**BOARD OF TRUSTEES**
**INC. VILLAGE OF EAST WILLISTON**
**AGENDA MEETING**
**MONDAY, OCTOBER 28, 2013**

Agenda Meeting of the Board of Trustees of the Incorporated Village of East Williston was held on Monday, October 28, 2013 at 7:30 p.m. at the Village Hall, 2 Prospect Street, East Williston, New York.

There were present: Mayor David E. Tanner, Deputy Mayor Trustee Bonnie L.S. Parente, Trustees Caroline DeBenedittis, Christopher A. Siciliano, Trustee Robert M. Vella, Jr., Village Attorney Jeffrey L. Blinkoff, Village Treasurer Michael Delury, Secretary to the Board of Trustees Bonnie Kreisman, Village Clerk Marie L. Hausner.

Also present: Francis J. Cashin, III and Daniel Cramblitt.

Frank Cashin was present to discuss proposed drainage projects within the Village. Two areas not address last year were Titus Way, and Orchard Drive.

The suggested remedy for Titus Way is to re-grade the road and place Belgian blocks in the affected area. There could be any number of reasons for the poor drainage in the area (utility work damaged a section of the underground piping, or tree roots may have grown through the piping, causing it to clog).

Orchard Drive is a low area in the Village. Mr. Cashin suggested that Public Works Superintendent James Bailey open the drains on Hewlett Drive to see if they are connected in this area. Before the Village spends any money on this area, it should be investigated to see what is there.

A new area of concern is a catch basin near the home of Dr. Heil at 56 Donald Street. The basin was a source of stagnant rain water causing a mosquito problem. Last year, the Village engaged the services of DeJana Industries to pump out this basin. The basin was cleaned out and only filled with water again after a few rain storms. Mr. Cashin said the basin appears to be a cement box, with no connection to other drains. He suggested the Village once again have DeJana come in and pump out the contents of the basin and call his office for someone to come at the same time to ascertain what is taking place at this location.

Mr. Cashin will be submitting a proposal for a survey.

Nassau County has engaged the services of Flood, Inc. as a contractor for a second requirements contract for drainage and paving and work.

The Board discussed the request of two residents near 41 Bengeyfield Drive to place a stop sign in the southerly direction on Bengeyfield Drive just before Concord Street. The area is an unusual configuration at the bend in the road.

Mayor Tanner asked the clerk to check with former Mayor Zolezzi to see if a traffic study had been performed in this area.

After reviewing a map of the area, Trustee Vella thought that an all way stop may be a good solution for this area. Mayor Tanner added that the Village should have a study performed before acting on this matter. Mr. Cashin will provide the names of some individuals who can perform a traffic study.

East Williston Fire Chief Dan Cramblitt was present at the meeting to present two items. The first was the replacement of the Maltese Cross sign in front of the firehouse to be used for messages and recruiting purposes. He brought a photograph of the old Maltese Cross sign. The new sign will have an LED display and can be obtained by a grant with no cost to the Village.

The second item was to decide upon an ID card for Village employees and elected officials. The Board reviewed the choices and decided upon a background with the Village Hall in daylight. The clerk will provide employee information to Chief Cramblitt.

The Mayor advised that the Veterans Day is set for Monday, November 11th at 11:15 on the Village Green.

The Board discussed proposals for the installation of decorative lights for the Village Hall, train station pavilion and the Public Works garage for the holidays. Trustee Siciliano stated that it has to be confirmed that the prices include the Public Works garage, since no lights were placed on the building last year, due to the deteriorated façade. Calls will be made to Pacific and Anlo (the companies who submitted proposals) to confirm if all three buildings are included.

Mayor Tanner stated that he has asked Mike Delury to solicit a new proposal for auditing services next year. He explained that the current auditor, Satty Levine is $3000 higher than the former firm.

The Board discussed tree maintenance expenditures to date. As of October 28, the Village has spent approximately $ on tree work (pruning/removal of trees, stumps).

Mayor Tanner stated that as soon as a contract is received from J. Galvin Construction, Inc., notification to the Muzio's can proceed with gaining entrance to the property for inspection by

Mr. Galvin, and then subsequent scheduling of the demolition with notification to remove personal property from the residence. Mr. Galvin will take photos when he enters the house for the inspection.

**RESOLUTION NO. 35-2013 A RESOLUTION APPROVING A BOND RESOLUTION OF THE VILLAGE OF EAST WILLISTON AUTHORIZING THE DEMOLITION OF 8 SUMTER AVENUE, STATING THE ESTIMATED MAXIMUMCOST THEREOF IS $70,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED $70,000 TO FINANCE SAID APPROPRIATION .**

On the motion of Mayor Tanner, seconded by Trustee Parente , and with Mayor Tanner and Trustees Parente, DeBenedittis, Siciliano and Vella all voting "aye", the Board unanimously approved the following resolution: BOND RESOLUTION OF THE VILLAGE OF EAST WILLISTON, NEW YORK, AUTHORIZING THE DEMOLITION OF 8 SUMTER AVENUE, STATING THE ESTIMATED MAXIMUM COST THEREOF IS $70,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED $70,000 TO FINANCE SAID APPROPRIATION.

Mayor Tanner offered the following resolution and moved its adoption:
BOND RESOLUTION OF THE VILLAGE OF EAST WILLISTON, NEW YORK, ADOPTED OCTOBER 28, 2013, AUTHORIZING THE DEMOLITION OF 8 SUMTER AVENUE, STATING THE ESTIMATED MAXIMUM COST THEREOF IS $70,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED $70,000 TO FINANCE SAID APPROPRIATION
THE BOARD OF TRUSTEES OF THE VILLAGE OF EAST WILLISTON, IN THE COUNTY OF NASSAU, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:
Section 1. The Village of East Williston, in the County of Nassau, New York (herein called the "Village"), is hereby authorized to demolish the structure located at 8 Sumter Avenue, pursuant to the Decision and Order of the Supreme Court of the State of New York, County of Nassau, entered on February 16, 2012, in the matter of *Incorporated Village of East Williston* v. *John and Theresa Muzio, as owners of Premises identified as 8 Sumter Avenue within the Incorporated Village of East Williston* (Index No. 009064-10). The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is $70,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of not to exceed $70,000 serial bonds of the Village to finance said appropriation and

the levy and collection of taxes upon all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.
Section 2. Serial bonds of the Village in the principal amount of not to exceed $70,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.
Section 3. The following additional matters are hereby determined and declared:
(a) The period of probable usefulness of the object or purpose for which said serial bonds are authorized to be issued, within the limitations of Section 11.00 a. 12-a of the Law, is five (5) years.
(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Village for expenditures made after the effective date of this resolution. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.
(c) The proposed maturity of the bonds authorized by this resolution will not exceed five (5) years.
Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.
Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:
(a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,
and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
(c) such obligations are authorized in violation of the provisions of the constitution.
Section 7. This bond resolution shall take effect immediately, and the Village Clerk is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in *"The Mineola American,"* a newspaper having a general circulation in the Village and hereby designated the official newspaper of said Village for such publication.
* * *
The adoption of the foregoing resolution was seconded by Trustee Parente and duly put to a vote on roll call, which resulted as follows:
AYES: Mayor Tanner, Trustee Parente, Trustee DeBenedettis, Trustee Siciliano and Trustee Vella.

NOES: None.

The resolution was declared adopted.

The Board discussed the topic of high water bill complaints from 22 East Williston Avenue, 10 Meritoria Drive and 210 Howard Street. Bonnie Kreisman prepared background information for review by the Board. In the case of 22 East Williston Avenue, a decimal was dropped off of the recorded reading a few years back, making previously the amount billed less than what should have been billed. The residence had actual readings at least once a year, so this was not a matter of continuous estimates or not sending reading cards back. It was the decision of the Board to recalculate the bill using rates at the time of the billing periods in question.

For 10 Meritoria Drive, the water meter register had turned over. The resident was sent a letter about the usage. Trustee Parente stated that perhaps we can give them time to pay the bill. Ms. Kresiman stated that the resident has not yet contacted the Village office about the letter and accompanying water bill sent to them. Mayor Tanner stated that the office should wait to hear from them.

210 Howard Street had a different situation where an actual reading had taken place after two consecutive estimates. The usage is high, and there appears to be a leak. The resident says there are no leaks in the house. Ms. Kreisman explained that the Village was experiencing a problem finding a location to test the meter. Finally, Badger Meter said they will test the meter free of charge, and then the Village will install a new meter.

On the motion of Trustee Parente, seconded by Trustee Siciliano, and with Mayor Tanner and Trustees Parente, DeBenedittis, Siciliano and Vella all voting "aye", the Board moved to adjourn into executive session at 8: 50 p.m. to discuss litigation.

The Board re-convened at 9:03 p.m.

Trustee Parente introduced a motion to institute a minimum water charge of $50 per billing cycle. The intent of this resolution is to ensure the share of water expenses is fairly distributed among all residents. In the current billing period (April-October 2013) 60 residents paid under $100 for water during the six month period. The proposed $50 minimum charge includes connection, water testing, repair of main breaks and system maintenance, and administration.

Mayor Tanner stated that he felt that the Board should wait to institute this charge until questions about the water rates with Williston Park have been addressed and answered. He further stated that he Village should have an expert in the "water field" review a proposed minimum rate.

Trustee Vella felt that it would be "overkill" to have an expert opine on this issue.

Mayor Tanner asked how the amount of $50 was arrived at for this fee.

Trustee Vella asked the Treasurer the dollar amount of water main breaks in past years. Mr. Delury stated that last year, the Village had to repair main breaks in the amount of $72,000. Trustee Vella stated that the amount of $72,000 alone, divided by 854 homes is a reasonable amount to justify a minimum $50.00 per billing period. It was noted that Williston Park charges a minimum of $39.20 per quarter.

Mayor Tanner stated that the Board should have a public hearing on this matter.

Mr. Blinkoff stated that the Village is not required to hold a public hearing on setting water rates.

Trustee Vella stated that he would prefer to have this resolution passed at a regular Board meeting where the public is present.

Trustee Parente asked that this item be placed under her agenda items for the November 13, 2013 meeting.

Trustee Parente brought up the topic of the LOSAP program. It was the consensus of the Board of have John McWhirk present at the January 2014 agenda meeting to discuss the topic.

Mr. Blinkoff stated that a company such as Penflex or another actuarial firm can calculate amounts for future payments.

The clerk was asked to re-send a copy of the bamboo legislation to the entire Board.

The Board discussed the appointment(s) to the Board of Fire Commissioners. In the past few years, there have been three members of the Board. Before that, there were five members. The question remains if there should be three or five members and who to appoint to the positions. The proposed candidates are former Fire Chief William McLean, Former Chief Paul Walters and resident Larry Monagchelli who has fire department experience.

Trustee Parente stated that she was informed that Mr. Monagchelli was not interested in the position.

Trustees Parente and Vella said they wanted William McLean as the appointee.

Trustee Siciliano stated that he had spoken with Mr. Monagchelli months back and at that time, he was interested in becoming a Commissioner. The Mayor asked Trustee Siciliano to check with Mr. Monagchelli again.

Mayor Tanner stated that with five members, the terms of office rotate so that no two members' terms end the same year.

Trustee Parente advised that the panel of five commissioners had been tried, but it did not work out.

Mayor Tanner wanted to have five commissioners serving on the Board.

Trustee DeBenedittis asked to have photos from the Ragamuffin Parade posted on the website.

Trustee Siciliano stated that the Village was continuing to repair sidewalks lifted by Village trees.

Trustee Vella was informed by Carla Strauss, member of the Friends of the Library that they do not like the display cabinet in the lobby. They wanted to have glass sides to the cabinet.

Trustee Parente stated that the annual inspection of the East Williston Fire Department will take place on November 16, 2013 at 11am with the dedication of the building to house the antique fire truck taking place just after the inspection.

Treasurer Michael Delury stated that the water fund showed usage up approximately 8% for the six month period April to October 2013. This past summer was hotter and drier than usual.

On the motion of Trustee Siciliano, seconded by Trustee DeBenedittis, there being no further business, the meeting was adjourned at 10:15 p.m.