

Suffolk County Village Officials Association

QUARTERLY JOURNAL

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MESSAGE FROM THE PRESIDENT

Mayor Raymond Fell
Village of Bellport

As we begin a new year, I look forward to working with all of you – as individuals, villages, and supporters -- to find the best solutions to the challenges we face to support and enhance local government in the coming year.

First, on behalf of the Executive Board, I would like to extend a warm welcome our new board members, Village of Lindenhurst Mayor Michael Lavorata, Village of Brightwaters Mayor John Valdini and Village of Southampton Mayor Jesse Warren. SCVOA is very fortunate to have these exceptional elected officials join our efforts to support village life.



I'm very proud to be in the privileged position to serve with an Executive Board that has unparalleled knowledge, experience, and passion as we engage in the important work of supporting village life and the needs of our residents.

As villages, we recognize the vital importance of home rule and sustaining the independence of local government. The SCVOA Executive Board will work tirelessly to ensure that we remain a center of advocacy for the rights of local municipalities and a resource for village government. As part of our mission, we will continue to focus on important initiatives including:

- Continuing SCVOA's efforts to maintain an effective voice for local control;
- Building on the educational seminars and events we host to keep members up to date on state and local issues that impact villages and provide an opportunity for professional networking;
- Ensuring that we continue to provide services that meet the needs of our members and increase village engagement in SCVOA activities;
- Offering best practices for maintaining strong and cohesive village government.

We are all committed to the independence of local government and are ready to help strengthen the foundation of village life and meet the challenges ahead.

Please contact us with your thoughts and suggestions! We're always interested in your feedback.

Best wishes,

MEET VILLAGE OF SOUTHAMPTON MAYOR JESSE WARREN

Mayor Jesse Warren is a Southampton Village resident, business owner, and avid environmentalist. Prior to serving as mayor, he was a member of the Southampton Village Planning Commission, the Southampton Chamber of Commerce, and served on the Board of Trustees at the Southampton History Museum.

During his tenure as mayor, he has had an ambitious environmental agenda which has successfully included creating legislation that protects shorelines; forming the Lake Agawam Conservancy; installing bioswales on Lake Agawam; working to receive funds to implement bioswales in Old Town Pond; working alongside the Department of Environmental Conservation to implement microsonic buoys that track real-time data and help reduce harmful algal bloom; bringing electric charging stations to the village; proposing expanded use of green space; and implementing a transformative budget where he has proposed that a large portion of the \$3.7 million operating surplus be earmarked for environmental infrastructure projects and water quality improvement initiatives such as building sewers.



Mayor Jesse has worked tirelessly throughout the COVID-19 pandemic to prioritize the health and safety of the community. When COVID first struck, he worked to ensure that Southampton Hospital had ample PPE, including N95 masks, gowns, oxygen tanks, and ventilators. He was the first mayor in NYS to issue a mask mandate. Recognizing the importance of accessible and affordable testing, his administration worked diligently to establish a drive-through testing site in the village's center. He helped provide residents access to vaccine information and helped seniors to secure appointments.

Jesse has worked to bring numerous technological updates to Southampton Village, including budgetary software and the creation of a quality-of-life app that helps citizens report problems and track their progress in real time. Jesse has helped the village navigate a new artistic era, enacting legislation for vacant storefronts, partnering with international art fairs, and implementing numerous public art installations. Last year he delivered the first tax cut in over twenty years. He is currently helping update the village's comprehensive master plan for the first time in over two decades, focusing on preserving the historical integrity of the village, prioritizing the needs of local businesses and residents, and reimagining parts of the downtown.

A dedicated runner and plogger, when he's not working, you can find Mayor Jesse running almost every day on Wickapogue Road or walking with his fiance, Martyna, and their new dog, Timmy.

COUNSEL'S CORNER: Permissible Uses of ARPA Funds by Villages

Hon. Peter A. Bee, Esq.
Bee Ready Fishbein Hatter & Donovan

On March 11, 2021, the American Rescue Plan Act (ARPA) was signed into law by President Biden. Section 9901 of ARPA amended Title VI of the Social Security Act (the Act) to add section 602, establishing the Coronavirus State Fiscal Recovery Fund, and section 603, establishing the Coronavirus Local Fiscal Recovery Fund. Each fund is referred to as the "Fiscal Recovery Funds."



Congress has provided State, local and Tribal governments

with resources to respond to COVID-19 economic and public health impacts through four categories of eligible uses. Section 602 and 603 contain the same eligible uses; however, what distinguishes these two sections is that section 602 establishes a fund for States, territories, and Tribal governments, whereas section 603 establishes a fund for metropolitan cities, non-entitlement units of local government, and counties.

Section 602(c)(1) and 603(c)(1) provides the following options as to how funds may be used:

- (a) To respond to the public health emergency or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality;
- (b) To respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers, including premium pay for public safety, public health, health care, human services, and similar employees;
- (c) For the provision of government services to the extent of the reduction in revenue due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year prior to the emergency; and
- (d) To make necessary investments in water, sewer, or broadband infrastructure.

These four uses are split into seven expenditure areas:

1. Public Health
2. Negative Economic Impacts
3. Services to Disproportionately Impacted Communities
4. Premium Pay
5. Infrastructure
6. Revenue Replacement
7. Administrative

Congress has also clarified an additional two uses that were not within the above four mentioned categories. Section 602(c)(2)(B) and 603(c)(2) provide that these eligible uses do not include, and thus funds may not be used for, depositing funds into any pension fund. For States and territories, section 602(c)(2)(A) provides that the eligible uses do not include “directly or indirectly offset[ting] a reduction in the net tax revenue of [the] State or territory resulting from a change in law, regulation, or administrative interpretation.”

Additionally, payments from the Fiscal Recovery Fund may be used to provide support for costs incurred for addressing public health and economic challenges which resulted from the pandemic, including resources to offer premium pay to essential workers, in recognition of their sacrifices. Further, recipients may use payments to replace State, local and Tribal government lost revenue due to COVID-19, to ensure continued necessary services, and to avoid additional cuts and layoffs. To determine whether a program or service is included in this category of eligible uses, the recipient should undergo a two-step analysis: (1) identify a need/negative impact; and (2) identify how the program/service addresses the identified need/impact.

Eligible Uses: Recipients may use such funds to fund lost revenue. The IRF gives recipients wide latitude to use funds to provide government services in terms of reduction in revenue. Examples of these “Government services” include, but are not limited to, maintenance of infrastructure, modernization of cybersecurity, health services, school or educational services, and public safety measures. Funds may be used for administrative costs, including payment to consultants/assist in implementation of ARPA projects, as well as legal compliance.

Restrictions: The local government section of the bill contains no prohibition on lowering taxes. Using funds for general infrastructure is not considered an eligible use unless it relates to water, sewer, broadband investments or above the amount allocated under the revenue loss provision. Recipients may not use premium pay for employees working remotely. The statute provides recipients of said funds may not use funds for “deposit into any pension fund.” This is distinct from employees making a “payroll contribution” into a pension fund.

This interim final rule also provides flexibility for recipients to use these payments from the Fiscal Recovery Funds for programs/services that are not on these non-exclusive lists but that fall under the terms of section 602(c)(1)(A) or 603(c)(1)(A) by responding to public

FOCUS ON: SCVOA ASSOCIATE MEMBER SUFFOLK TRANSPORTATION SERVICE



Suffolk Transportation Service (STS) is a leader in the transportation industry and a family-owned business with over 65 years of bus transportation experience. The company serves a total of 21 school districts and agencies within Suffolk County and transports more than 50,000 school children daily through our school bus division. They are the largest public transportation provider in Suffolk County, serving the County's 1.5 million residents. Along with its public transit division, Suffolk Bus Corp., the company employs more than 2,800 people and has developed service, maintenance and safety policies that have become the model for the bus transportation industry.

In addition to school bus and public transit services, Suffolk Transportation provides paratransit, special education and adult handicapped transportation services. STS was selected to operate special transportation services for United Way of Long Island, the Long Island Railroad, Port Jefferson Village and Tanger Services, Inc. They have also partnered with the Suffolk County Police Department to create an emergency transportation program to help mobilize the County's law enforcement team in the event of a regional crisis. Additionally, in close collaboration with the County, STS has partnered with the Suffolk County Police Department and the Suffolk County Office of Emergency Preparedness to create unique safety programs for flood evacuation based on the devastating consequences of Tropical Storm Irene and Superstorm Sandy. Suffolk County Executive Steve Bellone declared STS's Pond Road facility, where the Company's emergency preparedness program is housed, to be "Ground Zero" in the case of a major flood.

STS prides itself in giving back to the community and has made this an integral part of company culture. They support well over 50 community-based organizations and charities and are very proud of their United Way campaign, which includes company and employee contributions, as well as company matching funds.

The company's many awards and distinctions include: the New York State Bus Contractors Association's "Contractor of the Year" Award; the Public Transportation Safety Board's "A" rating; First Place in the National Special Needs Competition; Winner's Circle distinction more than 40 times in annual New York State safety competitions; School Bus Fleet magazine's "National School Bus Contractor of the Year" award; voted by its employees in 2019 as one of the best companies to work for in New York State in an anonymous survey conducted by the New York State Society for Human Resource Management; recipient of Newsday's Best Company award 2018; and selected as one of the 2021 Forbes Best Company in the Nation.

Photo: Pictured from left to right are Jose Bonilla-Cardona, Assistant Center Manager; Teresa O'Halloran, Chief Administrative Officer; John J. Corrao, President; Thomas W. Smith, Vice President School Operations and Business Development; Annie Holt, Routing Manager.

WELCOME TO OUR NEWEST ASSOCIATE MEMBERS!

AXIS CONSTRUCTION

**BEB CAPITAL
HUNTER EMS
LOCAL 342 LI PUBLIC SERVICE EMPLOYEES**

With great appreciation to our

ASSOCIATE MEMBERS

Absolute Auctions & Realty. Contact: Phillip Gableman, info@arauctions.com
A leader in the auction industry of both real and personal property assets for more than 70 years.

Albrecht, Viggiano, Zureck & Company (AVZ). Contact: Jeff Davoli, jdavoli@avz.com
Certified public accounting firm.

Altice USA. Contact: Frank Alleva, Francis.alleva@alticeusa.com
Communications and media company.

Amato Law Group. Contact: Andrea Rothamel, arothamel@amatofirm.com
Law firm focusing on land use, zoning, real estate, lending, environment, telecommunications, commercial litigation.

American Red Cross LI. Contact: Neela Lockel, neela-lockel@redcross.org.
Serves more than 2.8 million people on LI, responding to emergencies and disasters across the region.

Arthur J. Gallagher Risk Management Services. Contact: Philip C. Westerman, phil_westerman@ajg.com
Provides highly specialized public sector risk management and insurance solutions.

AT&T. Contact: Amy Kramer, Amy.Kramer@att.com
International telecommunications company.

AvalonBay Communities Inc. Contact: Michael Adamo, michael_adamo@avalonbay.com
Real estate investment trust focused on developing apartment communities in high barrier-to-entry markets.

Axis Construction. Contact: Ralph Lambert, rlambert@theaxisgroup.com
Construction management, contracting and modular construction services including pre-design consultation, on-site project management, and post-construction follow-up

Town of Babylon IDA. Contact: Matthew McDonough, mmmcdonough@babylonida.org
Town of Babylon's central vehicle for economic development.

BEB Capital. Contact: Lee Brodsky, lbrodsky@bebcapital.com
Real estate investment firm featuring established and emerging markets throughout the East Coast.

Bee Ready Fishbein Hatter & Donovan. Contact: Peter Bee, Esq, pbee@beereadylaw.com
Law firm focused on representing local government entities.

Bencor/S.J. Edwards Inc. Contact: Sharon Davis, sharon.davis@sjedwards.com
Insurance, human resource and financial services.

Brown, Altman & DiLeo, LLP. Contact: David N. Altman, Esq, altman@brownaltman.com
Law firm focusing on all phases of commercial real estate and municipal law.

Cameron Engineering. Contact: John Cameron, jcameron@cameronengineering.com
A full service consulting engineering and planning firm founded in 1985.

Community Development Corp of LI. Contact: Gwen O'Shea, goshea@cdcli.org.
Regional non-profit organization formed to help create affordable housing opportunities.

Comp Alliance. Contact: John Triessl, jtriessl@wrightinsurance.com
Provides comprehensive workers' compensation coverage and services to New York's municipalities and schools.

Corporate Synergies Group. Contact: Bryan McManaway, Bryan.McManaway@corpsyn.com
A national employee benefits brokerage and health & welfare consultancy.

Cullen & Danowski, LLP. Contact: Christopher Reino, CPA, CITP@cdllp.net
Full-service accounting firm specializing in accounting and auditing services for local and government entities.

Law Offices of Mark Cuthbertson. Contact: Mark Cuthbertson, Esq, mcuthbertson@cuthbertsonlaw.com
Represents municipalities, community development agencies, and zoning applicants in all phases of land use development.

Damianos Realty Group, LLC. Contact: Cristofer Damianos, cdamianos@drgrealty.com
Damianos Realty Group is a commercial real estate company.

Delaware North. Contact: Chuck Kilroy, ckilroy@delawarenorth.com
Privately-held hospitality and food service company.

Discovery Land Company. Contact: Mark Hissey, mail@discoverylandco.com
Private resort community development company.

Farrell Fritz. Contact: Anthony Guardino, Esq, aguardino@farrellfritz.com
Municipal law firm focusing on zoning, real estate, and land use.

Flushing Bank. Contact: Thomas Buonaiuto, tbuonaiuto@flushingbank.com
NYS bank providing wide range of banking and investment services.

Fundamental Business Service, Inc. Contact: Dennis Farrell, dfarrell@fbsnet.com
Provides data management and business solutions for local municipalities.

GEI Consultants, Inc., PC.
Contacts: Errol S. Kitt, ekitt@geiconsultants.com & Gary A. Rozmus, grozmus@geiconsultants.com
Provides geotechnical, environmental, coastal resources, and ecological consulting and engineering services.

H2M Architects & Engineers. Contact: Joyce Cuggino, jcuggino@H2M.com
Architectural, engineering, and environmental consulting firm.

Haugland Group. Contact: Billy Haugland, billyh@hauglandllc.com
Construction firm with affiliates and subsidiaries that provide civil infrastructure, energy, and storm restoration services.

Hawkins Delafield & Wood, LLP. Contact: Robert P. Smith, rsmith@hawkins.com
Law firm focusing on public finance and public projects.

Heatherwood Communities. Contact: Chris Capece, ccpaace@heatherwood.com
Rental developer offering luxury apartments in Nassau, Suffolk, Long Island City and Brooklyn.

Humes & Wagner, LLP. Contact: Chris Wagner, chriswagner@humeswagner.com
Law firm representing individuals, not-for-profit organizations, businesses, and numerous villages on Long Island, both as general and special counsel.

Hunter EMS. Contact: Joseph Cutrone, joseph.cutrone@gmr.net
Provides a full range of medical transportation services from the most advanced high-risk critical care emergency transports to non-emergency services.

Island Pump & Tank. Contact: Joe Diandrea, JoeD@islandpumpandtank.com
Provides comprehensive environmental and petroleum services to a variety of industries.

Heatherwood Communities. Contact: Terese Cirone, tcirone@heatherwood.com
Developer of upscale residential rental communities, commercial property and luxury urban spaces.

Hotel Indigo East End. Contact: Rob Salvatico, rsalvatico@jaralproperties.com
Family-owned and operated hotel, restaurant and lounge.

J. R. Holzmacher PE, LLC. Contact: J. Robert Holzmacher, bob@holzmacher.com
Engineering firm servicing industry, government, municipalities, law firms, and other consulting firms.

Johnson Controls. Contact: Chris Fitzsimmons, chris.fitzsimmons@jci.com
Full range of systems and solutions to make buildings more sustainable.

Lamb & Barnosky, LLP. Contact: Eugene Barnosky, erb@lambbarnosky.com
Full-service law firm.

The Lauro Group. Contact: Robert A. Lauro, rlauro@thelaurogroup.com
Civil land use consulting firm servicing national chain developers.

Local 342 LI Public Service Employees. Contact: William Hennessey, local342@optonline.net
Organization that works to improve contracts, wages, working conditions and overall quality of life for every member of LIPSE.

Long Island Builders Institute. Contact: Mitch Pally, mitch@libi.org
Building industry trade association of Nassau-Suffolk builders, developers, and remodelers.

Long Island Contractors' Association (LICA). Contact: Marc Herbst, info@licanys.org
LICA represents LI's heavy construction contractors, subcontractors, suppliers and industry supporters.

Long Island Housing Partnership, Inc. Contact: Peter J. Elkowitz, Jr., pelkowitz@lih.org
Provides housing for low-income residents.

Marcum LLP. Contact: Jeffrey M. Weiner, Jeffrey.Weiner@marcumllp.com
Accounting and financial advisory firm.

Nassau County Village Officials Association (NCVOA). Contact: Ralph J. Kreitzman, exec@ncvoa.org
Not-for-profit organization representing all of Nassau County's 64 villages.

Nelson & Pope. Contact: Eric J. McFerran, emcferran@nelsonpope.com
Full-service engineering, architecture and surveying firm.

New York Cooperative Liquid Assets Securities System (NYCLASS)
Contact: Shawn Cullinane, shawn.cullinane@newyorkclass.org
Short-term, highly liquid investment fund designed specifically for the public sector.

Joseph W. Prokop, PLLC. Contact: Joseph W. Prokop, Esq, jwprokopesq@aol.com.
Specializes in village law and represents villages as village attorney and counsel.

PSEG Long Island

Contacts: Karyn Kemp-Smith, Karyn.kemp-smith@pseg.com & Vincent Frigeria, Vincent.frigeria@pseg.com
Industry-leading electric company providing service on LI and The Rockaways.

Public Employer Risk Management Association (PERMA). Contact: Leah Demo, ldemo@neami.com
Largest self-insurance pool for public entities in New York State.

Strategic Planning Systems Inc. Contact: Michael Dawidziak, miked@strategic-planning.com
Specializes in all aspects of direct voter contact and public opinion services.

Suffolk County Industrial Development Agency (IDA). Contact: Kelly Morris
Promotes economic development within Suffolk County.

Suffolk Transportation Service, Inc. Contact: Tom McAteer, tmcateer@suffolkbus.com
Provides school bus and public transportation services.

Tate Grossman Kelly & Iaccarino, LLP. Contact: Riccardo Iaccarino, riaccarino@bislawfirm
Law firm focusing on a broad range of practice areas.

Total Technology Solutions. Contact: Lisa Guerin, lguerin@total.us.com
Full-service IT and cyber security solutions provider.

Tritec Building Company. Contact: Robert Loscalzo, robl@tritecre.com.
Provides construction services as general contractor, construction manager, or design builder.

U.S. Green Building Council-LI Chapter (USGBC-LI). Contact: Daniel Busi, dbusi@usgbc-li.org
Encourages and facilitates sustainable building practices on Long Island.

VHB. Contact: Kevin Walsh, kevinwalsh@vhb.com
Provides planning, transportation, land development and environmental services along the east coast.

SCVOA EXECUTIVE BOARD

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SCVOA's mission is to inform, support, and advocate on behalf of the 32 villages of Suffolk County. The Executive Board of SCVOA works tirelessly in its commitment to create a strong, effective, cohesive organization that promotes an exchange of ideas and strategies that enable village government to faithfully serve the more than 125,000 Suffolk County village residents.
