

**REGULAR MEETING OF THE BOARD OF TRUSTEES**  
**Monday, October 1, 2012**  
**INC. VILLAGE OF FARMINGDALE**

The regular meeting of the Board of Trustees of the Incorporated Village of Farmingdale was held at Village Hall, 361 Main Street, Farmingdale, New York at 8:00 p.m. on Monday, October 1, 2012.

**Present:** Mayor Ralph Ekstrand  
Deputy Mayor Patricia Christiansen  
Trustee William Barrett  
Trustee Cheryl Parisi  
Trustee Thomas Ryan  
Attorney Claudio DeBellis  
Deputy Clerk/Treasurer Barbara Kelly  
Public Works Superintendent Andy Fisch  
Building Superintendent Steve Fellman

**Absent:** Administrator/Clerk/Treasurer Brian Harty

Mayor Ekstrand opened the meeting at 8:00 PM with the pledge of allegiance.

Attorney DeBellis explained that the Executive Session was to discuss personnel issues concerning the DPW department and Board questions on Local Laws on the agenda this evening.

**ANNOUNCEMENTS** – Mayor Ekstrand made the following announcements:

- Next Board meeting with public comment period will be held Monday, November 5, 2012 at 8:00 pm: Board of Trustees Work Sessions begins at 7:00 pm on 10/15, 10/22 and 10/29.
- The Annual lighting of the Bi-Centennial Tree at Village Green will occur at 6:00 p.m. on Tuesday, November 27, 2012, followed by refreshments in Village Hall sponsored by the Farmingdale-Bethpage Historical Society
- Hydrant flushing on Friday 10/19 through Saturday 10/20

**CONTINUED PUBLIC HEARING ON PROPOSED LOCAL LAW 2-2012 CODE REVISION TO BUSINESS DISTRICT D** - Upon a motion made by Trustee Parisi and seconded by Trustee Barrett, it was unanimously,

**RESOLVED (#2013-85)**, to continue the public hearing on the proposed local law 2-2012 on code changed to Business District D to permit multi-family dwellings by special permit of the Board of Trustees.

Mayor Ekstrand opened the hearing for public comment:

- No public comment was made.

Upon a motion made by Trustee Parisi and seconded by Trustee Barrett, it was unanimously,

**REGULAR MEETING OF THE BOARD OF TRUSTEES**  
**Monday, October 1, 2012**  
**INC. VILLAGE OF FARMINGDALE**

**RESOLVED (#2013-86)**, to close the public hearing to public comment on the proposed local law 2-2012 on code changed to Business District D to permit multi-family dwellings by special permit of the Board of Trustees.

Upon a motion made by Trustee Ryan and seconded by Trustee Parisi, it was unanimously,

**RESOLVED (#2013-87)**, to pass the SEQRA resolution as adhered to these minutes.

Upon a motion made by Trustee Parisi and seconded by Trustee Barrett, it was unanimously,

**RESOLVED (#2013-88)**, to continue the public hearing until November 5, 2012 at 8:00 p.m. pending response from Nassau County on the SEQRA resolution.

**CONTINUED PUBLIC HEARING ON PROPOSED LOCAL LAW 3-2012  
PROPOSED CODE CHANGE CREATING 55 AND OVER HOUSING CATEGORY -**

Upon a motion made by Trustee Parisi and seconded by Trustee Barrett, it was unanimously,

**RESOLVED (#2013-89)**, to continue the public hearing on the proposed local law 3-2012 on code changed to creating 55 and over housing category.

Mayor Ekstrand opened the hearing for public comment:

- Joe Diurno, Fairview, questioned a portion of the code that mentioned grandchildren. Mayor Ekstrand stated that the law would not allow any school age children to reside in the housing.

Upon a motion made by Deputy Mayor Christiansen and seconded by Trustee Ryan, it was unanimously,

**RESOLVED (#2013-90)**, to close the public hearing to public comment on the proposed local law 3-2012 on code changed to create 55 and over housing category.

Upon a motion made by Trustee Barrett and seconded by Trustee Parisi, it was unanimously,

**RESOLVED (#2013-91)**, to pass the SEQRA resolution as adhered to these minutes.

Upon a motion made by Trustee Barrett and seconded by Trustee Parisi, it was unanimously,

**RESOLVED (#2013-92)**, to continue the public hearing until November 5, 2012 at 8:00 p.m. pending response from Nassau County on the SEQRA resolution.

## REGULAR MEETING OF THE BOARD OF TRUSTEES

Monday, October 1, 2012

### INC. VILLAGE OF FARMINGDALE

**PUBLIC HEARING ON PROPOSED LOCAL LAW 4-2012 REVISING THE SKATEBOARD CODE** - Upon a motion made by Trustee Parisi and seconded by Deputy Mayor Christiansen, it was unanimously,

**RESOLVED (#2013-93)**, to open the public hearing on proposed Local Law 4-2012 revising the skateboard code.

Mayor Ekstrand asked for comments from the public:

- Rob Mantooth, spoke for the long boarders that use the hill for their sport, he stated that they stay as safe as they can by wearing protective gear. He acknowledged that it can be dangerous but so can football. They follow all the laws of the road.
- Robert White – Thomas Powell – asked what current laws discuss skateboarding on Village roads. Mayor Ekstrand stated that none currently do.
- Robert Linnen, Massapequa Park, couldn't understand how the Village can pass a law banning this.
- Barbara Carpenter – Barberry Ct. – asked why this issue is being entertained again. Mayor Ekstrand stated that resident complaints caused the subject to be re-visited. Ms. Carpenter asked why not bikes and joggers? She also wanted to know who determines the experience of the skateboarders as discussed in the law. She feels that skateboarding is a good outlet for the kids and that the exercise is healthy.
- Ray Adams – Anita Place – explained that their house is the epicenter of this topic – they had a problem that afternoon with a skateboarder and asked them to not skate on their sidewalk, he stated that after making this request the skateboarder came back and did it again. He went on to say that he and his wife are both handicapped and have problems dogging skateboarders.
- A young man stated that he was the skateboarder that Mr. Adams spoke about, that he was nowhere near Mr. Adams and feels that the Village is discriminating against the skateboarders.
- Joe Diurno, Fairview Road – let the Board know that his house is at the bottom of the hill and gets the brunt of all the problems. He has problems seeing the skateboarders as they come down the hill and worries that he will hit someone. He asked the Board who assumes the liability for any injury – he believes that the law should state that the skateboarders and their parents assume the liability for an injury. Village Attorney DeBellis stated that he cannot answer the question about the liability but that he made the Board aware of the issue during exec session.
- Craig, 19 Leonard St. – concerned if the law is complaints based or evidentiary based. Mayor Ekstrand stated that the concern was the speed and injuries. Craig asked about the statistics of injuries on the hill. Mayor Ekstrand said that the Board did not have any knowledge of injuries.
- Chris Martin, Massapequa – spent the majority of his childhood coming into Farmingdale to skateboard. He is very concerned that the law would ban skateboarding on the hill this year and somewhere else next year. He has skateboarded for 13 years and doesn't think that the law should be passed.
- An unidentified person – asked if the Board did any research on laws encouraging safety in skateboarding where fines are issued for not wearing a helmet or protective

**REGULAR MEETING OF THE BOARD OF TRUSTEES**  
**Monday, October 1, 2012**  
**INC. VILLAGE OF FARMINGDALE**

clothing and reflective clothing at night. Mayor Ekstrand stated that most of the skateboarders he has observed wear protective clothing.

- Lou Bell – wanted to vouch for the character of some of the young men in the audience. He noticed some who went pretty high in Boy Scouts. These kids are not doing drugs or getting drunk they are having fun. He asked the Board to sit down with the kids and find out how to make this activity safer and keep it enjoyable while addressing the resident complaints.
- Nancy, Yoakum Street – spoke about how polite the kids are that they move out of the way when they are skating. She wanted the Board to let kids be kids. She was concerned that the kids would not be able to afford the fines and what would happen then. Mayor Ekstrand stated that a payment plan would be set up but in no way is this law being considered to be a money maker for the Village, the safety of the residents and the skateboards is the concern.
- Chris Butt mentioned that he is and Eagle Scout who does community service – as a skateboarder he takes responsibility for safety. The skateboarders stay under the speed limit, wear safety equipment and have spotters for danger.
- Mike Licasi, 132 Thomas Powell Blvd., when Allen Park closed the skateboard park we had nowhere else to go, if we don't have something positive for us to do, you are only harming the youth and some may end up doing drugs or getting into trouble.
- Gail Mantis, S. Farmingdale – the skateboarders are respectful and keep in shape to be able to stay safe. Ms. Mantis feels that with the attention this law has gotten that they will be even more cautious.
- Village Attorney DeBellis – wanted to clarify that the Board did not discuss the law because they assumed that the children were bad kids. The Board stated that all the reports are that the kids are respectful and are wearing safety equipment that no complaints were based on the kids causing trouble.
- Nathaniel Kirshon – explained the safety measures on his longboard. Village Attorney DeBellis inquired what is top speed that can be attained going down the hill. – Mr. Kirshon stated 25 miles per hour. Attorney DeBellis asked how long it takes to stop. – Mr. Kirshon replied that one can jump off.
- Mr. Iadanza – explained that the cars at the bottom of the hill have a stop sign – how I come down the hill he slides and the longboard slows down automatically. Everyone takes the proper safety precautions, if he falls, he doesn't get hurt, he gets up and continues to skateboard.
- An unidentified person stated - I avoid the area because it is a dangerous hill and sharp curve he believes that it is an accident waiting to happen.
- Jean DeRosa – Fairview road – mentioned that the kids are great but it is a safety issue – pulling out of your driveway is dangerous.
- Julie Brakman, Yoakum – Mentioned that she hangs out with the skateboarders and no one has been hurt.
- Nick Ezzo – Prospect St. They have been using that hill for 85 years for all sorts of activities and now we are thinking of banning skateboarding.
- Mr. Monserate – Arch Ave – there is risk in everything you do – the kids are not unsafe it's the cars that are unsafe.

## REGULAR MEETING OF THE BOARD OF TRUSTEES

Monday, October 1, 2012

### INC. VILLAGE OF FARMINGDALE

- Mayor Truden – we can be here all day long – these kids are good kids it's a sport you can get hurt doing anything – stop this law – let them skate.
- Mayor Graf – Prospect Street – stated that this law does not cover the entire village. He wants everyone to understand that the Board has an obligation to protect its residents and any visitors. The issue is when a skateboarder is coming down the hill it is in obvious danger. A skateboarder against a car, the car will always win.
- Jerry Ahearn – Conklin – stated that he banned his kids from sledding down Fairview and asked why there isn't a skateboarding park at Allen Park.
- Tom Solowich – stated that New York State does not allow you to restrict biking without putting in a bike path it would not allow you to restrict skateboarding.
- Joe Carosella - Sherman– commented that the Board is trying to ensure the children's safety and that the law restricts on two blocks and not the rest of the village.
- Martin Plaster – stated that he is thrilled to see the kids here and they seem like they know what they are doing.
- Matthew Duttman – Secatogue – commented that there are very few hills to longboard on – this is perfect place to do what he loves.
- Frank Lopicolo – Eastern Parkway – mentioned that he was willing to donate funds and sit down with kids to work something out.

Mayor Ekstrand stated that the Board would not be voting on this issue tonight but they want to address the safety issue. The Mayor asked for six representatives from each side to attend the Board of Trustees Work Session on 10/22 at 7:00 p.m. to see if a resolution to the safety issue can be found that is acceptable to everyone involved. Mr. Rob Mantooth, representing the skateboarders, thanked the Board for giving them the opportunity to be heard and for delaying the vote on the law.

Upon a motion made by Trustee Parisi and seconded by Trustee Barrett, it was unanimously,

**RESOLVED (#2013-94)**, to continue the public hearing on LL4-2012 on skateboarding until November 5, 2012 at 8:00 p.m.

**PUBLIC HEARING DATES** - Upon a motion made by Deputy Mayor Christiansen and seconded by Trustee Parisi, it was unanimously,

**RESOLVED (#2013-95)**, to set the following public hearings for November 5, 2012 at 8:00 p.m.; proposed LL5-2012 on regulating Massage Parlors, proposed LL6-2012 on Sex Offenders and Special Use permit revision for the game store.

**ABSTRACT** – Upon a motion made by Trustee Barrett and seconded by Trustee Parisi, it was unanimously,

**RESOLVED (#2013-96)**, that the Abstract of audited vouchers #1046 dated October 1, 2012, be approved for payment holding checks 1517, 1528 and 1572 for further clarification.

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**Monday, October 1, 2012**

**INC. VILLAGE OF FARMINGDALE**

**WIRE TRANSFERS** – Upon a motion made by Trustee Ryan and seconded by Trustee Barrett, it was unanimously,

**RESOLVED (#2013-97)**, to approve the wire transfers made during September as adhered on to these minutes.

**MINUTES** – Upon a motion made by Trustee Ryan and seconded by Trustee Barrett, it was unanimously,

**RESOLVED (#2013-98)**, to approve the minutes of BOT Work Sessions of 08/27/12, 09/04/12, 09/10/12, 09/17/12, 09/24/12 and BOT Public Meeting on 09/04/12.

**USE OF VILLAGE PROPERTY** – Upon a motion made by Trustee Parisi and seconded by Trustee Barrett, it was unanimously,

**RESOLVED**, to allow the following use of Village property:

- Stratford Green Homeowners Association is requesting to use the court room for their annual meeting on Wednesday, October 10, 2012 at 7:00 p.m.
- Farmingdale Rotary Club is looking to sponsor the annual Rag-a-Muffin parade on Saturday, October 27<sup>th</sup> from 12 noon to 2 p.m. closing Main Street from Northside School to the Village Green. Deputy Mayor asked the Fire Commissioner Reilly for a fire truck for this parade
- Runner’s Edge requests to use parking lot 1 for a blood drive on Saturday, October 20<sup>th</sup> and Monday, January 21<sup>st</sup> (Martin Luther King Day).
- Chamber of Commerce would like to set up a table and chairs on Village Green during the Columbus Day fair on Saturday 10/6.
- The Chamber of Commerce would like to host its annual Holiday Parade on Saturday, November 17, 2012. Parade begins at Northside Elementary School at 12:00 noon and ends at the Village Green. Mayor asked the Fire Commissioner Reilly for a fire truck for this parade.

**BUILDING PERMITS** – The Board of Trustees accepted the listing of following building permits issued since the last meeting:

| LOCATION                                      | TYPE OF CONSTRUCTION/COMMENTS              | ARB |
|---|--|-----|
| Island Gardens<br>630 Fulton St.<br>SWP 12-13 | Replace 1,500 ft. of sidewalk.             | N/A |
| Island Gardens<br>630 Fulton St.              | Repair damage to building from car impact. | N/A |

**REGULAR MEETING OF THE BOARD OF TRUSTEES**  
**Monday, October 1, 2012**  
**INC. VILLAGE OF FARMINGDALE**

|  |   |     |
|--|---|-----|
| DB 12-89   |   |     |
| Crucciata<br>220 Melville Rd.<br>PP 12-32            | Replace gas boiler and hot water heater.                      | N/A |
| Defendini<br>106 Fairview Rd.<br>RO 12-11            | Road opening for new gas service.                             | N/A |
| National Grid<br>Powell Pl & Normandy Dr<br>RO 12-12 | One 8'x8' hole for corrosion control and maintenance of main. | N/A |
| Vianest<br>380 Fulton St., Apt. H-3<br>PP 12-33      | Install new gas boiler.                                       | N/A |
| Sarfaty<br>337 Main St.<br>DB 12-90                  | Interior alterations to create game store.                    | N/A |
| Frankie's Pizza<br>313 Main St.<br>DB 12-91          | Repair of fire damage.  | N/A |
| Frankie's Pizza<br>313 Main St.<br>PP 12-34          | Gas line repair.  | N/A |
| 968-976 Fulton St. LLC<br>972 Fulton St.<br>PP 12-35 | Install 25 ft. of gas piping to convert existing air handler. | N/A |
| 850 Fulton St. LLC<br>850 Fulton St.<br>DB 12-92     | Repair south wall of building damaged by vehicle impact       | N/A |
| Masjid Bilal<br>425 Fulton St.<br>FP 12-21           | Erect 6' vinyl fence at rear of property.                     | N/A |
| Bruzzese<br>205 Main St.<br>DB 12-93                 | Interior alterations to construct a café.                     | N/A |
| 1205 Building Corp.<br>246 Conklin St.<br>SP 12-15   | Erect 6'x3' wood sign. ARB approved 9/25/12.                  | X   |

**TAXI PERMITS** - Upon a motion by Trustee Parisi and seconded by Trustee Barrett, it was unanimously,

**RESOLVED**, to issue 5 taxi permits and issue a 6<sup>th</sup> one when the address is corrected.

**TAX CERTIORARI** – Upon a motion made by Trustee Barrett and seconded by Trustee Parisi, it was unanimously,

**RESOLVED (#2013-99)**, to approve the following tax certiorari - Steven Holzman, 43 Conklin (49,298,104), for tax years 2007/2008 through and including 2012/2013, refunding \$3,700 for all pending tax years including 2012/2013 and reducing the 2013/2014 final assessed value to \$510,000.

**VILLAGE AUDIT** - Upon a motion made by Trustee Ryan and seconded by Trustee Barrett, it was unanimously,

**REGULAR MEETING OF THE BOARD OF TRUSTEES**  
**Monday, October 1, 2012**  
**INC. VILLAGE OF FARMINGDALE**

**RESOLVED (#2013-100)**, to authorize Administrator Harty to send out Requests for Proposals for the Village and Court audit.

**SURPLUS VEHICLES** - Upon a motion made by Trustee Ryan and seconded by Trustee Barrett, it was unanimously,

**RESOLVED (#2013-101)**, to surplus and sell for scrap the following vehicles which are beyond their useful life and are not operational: 1995 Ford Crown Vic (VIN 2FALP71W8SX157676); 1995 Chevy Pickup (VIN 1GCHK34KXSE261300); 1995 Chevy Pickup (VIN 1GBJK34R2TE231356).

**SURPLUS EQUIPMENT** – Upon a motion made by Deputy Mayor Christiansen and seconded by Trustee Parisi, it was unanimously,

**RESOLVED (#2013-102)**, to authorize the disposal of a Ricoh printer model CL2000N serial #Q19 50600004 and the Fire Department's equipment as per the schedules adhered to these minutes.

**CODE CARS AND LIGHT DUTY TRUCK PURCHASES** - Upon a motion made by Trustee Barrett and seconded by Deputy Mayor Christiansen, it was unanimously,

**RESOLVED (#2013-103)**, to reaffirm the following motions passed at the September 17, 2012 work session due to timing of the purchases:

- Resolve to allow Administrator Harty to purchase two code cars off state bid 2012 Chevy Equinox at a cost of \$21,743.21 each. Budget adjustment increasing Safety Inspection Equipment (A.3620.0200) \$43,487 and decreasing Tax Certiorari (A.1964.0466.0001) by the same amount.
- Resolve to allow Administrator Harty to purchase one light duty truck 2012 Ford F350 pickup truck with plow and lift gate at a cost of \$32,230.83 increasing the budget for Street Maintenance Equipment (A.5110.0200) for \$32,231 and decreasing Tax Certiorari (A.1964.0466.0001) by the same amount.

**DPW HEAVY DUTY TRUCK** – Upon a motion made by Deputy Mayor Christiansen and seconded by Trustee Parisi, it was unanimously,

**RESOLVED (#2013-104)**, to authorize the purchase of one heavy duty truck cab and chassis at a cost of \$108,000 off state bid.

**LEASE/PURCHASE BACKHOE** – Since this was an emergency Mayor Ekstrand stated that the Board will be voting on this issue on the October 15, 2012 meeting after further clarification on lease/purchase.



**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**Monday, October 1, 2012**

**INC. VILLAGE OF FARMINGDALE**

**RENTAL OF 6 WHEEL CAPITAL TRUCK WITH PLOW AND SANDER** – Mayor Ekstrand announced that the resolution to approve the six month rental of a 6 wheel capital truck with plow and sander from Dejana is being tabled.

**DRAINAGE ON GRANT AVENUE** - Upon a motion made by Trustee Parisi and seconded by Trustee Barrett, it was unanimously,

**RESOLVED (#2013-105)**, to approve the hiring of Roadwork Ahead under the requirements contract to correct the drainage problem on Grant Ave. at Main St. at a cost of \$16,175 plus brick work as per requirements contract. Funds for this project will come from the Contingency Account.

**DPW NEW HIRE** - Upon a motion made by Deputy Mayor Christiansen and seconded by Trustee Parisi, it was unanimously,

**RESOLVED (#2013-106)**, to approve the hiring of John Langon to full time DPW Laborer at an annual salary of \$30,000 with his hire date set immediately after Civil Service approval.

**DPW PART-TIME HIRE** - Upon a motion made by Trustee Ryan and seconded by Trustee Barrett, it was unanimously,

**RESOLVED (#2013-107)**, to approve the hiring of Nick Cupas as part-time sweeper operator effective 10/1/12 at an hourly rate of \$20/hour not to exceed 18 hours per week.

**COLUMBIA STREET PARKING** - Upon a motion made by Trustee Barrett and seconded by Deputy Mayor Christiansen, it was unanimously,

**RESOLVED (#2013-108)**, to approve the placement of signs stating no parking here to corner 15 feet from the corner of South Front Street on Columbia Street.

**109 LANDSCAPING BID** - Upon a motion made by Trustee Barrett and seconded by Trustee Parisi, it was unanimously,

**RESOLVED (#2013-109)**, to approve the awarding of the bid for Route 109 median landscaping to Starkie Brothers Landscaping using two gallon containers at a cost not to exceed \$9,615.

**STREET TREES** - Upon a motion made by Trustee Parisi and seconded by Trustee Barrett, it was unanimously,

**RESOLVED (#2013-110)**, to approve the purchase of 150 trees as per the Barbato bid award at \$133/tree.

**REGULAR MEETING OF THE BOARD OF TRUSTEES**  
**Monday, October 1, 2012**  
**INC. VILLAGE OF FARMINGDALE**

**FBS COLLECTIONS** – Mayor Ekstrand explained that the resolution to hire FBS to provide collection services for the Village Court is being tabled until the more information is provided by the Court Clerk.

**BANKING CLOSURES/CHANGES** - Upon a motion made by Trustee Ryan and seconded by Deputy Mayor Christiansen, it was unanimously,

**RESOLVED (#2013-111)**, to approve the following bank changes:

- Close the following bank accounts
  - a- Citibank 8.6/3.3MM Investment Account #26577270
  - b- Chase Bank #2331364501
  - c- Valley National General Fund MMK # 42701494
  - d- Capital One MMK #2294003278
- Rename the Capital One account #2294003294 to Water Fund Reserve

**BOND PAYMENTS** - Upon a motion made by Trustee Parisi and seconded by Trustee Barrett, it was unanimously,

**RESOLVED (#2013-112)**, to approve the following budgeted bond payments:

- On November 1<sup>st</sup>, payment of \$3.3MM bond principal of \$270,000 and interest of \$41,850.
- On November 15<sup>th</sup>, payment of \$8.6MM bond principal of \$650,000 and interest of \$71,921.88 and also payment of the \$1.193MM bond principal of \$93,000 and interest of \$31,031.50.
- On December 1<sup>st</sup>, payment of \$1.345MM interest of \$15,475.

**HABERMAN & COMPANY** - Upon a motion made by Deputy Mayor Christiansen and seconded by Trustee Barrett, it was unanimously,

**RESOLVED (#2013-113)**, to approve the hiring of Haberman & Company for \$18,000 for the 2013/2014 tax season to provide assessment services.

**BEAUTIFICATION** – Deputy Mayor Christiansen reported volunteers gathered on September 22<sup>nd</sup> and planted mums in the street pots, at Village Green, Main Street/Melville Road triangle, in the street sign baskets and at Gergras Park. They also hung straw wreaths on Main Street. Many thanks to all the volunteers, DPW staff and special thanks to Pat Barbari who made all the bows for the signs and wreaths.

Holiday decorating will commence on November 15<sup>th</sup> at noon at Village Hall to prepare decorations, Saturday, November 17<sup>th</sup> at 9:00 AM to hang wreaths and Saturday, November 24<sup>th</sup> to decorate trees in the Gazebo. Many volunteers are needed on November 17<sup>th</sup> as there are approximately 98 wreaths to be hung throughout the Village.

**REGULAR MEETING OF THE BOARD OF TRUSTEES**  
**Monday, October 1, 2012**  
**INC. VILLAGE OF FARMINGDALE**

**OLD BUSINESS**

- Trustee Parisi reported that she and Deputy Mayor Christiansen attended a meeting of new fire dispatchers on Sunday, September 30<sup>th</sup>. The meeting was chaired by Christopher Wright, Supervisor of the dispatchers and First Deputy Chief Patrick Tortoso. The subject of the meeting was to introduce the new online scheduling system as well as a review of reports required from the dispatchers for the red alert system. Trustee Parisi advised that the meeting was very well planned, presented and conducted. Supervisor Wright and Chief Tortoso are to be commended for their efforts.

**EXECUTIVE SESSION**, upon a motion duly made and seconded, it was unanimously,

**RESOLVED**, to move to Executive Session to discuss personnel and legal matters.

Upon a motion duly made and seconded, it was unanimously,

**RESOLVED**, to reconvene the meeting.

There being no further work, the meeting was adjourned at 12:00 p.m.

Respectfully submitted,

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Brian P. Harty  
Administrator, Village Clerk-Treasurer