

**BOARD OF TRUSTEES**  
**INC. VILLAGE OF EAST WILLISTON**  
**APRIL 4, 2011**  
**ANNUAL ORGANIZATIONAL MEETING**  
**AND BUDGET HEARING**

Annual Organizational Meeting and Budget Hearing of the Board of Trustees of the Incorporated Village of East Williston was held on Monday, April 4, 2011 at 7:30 p.m. at the Village Hall, 2 Prospect Street, East Williston, New York.

There were present: Mayor Nancy Zolezzi, Trustees James J. Daw, Jr., David E. Tanner, Michael A. Braitto, John F. Ferro, Jeffrey L. Blinkoff, Village Attorney Virginia M. Masterson, Village Treasurer, Marie L. Hausner, Village Clerk.

Also present: Trustee-elect Bonnie L.S. Parente, Trustee-elect Caroline DeBenedittis, Hon. Francis J. Cashin, III, Hon. Anthony Casella, Hon. Michael Balboni, Rev. Camp, William McLean, James Sandquist, Robert Shannon, Barbara Seixas, Carol Bertalli, Stephen and Diane Bondi, Susan Quinn, Carla Strauss, Mildred Clinton, Mr. & Mrs. Christopher Siciliano, Joan Hilding, Michael Kelapire, Mr. & Mrs. Hoffman, Hal Cronk, Nancy Kirk, Anne Mageau, Desmond McWheeny, Paul Walters, and others.

**RESOLUTION #8-1011 ADOPTING THE BUDGET FOR THE INC. VILLAGE OF EAST WILLISTON FOR THE FISCAL YEAR JUNE 1, 2011 TO MAY 31, 2012.**

On the motion of Trustee Daw, seconded by Trustee Tanner and with Mayor Zolezzi and Trustees Daw, Tanner, Braitto and Ferro all voting aye, the Board unanimously adopted the budget for the fiscal year commencing June 1, 2011 and ending May 31, 2012.

Mayor Zolezzi and Deputy Mayor James Daw thanked those present for their support over the years as they leave office.

The following newly elected officials were administered the oath of office: David E. Tanner, Mayor was sworn in by Nassau County Clerk, the Hon. Maureen O'Connell. Trustee Bonnie Parente was sworn in by the Hon. Michael Balboni. Trustee Caroline DeBenedittis was sworn in by the Hon. Anthony Casella.

Mayor David E. Tanner administered the oath of office to Building Inspector Robert Campagna, Historic Commission Chairperson Joan Fleck, Co chairpersons of the Recreation Committee Stephanie Keys and Caroline Fraser and Village Clerk Marie Hausner.

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Mayor Tanner asked the Clerk to read the Pro Forma Resolutions. At the conclusion, the following resolution was adopted:

**RESOLUTION #9-2011 APPROVING THE PRO FORMA RESOLUTIONS FOR THE INCORPORATED VILLAGE OF EAST WILLISTON FOR THE YEAR 2011.**

On the motion of Trustee Braitto, seconded by Trustee Ferro and with Mayor Tanner, and Trustees Braitto, DeBenedittis, Ferro and Parente all voting "aye", the Board unanimously approved the following resolution:

**PRO FORMA RESOLUTIONS - 2011**

Depository of Accounts

"RESOLVED, that Bank of America and Chase Bank be designated as the depositories of the separate funds now deposited by the Inc. Village of East Williston."

Official Newspaper

"RESOLVED, that The Williston Times be designated as the official newspaper for the publication of all legal notices and advertisements of the Inc. Village of East Williston.'

Mileage Reimbursement

"WHEREAS, the Board of Trustees of the Village of East Williston has determined to pay a fixed rate for mileage as reimbursement to officials and employees of the Village who use their personal automobiles while performing their official duties on behalf of the Village:

NOW THEREFORE BE IT RESOLVED:

Section 1. That the Board of Trustees shall approve reimbursement to such officers and employees at the rate of \$0.44 per mile.

Section 2. That this resolution shall take effect immediately."

Advance Approval of Claims

"WHEREAS, the Board of Trustees of the Village of East Williston has determined to authorize payment in advance of audit of claims for certain recurring charges.

NOW THEREFORE BE IT RESOLVED:

Section 1. That the Board of Trustees shall authorize payment of claims before audit for public utility services, postage, freight and express charges.

Section 2. That this resolution shall take effect immediately.”

#### Attendance at Schools and Conferences

“WHEREAS, there is to be held during the coming official year an annual meeting conducted by the Conference of Mayors for municipal officials; the Training School for Fiscal Officers and Municipal Clerks, conducted by the Conference of Mayors; the following County Association meetings: Nassau County Village Officials Association, etc., and

“WHEREAS, it is determined by the Board of Trustees that attendance by certain municipal officials and employees at one or more of these meetings, conferences or schools benefits the municipality:

NOW THEREFORE BE IT RESOLVED:

Section 1. That the Board of Trustees, Village Counsel, Clerk-Treasurer, Deputy Clerk-Treasurer, Building Inspector, Library Board Trustees, Board members, etc. are hereby authorized to attend the various schools and conferences.

Section 2. That this resolution shall take effect immediately.”

#### Reimbursement of Expenses

“RESOLVED, to authorize the reimbursement of pre-authorized expenses to Village employees or authorized representatives of the Village, for costs incurred on behalf of the Village when traveling or attending conventions, seminars or schools upon submission of a claim adequately supported with receipts.”

#### Monthly Meetings

“RESOLVED, that the following dates be designated as the regular meeting night for the Village Board and the hour fixed at 8:00 p.m., for 2011: May 9, June 13, July 11, August 8, September 12, (Tues) October 11, November 14, December 12, January 9, 2012, February 13, 2012, March 12, 2012, April 2, 2012.

RESOLVED, that the Village Court meet on the third Tuesday of each month, excluding November and December; and be it further

“RESOLVED, that there will be a work session on the last Monday of the month prior to the regular Board meeting as follows (except where a holiday falls on that Monday) for 2011: May 25, June 27, July 25, August 29, September 26, October 31, November 28,(Tues) December 27, January 30, 2012, February 27, 2012, March 26, 2012. All meetings are open to Village residents; and be it further

“RESOLVED, that the Library Board will meet at the Village Library six times a year, at its discretion, with additional meetings as the need arises; and be it further

“RESOLVED, that the Planning Board will meet on an on-call basis; and be it further

“RESOLVED, that the Board of Zoning Appeals will meet at the Village Hall on the third Thursday of the month provided variance applications have been received thirty days prior to the hearing; and be it further

“RESOLVED that the Recreation Committee will meet on an on-call basis; and be it further

“RESOLVED that the Historic Commission will meet on an on-call basis; and be it further

“RESOLVED that the Historic Committee will meet on the first Tuesday of each month, and be it further

“RESOLVED that all other committees will meet on an on-call basis. Notice of these meetings is to be published in the Williston Times or posted on the bulletin boards at the Library and Village Hall entrances.”

#### Investment Policy

“RESOLVED, that in order to conform to federal and other legal requirements and to provide safety of cash assets and liquidity to meet financial obligations and to generate reasonable yields on investments, the Treasurer is authorized to make discretionary cash deposits of Village funds to the following accounts:

Checking Accounts, Money Market Accounts, Certificates of Deposit

Such deposits must be made to a commercial bank located in the immediate area and must be collateralized either by federal deposit insurance or any other New York State comptroller-authorized instrument.”

Procurement Policy

“Whereas, Section 104-b of the General Municipal Law requires the governing body of every municipality to adopt a procurement policy for all goods and services which are not required by law to be publicly bid, and

Whereas, comments have been solicited from all officers in the Village of East Williston involved in the procurement process, now, therefore, be it

Resolved, that the Village of East Williston does hereby adopt the following procurement policy which is intended to apply to all goods and services which are not required by law to be publicly bid.

Procurement Policy for the Village of East Williston

1. Every purchase to be made must be initially reviewed to determine whether it is a purchase contract or a public works contract. Once that determination is made, a good-faith effort will be made to determine whether it is known or can reasonably be expected that the aggregate amount to be spent on the item of supply or service is not subject to competitive bidding, taking into account past purchases and the aggregate amount to be spent in a year. The following items are not subject to competitive bidding pursuant to Section 103 of the General Municipal Law: purchase contracts under \$10,000 and public works contracts under \$20,000; emergency purchases; certain municipal hospital purchases; goods purchased from correctional institutions; purchases under State and county contracts; and surplus and second-hand purchases from another governmental entity.

The decision that a purchase is not subject to competitive bidding will be documented in writing by the individual making the purchase. This documentation may include written or verbal quotes from vendors, a memo from the purchaser indicating how the decision was arrived at, a copy of the contract indicating the source which makes the item or service exempt, a memo from the purchaser detailing the circumstances which led to an emergency purchase, or any other written document that is appropriate.

2. All goods and services will be secured by use of written requests for proposals, written quotations, verbal quotations, or any other method that assures that goods will be purchased at the lowest price and that favoritism will be avoided, except in the following circumstances: purchase contracts over \$10,000 and public works contracts over \$20,000; goods purchased from agencies for the blind or severely handicapped pursuant to Section 175-b of the State Finance Law; goods purchased from correctional institutions pursuant to Section 186 of the Correction Law; {purchases under State contracts pursuant to Section 104 of the General Municipal Law; purchases under county contract pursuant to Section 103(3) of the General Municipal Law; or purchases pursuant to subdivision 6 of this policy.
  
3. The following method of purchase will be used when required by this policy in order to achieve the highest savings:

<u>Estimated Amount of Purchase Contract</u>	<u>Method</u>
\$250 - \$2,999	verbal quotations
\$3,000 - \$9,999	written/fax quotations or written RFP

<u>Estimated Amount of Public Works Contract</u>	<u>Method</u>
\$250 - \$2,999	verbal quotations
\$3,000 - \$4,999	written/fax quotations
\$5,000 - \$19,999	written/fax quotations or written RFP

A good-faith effort will be assumed if three solicitations for proposals or quotations have been made. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser will document the attempt made at obtaining the proposals. In no event shall the failure to obtain proposals be a bar to the procurement.

4. Documentation is required of each action taken in connection with each procurement.

5. Documentation and an explanation is required whenever a contract is awarded to other than the lowest responsible offeror. This documentation will include an explanation of how the award will achieve savings or how the offeror was not responsible. A determination that the offeror is not responsible shall be made by the purchaser and may not be challenged under any circumstances.
  
6. Pursuant to General Municipal Law, Section 104-b(2)(f), the procurement policy may contain circumstances when, or types of procurement for which, in the sole discretion of the governing body, the solicitation of alternative proposals or quotations will not be in the best interests of the municipality. In the following circumstances, it may not be in the best interests of the municipality. In the following circumstances it may not be in the best interests of the Village of East Williston to solicit quotations or document the basis for not accepting the lowest bid:
  - a. Professional services or services requiring special or technical skill, training or expertise. The individual or company must be chosen based on accountability, reliability, responsibility, skill, education and training, judgment, integrity, and moral worth. These qualifications are not necessarily found in the individual or company that offers the lowest price and the nature of these services are such that they do not readily lend themselves to competitive procurement procedures.

In determining whether a service fits into this category, the Board of Trustees shall take into consideration the following guidelines: (a) whether the services are subject to State licensing or testing requirements; (b) whether substantial formal education or training is a necessary prerequisite to the performance of the services; and (c) whether the services require a personal relationship between the individual and municipal officials. Professional or technical services personal relationship between the individual and municipal officials. Professional or technical services shall include, but not be limited to the following: services of an attorney; services of a physician; technical services of an engineer engaged to prepare plans, maps and estimates; securing insurance coverage and/or services of an insurance broker; services of a certified public accountant; investment management services; printing services involving extensive writing, editing or art work; management of municipally owned property; and computer software or programming services for customized programs, or services involved in substantial modification and customizing of pre-packaged software.

- b. Emergency purchases pursuant to Section 103(4) of the General Municipal Law. Due to the nature of this exception, these goods or services must be purchased immediately and a delay in order to seek alternate proposals may threaten the life, health, safety or welfare of the residents. This section does not preclude alternate proposals if time permits.
- c. Purchases of surplus and second-hand goods from any source. If alternate proposals are required, the Village of East Williston is precluded from specific advertised sources where the best prices are usually obtained. It is also difficult to try to compare prices of used goods and a lower price may indicate an older product.
- d. Goods or services under \$250. The time and documentation required to purchase through this policy may be more costly than the item itself and would therefore not be in the best interests of the taxpayer. In addition, it is not likely that such de minimis contracts would be awarded based on favoritism.

On the motion of Trustee Ferro, seconded by Trustee Braitto, and with Mayor Tanner and Trustees Braitto and Ferro all voting "aye", and Trustees Parente and DeBenedittis abstaining, the Board unanimously approved the minutes of the meeting of March 14, 2011.

On the motion of Trustee Daw, seconded by Trustee Tanner, and with Mayor Tanner and Trustees Braitto, Ferro, Parente and DeBenedittis all voting "aye", the Board unanimously approved the minutes of the agenda meeting of March 28, 2011.

On the motion of Trustee Ferro, seconded by Mayor Tanner, and with Mayor Tanner and Trustees Braitto, Ferro, Parente and DeBenedittis all voting "aye", the Board unanimously approved the abstract of claims.

Chief William McLean of the East Williston Fire Department presented the Fire Department report for the month of March 2011. The Department responded to five fire calls and five EMS calls during the month.

#### **TRUSTEE REPORTS**

##### **DEPUTY MAYOR/TRUSTEE BONNIE PARENTE.**

Trustee Parente presented the report of the Village Justice Court for March 2011. Thirty seven total violations were entered as being received into the docket with fines totaling \$850.00 were collected.

The Recreation Committee will be holding its annual Egg Hunt on April 16<sup>th</sup> at 10:00 a.m. on the Village Green. In case of rain, attendees should meet in the lobby of the Village Hall. Movie night will take place on April 8<sup>th</sup> at 7:30 p.m. with the viewing of Megamind. Game night will be held on April 29<sup>th</sup> at 7:30 p.m. Parents must register their children in advance. Yoga classes continue on Mondays and Wednesday mornings. Lastly, the Recreation Committee is seeking to create an email contact list to notify residents of Recreation events so as to eliminate the need for mailings.

**TRUSTEE MICHAEL A. BRAITO**

Trustee Braitto thanked the East Williston Fire Department for their work during the East Williston Little League Parade and event on April 2<sup>nd</sup>.

The Mineola Ambulance is holding a fundraiser at the McDonalds located on Jericho Turnpike and Sagamore Avenue from 5pm to 8pm on April 9<sup>th</sup>. CPR demonstrations will take place.

**TRUSTEE JOHN F. FERRO**

Trustee Ferro stated that he is now the liaison to the Department of Public Works, Emergency Management and Little League. At future meetings, he will be reporting on these matters.

**TRUSTEE CAROLINE DEBENEDITTIS**

Trustee DeBenedittis presented the Library report. The Arthritis Foundation Exercise Program will take place on Tuesdays at 11:30 a.m. from April 5<sup>th</sup> to May 24<sup>th</sup>. Fee for participation is \$20. Knitting classes will take place on Tuesdays at 7pm from April 5<sup>th</sup> to May 31<sup>st</sup> (no class April 19<sup>th</sup> and 26<sup>th</sup>). Zumba classes take place on Wednesdays at 7:30 p.m. Evening book discussion meets the second Thursday of the month at 7:30 p.m. Upcoming books are *The Girls*, by Lori Larsens and *Keeping the House*, by Ellen Baker. Daytime book discussion takes place on the second Tuesday of each month at 1:30 p.m. Books included are *Sag Harbor*, by Colson Whitehead, and *The Reliable Wife*, by Robert Goolrick. The next Library Board meeting is April 26<sup>th</sup> at 7pm.

**MAYOR DAVID E. TANNER**

**RESOLUTION #10-2011 TO SCHEDULE A PUBLIC HEARING FOR MAY 9, 2011 TO CONSIDER POTENTIAL MODIFICATION OF WATER RATES.**

On the motion of Trustee Parente, seconded by Trustee Braitto and with Mayor Tanner, and Trustees Braitto, DeBenedittis, Ferro, and Parente all voting "aye", the Board unanimously approved the following resolution:

WHEREAS, the Incorporated Village of East Williston purchases water from the Incorporated Village of Williston Park, and

WHEREAS, the Village of East Williston has received notice from the Incorporated Village of Williston Park of an increase in the water rates charged by Williston Park to the Incorporated Village of East Williston effective April 1, 2011.

WHEREAS, because the Village of East Williston purchases its water from Williston Park, the water rate in East Williston is in part based upon the rate charged by Williston Park to East Williston.

NOW, THEREFORE, IT IS RESOLVED, that the Incorporated Village of East Williston shall hold a public hearing on May 9, 2011 at 8:00 p.m. in the Village Hall of the Incorporated Village of East Williston at 2 Prospect Street, in said Village to consider modifying the rate the Village of East Williston will charge for water use.

**RESOLUTION #11-2011 APPROVING APPROPRIATION OF FUNDS FROM THE LIBRARY FUND TO THE CAPITAL FUND.**

On the motion of Trustee Parente, seconded by Trustee Braitto and with Mayor Tanner, and Trustees Braitto, DeBenedittis, Ferro, and Parente all voting "aye", the Board unanimously approved the following resolution:

WHEREAS, the Village of East Williston has provided through its Board of Trustees appropriations to fund the Budget of the East Williston Public Library for the fiscal year of 2010-2011, and

WHEREAS, it has been determined that an amount of \$30,000.00 of the appropriated funds will not be used during the fiscal year, and

WHEREAS, pursuant to Village Law 5-522 unused appropriations lapse upon conclusion of the fiscal year,

NOW, THEREFORE IT IS RESOLVED, that the records of the Incorporated Village of East Williston will be adjusted accordingly to reflect the modification in accordance with statute.

Mayor Tanner informed those present that in the coming months, the Village will be working to make the Village web site more interactive and informative to residents.

**VILLAGE CLERK MARIE L. KIMLICKA**

The Village Clerk reported that four building permits were issued in March 2011: 34 School Street, expansion of second floor, renovation of first floor and basement; new front stone façade and driveway. 205 Charles Street, interior renovations to first and second floor and remodeling of bathrooms. 35 Meritoria Drive, major interior renovations, rear addition and finishing of basement. 134 William Street, legalization to maintain patio and brick stanchions.

**RESOLUTION #12-2011 ADOPTION OF THE FINAL ASSESSMENT ROLL FOR THE FISCAL YEAR 2011-2012.**

On the motion of Trustee Ferro, seconded by Trustee Braitto and with Mayor Tanner, and Trustees Braitto, DeBenedittis, Ferro, and Parente all voting "aye", the Board unanimously adopted the final assessment roll for the fiscal year 2011-2012.

There were no reports of grants for the month of March.

Mayor Tanner opened the meeting up to residents.

Trustee Braitto noted that violations have been issued to the owners of 470 Sagamore Avenue for the dumping of rubbish and building materials in the back of the premises. The fine is \$250.00 per day.

Nancy Kirk asked about the status of 8 Sumter Avenue. Jeffrey Blinkoff said that an Order to Show Cause has been filed with the Court. The Village is awaiting a decision from the Judge.

Mayor Tanner stated in regard to the issue on water rates, the Village is exploring other options for the supply of water. The Village does not have a suitable site to construct its own potable water well.

On the motion of Trustee Ferro, seconded by Trustee Braitto, there being no further business, the meeting was adjourned at 9:00 p.m.