



Minutes
Village Board of Trustees Meeting – Village Hall
November 6, 2017 – 6:00 PM

Approved: Action Item Numbers 1-6 & 8-12 deny #7

Approved: Motion to deny #7

Approved: Close the public hearing

Approved: Close the public forum

Approved: Go into Executive session.

Approved: Come out of Executive session.

Approved: PJV Constable promotions

Approved: IMA with the school district

Approved: Principal Clerk Typist entry salary

Approved: Adopt amendment to Code 11-2

Approved: Adjourn the meeting

Mayor Garant called the meeting to order at 6:00PM.

ATTENDANCE:

Mayor Garant, Trustees D'Abramo, Loucks, LaPointe, Miller

Village Attorney Egan, Deputy Clerk Sakovich,

Assistant to the Village Clerk Carmody, Village Clerk Juliano,

Excused: Village Treasurer Mordente

APPOINTMENTS: Village Assessor Paul D'Amato 6:30 PM

I. ACTION ITEMS:

1. Approve the Minutes of October 16, 2017.
2. Accept the resignations of Andrew Donofrio effective October 10, 2017, and Laborer William King effective November 1, 2017 with regret.
3. Approve the request of Renee Lemmerman to hire Kevin Tuohy, Volleyball Scorekeeper for Village COED Adult Volleyball League @ \$15 per hour from November 1, 2017-March 15, 2018.
4. Approve the awarding of the following bids and approve the mayor entering into a contract to the listed contractors:
 - a. Bid Number 0091-2017 - Harborfront Park Walkway - F&F Concrete for a price not to exceed \$44,438.52 paid from capitol account #H.8997.47
 - b. Bid Number 0092-2017 - East Main Street Stairs - Seven Seas Construction Co. for a price not to exceed \$69,940.00 paid from capitol account #H.8997.0592
 - c. Bid Number 0093-2017 – Texaco Ave. Parking Lot – Suffolk Asphalt for a total price not to exceed \$800,000.00 paid from capitol account #H.8997.0009
5. Approve the change order based on Actual Costs and field measurements for Suffolk Asphalt Corp. for the road work conducted on Dock Ct., Stern Drive, Waterview Drive, Soundview Drive, Harbor Hills Drive and Oakwood Drive, for a total of \$22,757.92.
6. Approve setting a public hearing for The Ransome Inn Bed & Breakfast renewal permit on December 4, 2017.
7. Approve the application of Phil Klines for Unsilent Night walk from CVS parking lot down to the Village Center on December 9th, 6:45 - 8pm.
8. Approve the following resolution to settle pending outstanding tax certiorari as recommended by Village Assessor Paul Damato:

TO SETTLE OUTSTANDING TAX CERTIORARI PROCEEDINGS PENDING AGAINST THE VILLAGE OF PORT JEFFERSON IN CONNECTION WITH PROPERTY OWNED BY FOUR EAST BROADWAY PORT JEFFERSON REALTY CO., AND KNOWN AS DISTRICT 206, SECTION 12, BLOCK 2, AND LOTS 1 & 2.

The Board of Trustees of the Incorporated Village of Port Jefferson, duly convened pursuant to State and Local Law, does hereby declare as follows:

WHEREAS, pursuant to the New York State Real Property Tax Law the Petitioner herein, owner of real property designated on the Suffolk County Tax Map as District 206, Section 12, Block 2, Lots 1 and 2, having duly filed tax certiorari proceedings against such property for the 2013/14 through and including the 2017/18 tax years, and

WHEREAS, the Port Jefferson Village Assessor having reviewed and negotiated the case with Petitioner's representative is recommending settlement of said proceedings, and

WHEREAS, the Village of Port Jefferson and this Board are empowered by State and Local Law to compromise and otherwise settle legal claims against the Village, and the Village Assessor has provided an appropriate form Settlement Stipulation and approved the content therein:

NOW THEREFORE, be it RESOLVED by the Village Board of Trustees: THAT,

1. The subject tax certiorari proceedings, filed in the name of the aforementioned Property owner owner-Petitioner are hereby settled, subject to the term of the attached Settlement Stipulation, for the 2013/14 through and including the 2017/18 tax years, for a total refund of FOUR THOUSAND FIVE HUNDRED DOLLARS AND

XX/00 CENTS (\$4,500.00) with a reduction of the current aggregate assessments from \$19,600 on the 2017/18 assessment roll to \$16,500 on the 2018/19 assessment roll for the aforementioned lots; and

2. The Village attorney is hereby authorized to execute said Stipulation on behalf of the Village based on the aforementioned terms of settlement, and

3. The Village Assessor is hereby authorized to make the necessary assessment adjustments, if any, and to record the terms of settlement, as may be required or appropriate, and to take necessary action in connection with the settlement, and

4. The Village Treasurer is hereby authorized to issue payment to the Petitioner’s counsel, KOEPPPEL MARTEN LEISTMAN, on behalf of Petitioner, and instructed to do so in accordance with the terms of the Settlement; and

5. This Resolution shall take effect immediately.

9. Approve the following resolution to settle pending outstanding tax certiorari as recommended by Village Assessor Paul Damato

TO SETTLE OUTSTANDING TAX CERTIORARI PROCEEDINGS PENDING AGAINST THE VILLAGE OF PORT JEFFERSON IN CONNECTION WITH PROPERTY OWNED BY MRR REAL ESTATE HOLDINGS, AND KNOWN AS DISTRICT 206, SECTION 16, BLOCK 8, AND LOT 33.

The Board of Trustees of the Incorporated Village of Port Jefferson, duly convened pursuant to State and Local Law, does hereby declare as follows:

WHEREAS, pursuant to the New York State Real Property Tax Law the Petitioner herein, owner of real property designated on the Suffolk County Tax Map as District 206, Section 16, Block 8, Lot 33, having duly filed tax certiorari proceedings against such property for the 202012/13 through and including the 2017/18 tax years, and WHEREAS, the Port Jefferson Village Assessor having reviewed and negotiated the case with Petitioner’s representative is recommending settlement of said proceedings, and WHEREAS, the Village of Port Jefferson and this Board are empowered by State and Local Law to compromise and otherwise settle legal claims against the Village, and the Village Assessor has provided an appropriate form Settlement Stipulation and approved the content therein:

NOW THEREFORE, be it RESOLVED by the Village Board of Trustees: THAT,

1. The subject tax certiorari proceedings, filed in the name of the aforementioned Property owner-Petitioner are hereby settled, subject to the term of the attached Settlement Stipulation, for the 2012/13 through and including the 2017/18 tax years for a total refund of FOUR THOUSAND EIGHT HUNDRED DOLLARS AND XX/00 CENTS (\$4,800.00) with a reduction of the current assessment from \$9,375 on the 2017/18 assessment roll to \$7,200 on the 2018/19 tax roll for the aforementioned lot(s); and

2. The Village attorney is hereby authorized to execute said Stipulation on behalf of the Village based on the aforementioned terms of settlement, and

3. The Village Assessor is hereby authorized to make the necessary assessment adjustments, if any, and to record the terms of settlement, as may be required or appropriate, and to take necessary action in connection with the settlement, and

4. The Village Treasurer is hereby authorized to issue payment to the Petitioner’s counsel, KOEPPPEL MARTONE LIESTMAN, L.L.P., on behalf of Petitioner, and instructed to do so in accordance with the terms of the Settlement; and This Resolution shall take effect immediately.

10. Approve the request of Clerk Juliano to attend NYCOM Legislative Priorities meeting, Monday, November 13 in Albany NY. The NYS Association of City & Village Clerks will pay for the travel expenses; the Village will be responsible for the \$139.00 lodging fee.

11. Approve entering into a contract extension with “The Turn” for the PJCC Grill Room operation for the 2018 & 2019 Seasons.

12. Approve the warrants as presented by Treasurer Mordente and approved by claims auditor Carlson:

FUND	AMOUNT	DATE	CHECK
General	\$ 29,071.46	10/20/17	ACH
General	\$ 54,796.38	11/6/17	031814-031865
General	\$ 142,692.95	11/6/17	031866-031910
PJCC	\$ 17,248.15	10/3/17	ACH
PJCC	\$ 2,750.00	10/18/17	20939-20940
PJCC	\$ 6,946.48	11/1/17	ACH
PJCC	\$ 44,716.92	11/6/17	20941-20979
Trust	\$ 8,591.09	11/6/17	002672-002681
Capital	\$ 34,007.43	11/6/17	1856-1864
Capital	\$ 5,000.00	11/6/17	1865-1866

• Motion by Trustee D’Abramo second Trustee Loucks, to approve Action Items 1-6 & 8-12 and disapprove item number 7.
Motion passed 5/0

• Motion by Trustee LaPointe second by Mayor Garant to disapprove item number 7.
Motion passed 5/0

II. PUBLIC HEARING

TO AMEND SECTION 11-2 OF THE VILLAGE CODE TO AUTHORIZE THE MAYOR, WITH THE CONSENT OF THE BOARD OF TRUSTEES, TO APPOINT A DEPUTY CHIEF AND OTHER PERSONNEL TO THE CODE ENFORCEMENT BUREAU

- Motion by Mayor Garant, second by Trustee Loucks to close the Public Hearing at 7:40 PM.
Motion passed 5/0
- Motion by Mayor Garant, second by Trustee LaPointe to close the Public Forum portion of the meeting at 8:35 PM.
Motion passed 5/0

III. EXECUTIVE SESSION

- Motion by Mayor Garant, second by Trustee LaPointe to go into executive session at 8:40pm to discuss 2 personnel items and a contract issue at 8:40 PM.
Motion passed 5/0
- Motion by Mayor Garant second by Trustee Loucks to come out of executive session at 9:41 PM.
Motion passed 5/0
- Motion by Mayor Garant, second by Trustee Miller, to approve the PJV Constable promotions as listed below,
Fred Leute - Promoted to Deputy Chief:
Sergeant Frank Shaffer – Promoted to the rank of Lieutenant, \$22.25 p/hr.
Sergeant David Maddox – Promoted to the rank of Lieutenant, \$22.25 p/hr.
Code Officer Nicholas Desimone – Promoted to the rank of Sergeant, \$20.50 p/hr.
Code Officer Paul Barbato – Promoted to the rank of Sergeant, \$20.50 p/hr.
Code Officer Philip Cufaro – Promoted to the position of Emergency Services Manager, \$19.50 p/hr.
ATO GinaMarie Savoie – Promoted to the rank of ATO Corporal, \$17.50 p/hr.
ATO James Murdocco – Promoted to the rank of ATO Corporal, \$17.50 p/hr.
ATO John Vinicombe – Promoted to the rank of ATO Corporal, \$17.50 p/hr.
Motion passed 5/0
- Motion by Mayor Garant, second by Trustee D'Abramo to approve the IMA with the Port Jefferson School District to retain a lobbyist.
Motion passed 5/0
- Motion by Trustee LaPointe, second by Trustee Loucks to authorize the Mayor to adopt the Principal Clerk Typist entry salary of \$57,400.00 and place the employee on step A of the new schedule, subject to acceptance by the union.
Motion passed 5/0
- Motion by Mayor Garant, second by Trustee LaPointe to approve the Proposed Code Change concerning amending Village Code Section 11-2.
Motion passed 5/0

IV. ADJOURN

- Motion by Mayor Garant, second by Trustee Loucks to adjourn the meeting at 9:45 PM.
Motion passed 5/0

Respectfully Submitted

Robert Juliano
Village Clerk