

**MINUTES OF APRIL 10, 2023**

**THE BOARD OF TRUSTEES SPECIAL MEETING  
FOR THE  
INC. VILLAGE OF RUSSELL GARDENS**

**PRESENT** Larry Chaleff, Deputy Mayor, Trustee Jane Krakauer, Trustee Martin Adickman and Eileen Clancy, Deputy Village Clerk Treasurer.

**ABSENT** David M. Miller, Mayor, Trustee Matthew Ellis, Danielle Pennise, Village Clerk Treasurer

**Deputy Mayor Larry Chaleff** opened the meeting at 8:05 P.M. in Village Hall.

**PUBLIC HEARING ADJOURNED:**

Public Hearing for the proposal of **A Local Law (1-2023)** to amend Russell Gardens Code Chapter A65 entitled "Zoning Board of Appeals: Rules and Regulations." (Refer to Local Law 1-2023) was adjourned and is scheduled for May 4, 2023.

**REGULAR MEETING:**

To Amend **Section 103** of the **Open Meetings Law**. Proposed resolution was tabled at the previous meeting held on March 2, 2023. No discussion for vote by the Board.

**MINUTES OF MARCH 2, 2023**

A motion was made by **Jane Krakauer** to accept the minutes of **March 2, 2023** and seconded by **Martin Adickman**.

**VOTE OF THE BOARD OF TRUSTEES**

**AYE: LARRY CHALEFF, JANE KRAKAUER and MARTIN ADICKMAN**

**NAY: NONE**

**TREASURER'S REPORT FOR FEBRUARY 28, 2023**

A motion was made by **Jane Krakauer** to accept the Treasurer's Report and seconded by **Martin Adickman**.

**VOTE OF THE BOARD OF TRUSTEES**

**AYE: LARRY CHALEFF, JANE KRAKAUER and MARTIN ADICKMAN**

**NAY: NONE**

**BUILDING INSPECTOR'S REPORT FOR MARCH 2023**

A motion was made by **Jane Krakauer** to accept the Building Inspector's Report and seconded by **Martin Adickman**.

**VOTE OF THE BOARD OF TRUSTEES**

**AYE: LARRY CHALEFF, JANE KRAKAUER and MARTIN ADICKMAN**

**NAY: NONE**

**MAINTENANCE REPORT FOR MARCH 2023**

A motion was made by **Jane Krakauer** to accept the Maintenance Report and seconded by **Martin Adickman**.

**VOTE OF THE BOARD OF TRUSTEES**

**AYE: LARRY CHALEFF, JANE KRAKAUER and MARTIN ADICKMAN**

**NAY: NONE**

**Deputy Mayor Larry Chaleff** commented that the start date of the street lighting project was moved from late April to mid-May.

**Deputy Mayor Larry Chaleff** read the following **annual resolutions**:

**RESOLVED** to approve the attached **Budget Modifications** for **February 2023** and one budget modification previously posted on 10/31/2022.

A motion was made by **Jane Krakauer** and seconded by **Martin Adickman**.

**VOTE OF THE BOARD OF TRUSTEES**

**AYE: LARRY CHALEFF, JANE KRAKAUER and MARTIN ADICKMAN**

**NAY: NONE**

**RESOLVED** that the Village Clerk be hereby authorized to publish a notice for the Village Election on **Tuesday, June 20, 2023**, whereby the village election will take place at Village Hall, 6 Tain Dr., Great Neck, NY during the hours from 12:00 Noon to 9:00 P.M. at which the polls will be open.

**RESOLVED** to approve disbursements from First National Bank of Long Island General Funds Checking Account in the amount of **\$316,711.19** for invoices paid in **Feb. 2023**, Check #'s 1699 to 1744, including Electronic Transfers, Paychex Payroll and Direct Deposit.

**RESOLVED** to approve disbursements from First National Bank of Long Island General Funds Checking Account in the amount of **\$88,935.32** for invoices paid in **March 2023**, Check #'s 1745 to 1772, including Electronic Transfers, Paychex Payroll and Direct Deposit.

**RESOLVED** that the Village retain the law firm of **Forchelli, Deegan, Terrana LLP** to provide such legal services as may be requested by the Mayor and/or the Board of Trustees at an **hourly rate of \$225.00** for partners and associates, plus reimbursement of necessary disbursements.

**RESOLVED** that the Village retain **Spellman Gibbons Polizzi Truncale & Trentacoste, LLP**, as its attorneys to act as the Village's Tax Certiorari Counsel. The Firm's time shall be billed at **\$250** per hour for time expended by associates and **\$275** per hour for time expended by partners of the Firm.

**RESOLVED** that **Skinnon and Faber CPA** be retained as the Village Auditor, to audit Village books and records for the **Fiscal Year 2023/2024** and to review such other financial records as necessary, for an **annual fee of \$13,500** and to perform the annual audit of court records and dockets for an **additional fee of \$950.00**.

**RESOLVED** that **Cavoris Consulting Group** be retained to prepare the Actuarial Report for the Fiscal Year.

**RESOLVED** that the Village retain the services of **Robert Barbach** as **Superintendent of the Building Department**; although not a resident of the Village, is a resident within the County of Nassau wherein the Village is located, at the rate of **\$111.56 per hour** for the fiscal year.

**RESOLVED** that the Village retain the services of **Kristofer De Paola** as **Building Inspector**; although not a resident of the Village, is a resident within the State of New York wherein the Village is located, at the **rate of \$70.00 per hour** for the fiscal year.

**RESOLVED** to appoint **Ragini Srivastava**, Town Clerk of North Hempstead as Registrar of Vital Statistics for the Inc. Village of Russell Gardens.

**RESOLVED** to appoint **Margaret Malito**, Deputy Town Clerk of North Hempstead as Deputy Registrar of Vital Statistics for the Inc. Village of Russell Gardens.

**RESOLVED** that **Edward Goodman** elected as **Village Justice** be compensated at **\$450.00 per Court session**.

**RESOLVED** that **Laurie Berlin** be appointed **Associate Village Justice** with compensation at **\$450.00 per Court session**.

**RESOLVED** that **Eileen Clancy** be designated **Clerk to the Justice** with compensation at the **rate of \$75.00 per Court session**.

**RESOLVED** that **Adam Covitt** be designated as **Village Prosecuting Attorney** at the **rate of \$450.00 per Court session**.

**RESOLVED** that the **Board of Trustees** be designated to act as the **Village Assessment Board of Review**.

**RESOLVED** that **Larry Chaleff** be appointed **Deputy Mayor**.

**RESOLVED** that Danielle Pennise be appointed **Village Clerk Treasurer** for a **term** of four **(4) official years**.

**RESOLVED** that notwithstanding any other provision of law to the contrary, with the consent of the Board of Trustees, the **Village Clerk Treasurer** shall not be required to be a resident of the Village of Russell Gardens, but shall be a resident of the County of Nassau or a county which adjoins the County of Nassau.

**RESOLVED** that **Danielle Pennise** be designated **Secretary to the Zoning Board of Appeals** at the **rate of \$75.00** per meeting.

**RESOLVED** that **Eileen Clancy** be appointed **Deputy Village Clerk-Treasurer** for **one (1) official year**.

**RESOLVED** that **Eileen Clancy** be designated **Secretary to the Design Review Board** at the **rate of \$75.00** per meeting.

**RESOLVED** to extend the **Design Review Board** for a period of **12 months** with the following five members: Andrew Rouchou-Chairman, Ron Nahum, Nancy Citriniti, Jason Jia and Robin Sherman.

**RESOLVED** that the **Regular Monthly Meeting of the Board of Trustees** be held in Village Hall or Virtually on the **first Thursday of the month at 8:00 p.m.** or upon such other dates as may be agreed upon by the Board of Trustees.

**RESOLVED** that the **next Annual Meeting of the Board of Trustees** will be held on **April 11, 2024**.

**RESOLVED** that the **Mayor, Board of Trustees, Village Clerk-Treasurer, Deputy Village Clerk-Treasurer, Village Justice, Associate Justice, and Clerk to the Justice**, are authorized with the approval of the Board of Trustees to attend various meetings to be held during the coming fiscal year and are to be **reimbursed for actual and necessary expenses**.

**RESOLVED** that **Great Neck Record** be designated the official newspaper for Village publication of requisite notices as required by law.

**RESOLVED** that **First National Bank of Long Island** be designated as a legal depository for funds of the following accounts:

General Funds Account, Checking Account  
Money Market Account  
Trust And Agency Account  
Edward S. Goodman Village Justice Account  
Laurie Berlin Associate Village Justice Account

**RESOLVED** that the following individuals are authorized for and on behalf of the Organization to open a transaction account (Demand Deposit/Savings/Money Market Savings) with **First National Bank of Long Island (the Bank)** and to execute and deliver to the Bank any additional documentation, including but not limited to, a signature card or cards supplied by the Bank, containing a specimen signature of such individuals. Furthermore, such individuals are authorized for and on behalf of the Organization to conduct transactions, to endorse or cause to be endorsed, to deposit or cause to be deposited from time to time checks, drafts and other instruments and funds payable or held by the Organization, and that any funds so deposited shall be subject to withdrawal or transfer by any individuals: **Danielle Pennise, Village Clerk Treasurer, Eileen Clancy, Deputy Village Clerk Treasurer and Court Clerk, David M. Miller, Mayor, Larry Chaleff, Deputy Mayor, Martin Adickman, Trustee, Jane Krakauer, Trustee and Matthew Ellis, Trustee.**

**RESOLVED** that **First National Bank of Long Island (the Bank)** may purchase, give credit for, cash, accept, pay, and charge to any of the aforementioned accounts, without inquiry, all items signed, drawn, accepted or endorsed on behalf of the Organization, whether under a title, the words "Authorized Signature" or otherwise, with the purported actual or facsimile signature or any one of the officials whose names, titles and specimen signatures appear above or on a rider hereto, or his or her successor in office, regardless of the circumstances under which the signature shall have become affixed if it resembles any actual or facsimile signature previously certified to the Bank. The Organization shall indemnify and hold the Bank harmless against all claims, losses, damages, liabilities, costs, penalties, and expenses (including, but not limited to, attorneys' fees and disbursements) incurred by the Bank in connection with the honoring of any purported signature of any authorized signer or any refusal to honor the signature of any person who is not an Authorized Signer. (The Organization acknowledges that dual signature requirements and restrictions impose no liability on the Bank).

**RESOLVED** that the above mentioned individuals, as well as designees by written instructions from the Organization, are authorized for and on behalf of the Organization to open a Certificate of Deposit account with the Bank and to execute and deliver a confirmation of instructions and any additional documentation containing a specimen signature of such individuals. Any funds deposited therein shall be subject to withdrawal or transfer by such individuals.

**RESOLVED** that each of the foregoing resolutions shall continue in force until express written notice of its rescission or modification has been received by **First National Bank of Long Island (the Bank)**, but if the authority contained in them should be revoked/terminated by operation of law without said notice, it is resolved and agreed for the purpose of inducing the Bank to act hereunder, that the Bank shall be saved and held harmless from any loss suffered or liability incurred by it in so acting after revocation or termination without notice.

**RESOLVED** that the **Village Clerk-Treasurer** be authorized to purchase proper CDs or establish money market accounts and to make deposits in various amounts as may be consistent with Village financial arrangements, as provided by law and as approved by the Mayor and Board of Trustees.

**RESOLVED** that the Village of Russell Gardens will be a participant of **NYCLASS** to invest portions of its available investment funds in cooperation with other corporations and/or districts pursuant to the NYCLASS Municipal Cooperation Agreement Amended and Restated as of March 28, 2019; Whereas the Inc. Village of Russell Gardens wishes to satisfy the safety and liquidity needs of their funds.

**RESOLVED** that **Danielle Pennise, Village Clerk Treasurer** of the Inc. Village of Russell Gardens and an authorized participant in the **NYCLASS** program per adopted resolution on January 5, 2023, may deposit funds for contributions into the NYCLASS General account and or withdraw funds from the NYCLASS General account to transfer funds between the General Fund Checking Account held at First National Bank of Long Island and the NYCLASS General account upon approval with the Mayor.

**RESOLVED** that the **Village Clerk-Treasurer** be appointed as the Issuing Agent to issue permits to any eligible disabled resident of New York State, whether or not the applicant resides in the jurisdiction from which a permit is sought, or to any eligible agency that transports handicapped individuals.

**RESOLVED** that **Vacation Leave, Sick and Personal leave** accrue on a yearly basis and become available to the employee on the employee's anniversary date.

**RESOLVED** to **continue health insurance coverage for retired employees** (Angelo LoBrutto, Sal Restivo, spouse Rose Restivo, Joseph Simone and spouse Angela Simone, Michael Jurcsak and spouse Deborah Jurcsak, Christine Blumberg, Lorraine Hunt, and spouse Michael Hunt) **enrolled in the Excelsior Plan** for which the Village shall be responsible for no more than 50% of the cost for individual coverage premium and 35% of the cost for family coverage. The Village will cover the full plan cost for the Fiscal year March 1, 2023 through February 29, 2024.

**RESOLVED** that a **fixed rate of \$0.655 per mile**, or whatever the rate might change to, be reimbursed to officials and employees of the Village who use their personal automobiles while performing their official duties on behalf of the Village.

**RESOLVED** to re-adopt the present **Village Procurement Policy** on file with the Village Clerk as required by law.

**RESOLVED** to authorize the Mayor to sign an agreement with **D&B Engineers and Architect** to prepare the **2023 Storm Water Management Program Annual Report** in the amount of **\$3,000.00**.

**RESOLVED** to authorize the Mayor to sign an agreement with **Michael Haberman Associates, Inc.** to act as a consultant to the Inc. Village of Russell Gardens for **2023 Small Claims** proceedings in which a market analysis for each parcel will be prepared in the amount of **\$125.00/parcel**.

**RESOLVED** to authorize the Mayor to sign an agreement with **Michael Haberman Associates, Inc.** to complete the **2024/2025 Annual Assessment Update and Inventory** for a fee of **\$6,100** and to assist the Inc. Village of Russell Gardens with the preparation and filing of the **Annual Assessor's Report** including Base proportion calculations at a cost of **\$1,200**.

A motion was made by **Jane Krakauer** to accept the 43 resolutions listed above and seconded by **Martin Adickman**.

**VOTE OF THE BOARD OF TRUSTEES**

**AYE: LARRY CHALEFF, JANE KRAKAUER and MARTIN ADICKMAN**

**NAY: NONE**

**Deputy Mayor Larry Chaleff** read an announcement that Village taxes were due April 1<sup>st</sup> and any payments made after this date will receive a penalty charge of 5% in April and a charge of 1% each month after. Interest is not compounded.

The next meeting of the Board of Trustees will be held on **Thursday, May 4, 2023**.

A motion was made to adjourn the meeting at **8:24 P.M.** by **Jane Krakauer** and seconded by **Martin Adickman**.

**VOTE OF THE BOARD OF TRUSTEES**

**AYE: LARRY CHALEFF, JANE KRAKAUER and MARTIN ADICKMAN**

**NAY: NONE**

Respectfully submitted,  
Eileen Clancy, Village Deputy Clerk Treasurer  
Inc. Village of Russell Gardens