bernius - _____

Trustee LaLota - _____

Trustee Siry - _____

Trustee Smith - _____

I, Dina Shingleton, Village Clerk of the Inc. Village of Amityville, hereby certify that the above Resolution was duly adopted by the Board of Trustees at a Public Meeting held on January 11, 2016



Dina Shingleton, Village Clerk

21 Ireland Place • Amityville, New York 11701

KEEP YOUR DOWNTOWN STRONG, SUPPORT YOUR LOCAL MERCHANTS

RESOLUTION OF THE BOARD OF TRUSTEES

RESOLUTION NO. 16 – 1 – 11 - 2

WHEREAS, the Board of Trustees adopted a Resolution on April 25, 1977, providing among other things, that “all Village Employees members (sic.) of the State Retirement System (except Police Department personnel)”... shall receive continued “[h]ospitalization coverage... in favor of any employee who thereafter dies, or retires, or having retired, thereafter dies, but in the event of death, coverage is limited to those individuals covered prior thereto... It being understood if a retired employee received hospitalization while employed by another employer, they will withdraw their coverage from the Village”: and

WHEREAS, the aforementioned Resolution appears to apply only to “employees” in the traditional meaning, and does not refer to, nor is it intended to include, present or former elected or part-time appointed Village officials serving on a either a full or part-time basis: and

WHEREAS, the aforementioned Resolution clearly provides that if the employee is covered by another medical insurance policy that such employee must withdraw their coverage from the Village: and

WHEREAS, on March 28, 1983, the Board of Trustees adopted a Resolution providing hospitalization coverage for all officials of the Village of Amityville “who have both served the Village in such capacity, and [have] been members of the NYS Retirement System for a continuous period of fifteen (15) years” The Resolution further providing that “it is understood if official, qualifying hereunder, receives hospitalization while employed by another employer, or otherwise, [then] he will withdraw his coverage from the Village.”(sic.); and

WHEREAS, the intent of the March 28, 1983 Resolution is clear in that it established that medical insurance benefits were not available to officials unless such official has first been a member of the NYS Retirement System for a continuous period of fifteen years, and further that such official was required to withdraw from coverage if covered under another medical insurance policy; and

WHEREAS, the Board of Trustees interprets the threshold of “fifteen years of membership” to be fifteen years of Retirement Service and not merely fifteen years as a part-time elected or appointed official; and

WHEREAS, Village Of Amityville Policy 10, relating to Employee Benefits reserves entitlements for medical insurance and prescription benefits to eligible full-time employees and appointed Public Officials who retire “if they meet the eligibility requirement for service credit, in addition to NYSHIP’s eligibility criteria”; and

WHEREAS, as provided in the above-described Resolutions or Policy, no former part-time elected or appointed Official currently receiving benefits would qualify for medical insurance or other related benefits, and



WHEREAS, to avoid misunderstandings, or any claimed conflicts or inconsistencies, and to better articulate the firm Village policy respecting the privilege of former part-time elected or appointed Officials to receive medical insurance and related benefits after leaving office or in retirement; and

WHEREAS, confirming the Village policy that no part-time elected or appointed Official has, nor shall have the privilege to receive medical insurance and related benefits, for themselves and their family, whether currently serving or having retired:

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees hereby repeals the above-described Resolutions dated April 25, 1977 and March 28, 1983, with no benefits, rights or emoluments accruing therefrom.

On MOTION by _____, seconded by _____,

the Resolution was adopted with the following vote:

Mayor Wandell - _____
Trustee LaLota - _____
Trustee Smith - _____

Deputy Mayor Bernius - _____
Trustee Siry - _____

I, Dina Shingleton, Village Clerk of the Inc. Village of Amityville, hereby certify that the above Resolution was duly adopted by the Board of Trustees at a Public Meeting held on the 12th day of January 2016.

Dina Shingleton, Village Clerk

FOR BOT AGENDA
DATE 1/11/16

RESOLUTION OF BOARD OF TRUSTEES

Resolution No. 16 – 1- 11 - 3

WHEREAS, section 4-412 of the NYS Village Law provides Village Officials with a roadmap for the proper appropriation of taxpayer monies, stating in part, that the Board of Trustees shall have management of Village property and its finances, its business, the protection of its property, and the safety, health, comfort, and general welfare of its inhabitants; and

WHEREAS, in order to fulfill its duty to comply with section 4-412 and to preserve precious taxpayer dollars, the Wandell Administration has engaged in a continuous line-by-line internal audit of the Village budget, reviewing expenditures to ensure that such expenditures provide a bona fide public benefit; and

WHEREAS, said internal audit has revealed the multi-decade practice of using taxpayer funds to purchase life-time health care benefits without contributions for the benefit of various former part-time elected and appointed Officials and their families; and

WHEREAS, said expenditures serve no articulable public benefit; and

WHEREAS, research from available data indicates that no other Suffolk County Village provides life-time health benefits without contribution for their former part-time elected or appointed officials and their families; and

WHEREAS, such health care benefits for former officials holding these positions have cost Amityville Village taxpayers nearly \$1.5 million over the past 20 years; and

WHEREAS, such health care benefits, if unchanged, will cost Amityville Village taxpayers more than \$1 million over the next 10 years; and

WHEREAS, said expenditures for former or retired part-time officials are not in concert with New York State Village Law 4-412, do not provide a cognizable public benefit, are not required by the New York State Health Insurance Program, are not mandated by any employment contract, and are not authorized under the Village Employee Benefits Policy or applicable Resolutions of the Board of Trustees;

NOW, THEREFORE, BE IT RESOLVED, that medical insurance and related health-care insurance benefits paid by the Village for, or on behalf of former or retired part-time elected and appointed officials and their families shall terminate as of midnight, February 29, 2016.

On **MOTION** by _____, seconded by _____, the

Resolution was adopted with the following vote:

Mayor Wandell - _____

Deputy Mayor Bernius -

Trustee LaLota - _____

Trustee Siry -

Trustee Smith - _____

I, Dina Shingleton, Village Clerk of the Inc. Village of Amityville, hereby certify that the above Resolution was duly adopted by the Board of Trustees at a Public Meeting held on the 12th day of January 2016.

Dina Shingleton, Village Clerk

INCORPORATED VILLAGE OF AMITYVILLE: PROPOSED LOCAL LAW #1 OF YEAR 2016

A local law to amend Chapter 183 - Zoning, of the Code of the Village of Amityville (CVA), by repealing §183-6 thereof, which permits the Zoning Board of Appeals to authorize the less restricted use to extend to the whole or part of a split zoned lot held in single ownership since August 4, 1930.

BE IT ENACTED by the Board of Trustees of the Inc. Village of Amityville as follows:

Section 1. CVA §183-6 is hereby repealed.

Section 2. Effective Date.

This local law shall take effect immediately upon adoption, subject to filing with the Secretary of State.



INCORPORATED VILLAGE OF AMITYVILLE: PROPOSED LOCAL LAW # 2 OF YEAR 2016

A local law to amend Chapter 28, of the Code of the Village of Amityville (CVA) Section 28-2 thereof, by removing any entitlement that may exist for former elected officials of the Village of Amityville to receive health or any form of medical insurance coverage at Village expense for themselves or their dependants.

BE IT ENACTED by the Board of Trustees of the Inc. Village of Amityville as follows:

Section 1. Intent.

Over the past three years, the Village of Amityville has been designated among the most financially stressed municipalities in the State of New York. The residents, taxpayers and government of the Village of Amityville continue to face unprecedented financial pressures and obligations, while the Village government has strived to operate within the New York State mandated Tax Cap. Mandatory contractual obligations, retirements and the need to maintain Village services at their current levels, necessitate that the Board of Trustees discontinue optional benefits and emoluments were appropriate, especially in the case of former Village Officials who provided part-time service to the community.

Section 2. Amended CVA §28-2 as follows:

§28-2. Health Care Compensation.

No person who is elected to the position of Trustee, Village Justice, or Mayor, or who is appointed as the Village Attorney, Village Prosecutor or Associate Village Justice, or who has served in such position in the Village of Amityville, shall receive any compensation or benefit from the Village for health care, or health care insurance, including but not limited to medical, dental and optical coverage for themselves or any member of their family, including such persons who may be receiving such compensation on the effective date hereof.

Section 3. Effective Date.

This local law shall take effect March 1, 2016, subject to filing with the Secretary of State.

