

**BOARD OF TRUSTEES**  
**INC. VILLAGE OF EAST WILLISTON**  
**REGULAR BOARD MEETING**  
**WEDNESDAY, OCTOBER 16, 2013**

Regular Meeting of the Board of Trustees of the Incorporated Village of East Williston was held on Wednesday, October 16, 2013 at 8:00 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, Michael Delury, Treasurer, Village Clerk Marie L. Hausner.

Also present: James Daw, Jr., Daniel Cramblitt, Patrick Theodore, Carla Strauss, Michael Kelapire, Marcia Weiser, Susan Quinn, Marie Greico, Connie Hannan, Nancy Kirk, Ellen and Leonard Ritz, Peter and Sari Infield, Desmond Laffey, John Azzara, Joseph Masters, Barbara Seixas, Mr. & Mrs. Thomas Broderick, Mr. & Mrs. Patrick Barrett, Mr. & Mrs. Leszkiewicz, John Che.

On the motion of Trustee Siciliano, seconded by Trustee Parente, and with Mayor Tanner, and Trustees Parente, DeBenedittis, Siciliano, and Vella all voting "aye", the Board approved the minutes of the regular meeting of September 16, 2013.

On the motion of Trustee Parente, seconded by Trustee DeBenedittis, and with Mayor Tanner and Trustees Parente, DeBenedittis, Siciliano and Vella all voting "aye", the Board approved the minutes of the agenda meeting of September 30, 2013.

On the motion of Trustee DeBenedittis, seconded by Trustee Parente, and with Mayor Tanner and Trustees Parente, DeBenedittis, Siciliano and Vella all voting "aye", and the Board unanimously approved the abstracts of claims for September 2013 as follows: 20130151 - 20130193.

Chief Daniel Cramblitt presented the September 2013 report for the East Williston Fire Department. The Department responded to a total of 11 calls during the month; three fire calls, six EMS calls and two motor vehicle accidents

The Chief noted that the Department purchased eight new radios through a grant through the Office of Nassau County Emergency Management. The new radios upgrade the Department's communication system.

The Chief reminded everyone to keep their house numbers visible so fire and ambulance services can respond quickly to an emergency.

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## **TRUSTEE REPORTS**

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

Trustee Bonnie Parente reported that the Nassau Regional EMS Council has bestowed awards to three members of the East Williston Fire Department: Steven Jones, Basic Life Support Provider of the Year, Kevin Mulrooney, EMS Leadership Award and Anthony Calio, MD, Physician of Excellence. The Award will be presented to the members tomorrow, October 17<sup>th</sup>.

Trustee Parente stated that the East Williston Fire Department, together with the Village Recreation Committee will be holding its annual Halloween party on Saturday, October 26, 2013 from 8pm to midnight.

Trustee Parente stated that the Fire Department will be holding its 125<sup>th</sup> Anniversary celebration in 2014. Fliers were sent out for participation in the Anniversary Commemorative Journal and "Save the Dates" for a golf outing on August 18, 2014 and a block party on August 23, 2014.

Lastly, the Fire Department hosted first grade students from the North Side School on Tuesday, October 15<sup>th</sup>. The topic of fire safety was addressed, as well as a display of fire department equipment

### **TRUSTEE CAROLINE DEBENEDITTIS**

Trustee DeBenedittis reported that the Recreation Committee will be hosting movie night on Friday, October 18, 2013. The movie to be shown is "The Life of Pi", rated PG. Game Night will take place on November 1<sup>st</sup>. Prior registration is required for participation in each event.

The annual Ragamuffin Parade will take place on Saturday, October 26<sup>th</sup> at 2:30 p.m. at Richard Camp Field at Devlin Park.

The sewing of pillow cases for sick children through the organization of Canker Cancer will take place on Friday, November 15<sup>th</sup> from 10a.m to 6p.m.

### **TRUSTEE ROBERT M. VELLA, JR.**

Trustee Vella stated reported that the Justice Court collected \$3,228.00 in fines during the month of September 2013. There were 44 parking violations, 10 moving violations and nine Village ordinance violations during the month.

Trustee Vella presented the report on Library happenings. The senior group meets tomorrow, October 17<sup>th</sup> at 1PM. They will be decorating pumpkins. Pre-K story time is Thursday from 11:30-12, but there will be no Toddler story time this week. The Library is still collecting gently

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worn shoes for "Shoes For All". The Library is also collecting empty ink printer cartridges for recycling.

The Library Friends group will be hosting our Annual Book Sale on Friday, Oct. 18 from 11am-6pm and Saturday, Oct. 19<sup>th</sup> from 10:30am-3pm in the Village Lobby. We are accepting donations of books and media.

The display case in the Lobby is almost completed. If you have anything you would like to put on display, contact Joan Linden from the Friends Group. Her info is available at the Library.

**TRUSTEE CHRISTOPHER A. SICILIANO**

Trustee Siciliano stated that the Village is replacing sidewalk slabs where Village trees have lifted the sidewalks. These areas were placed on a list collected over the last few months. The Village is also pruning Village trees in the area and is working with the Fire Department to have low hanging branches trimmed so they do not hit fire trucks on the way to calls.

If you find a street light is out in your area, please contact the Village office.

Leaf bags are now available at the Village office.

**VILLAGE CLERK MARIE HAUSNER**

The following building permits were issued in September 2013: 42 School Street, 15 Summit Avenue, 212 Derby Street, installation of generators. 202 Howard Street, installation of a shed. 111 Weeks Road, installation of a driveway. 93 High Street, renovations to kitchen. 17 Sumter Avenue, installation of a driveway, 26 School Street, rear addition to home. 87 East Williston Avenue, finish basement.

The Nassau County Police Department Third Precinct report for September was not received in time for the meeting, and will be reported upon at the November meeting.

There were reports of grants for September 2013.

The Village office will be closed on the following dates in November: November 5<sup>th</sup>, the Village will close at noon for election day. Monday, November 11<sup>th</sup> for Veterans Day, November 28 and 29 for Thanksgiving.

**MAYOR DAVID E. TANNER**

Mayor Tanner stated the Veterans Day ceremony will be held on Monday, November 11, 2013 at 11:15am on the Village Green.

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The Annual Tree Lighting Ceremony will take place on the Village Green on December 3, 2013 at 7:30 p.m.

Mayor Tanner stated that the Board has discussed the issue of bamboo and is set to hold Public hearing on the matter at the November meeting.

**RESOLUTION NO. 31 -2013 A RESOLUTION INTRODUCING LOCAL LAW NO. 4-2013 AND PROVIDING FOR PUBLIC NOTICE AND HEARING.**

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 approved the following resolution:

BE IT RESOLVED, that Local Law No. 4 of 2013 providing for an amendment to the Village Code of the Incorporated Village of East Williston ("Village") Chapter 18 "Brush, Grass and Refuse" for consideration of the Board of Trustees, and

BE IT FURTHER RESOLVED, that the Board of Trustees hold a public hearing on said proposed Local Law at the Village Hall in the Incorporated Village of East Williston at the address of 2 Prospect Street, East Williston, New York at 8:00 p.m. on November 13, 2013, and

BE IT FURTHER RESOLVED, that the Village Clerk publish or cause to be published a public notice in the official newspaper of the Village of said public hearing at least three days prior thereto.

Mayor Tanner stated that the Board will be discussing the disposition of the property at 8 Sumter Avenue. The Mayor turned the floor over to Village Attorney Jeffrey Blinkoff who gave a brief history of the property.

Mr. Blinkoff stated that the Board had two series of proceedings with regard to 8 Sumter Avenue. Several years ago, the Board of Trustees concluded that there were violations on the property; that structures either have to be repaired by the homeowner or the Village will demolish and/or repair and have the costs levied on to the homeowners tax bill.

On February 16, 2012, Supreme Court Justice Vito DeStefano rendered a decision that the Village can either repair or demolish the buildings on the property. The Village solicited bids in January 2013 and one bidder, Colonial Crafters submitted a bid in the amount of \$30,000 to demolish the structures and \$320,000 to repair.

The Muzio's went into contract with a developer who submitted an application to the Planning Board to subdivide the property and build two houses on the lots in May 2013. The Planning Board subsequently denied the application in August 2013. Colonial Crafters could no longer

extend its bid, and the Board authorized to re-bid the demolition and/or repair of the structures.

Bids were received on September 19, 2013 from two contractors: J. Galvin Construction, Inc. in the amount of \$28,500 to demolish, and Amport Design and Construction in the amount of \$61,653.00 for demolition. The clerk noted that the bid from Amport includes asbestos and mold removal. The Village is awaiting written notification as to clarification of the scope of work from J. Galvin Construction as to the inclusion of asbestos and mold remediation in the demolition.

Treasurer Michael Delury presented a brief financial overview of costs expended by the Village on this property, as well as unpaid taxes, water bills and related penalties.

The amounts expended for engineering reports on the structural integrity of the property, legal fees, hearings, locksmith fees to gain access to the buildings and removal of wildlife total \$16,264.77 to date. Unpaid taxes, water bills and penalties total \$20,459.73 as of October 2013. Depending upon the decision of the Board to award the bid for demolition to Amport or J. Galvin at the amounts listed above, the totals will be approximately \$97,724 or \$65,224. The amount will be added to the tax roll and if unpaid will be a lien against the property. This amount may increase as more legal fees are incurred.

Mr. Blinkoff had a lien investigation report performed on the property. At this time, there is approximately \$279,440 in outstanding liens against 8 Sumter Avenue. He added that in Villages situation, it will both go to court and add the expenses onto the taxes of the property.

Mayor Tanner stated that prior to demolition, the Muzios will be given notification to remove their personal effects from inside of the house, and will be given sufficient time (30 days) to remove said contents. He added that the Village has a better likelihood of collecting on the lien as municipal taxes/fees take precedence.

It was noted that no one is actually living in the premises.

Mayor Tanner stated that the Village has checked with bond counsel and that it can bond for the demolition of the structures, since the expense was not in the budget.

Trustee Parente stated that it is unfortunate that one premises has caused so much expenditure of time, energy, emotion and money over many years. She said the Board of Trustees needs to move forward now and that the Board has not taken this issue lightly.

Ellen Ritz asked if the Village could foreclose, what the legal fees will be. Mr. Blinkoff said that the costs cannot be estimated at this time.

James Daw asked if the Village will be giving the same amount of time that the Sheriffs' office would give to those being evicted (30 days). Trustee Parente stated that the amount of time granted will be based upon the law.

Joseph Masters asked if the contents not removed by the Muzios will be removed and stored by the Village. Mr. Blinkoff stated that he had contacted the New York Conference of Mayors and the Village does not have to store contents not removed from the house after giving the Muzios ample time to remove personal items.

John Azzara asked if the Village had investigated the structural integrity of the buildings. Trustee Parente responded that the Village had two separate engineers enter the premises and rendered a report about the structures, which was submitted to Judge DeStefano.

Mr. Blinkoff stated that the Village Code allows the Village to repair or demolish the structure. The Supreme Court made mention of this in its findings.

Michael Kelapire asked why there was such a large discrepancy in the two bid prices. The clerk advised that Amport (the higher bid), had gained access to the premises and was able to determine exactly it will be dealing with. J. Galvin had not entered the premises, but the Village is awaiting a written response as to the scope of their work.

Mr. Kelapire also asked if the Village bonds for these costs, will Village residents get their money back for paying this through their taxes. The Mayor said that the monies received will pay the Village fund back for the expenditures. The cost of borrowing is built into the lien.

John Che asked if vegetation will be removed. The clerk read the response in the bid about the clearing of debris and vegetation.

**RESOLUTION NO. 32 -2013 A RESOLUTION TO AWARD THE BID FOR DEMOLITION OF THE STRUCTURES AT 8 SUMTER AVENUE, EAST WILLISTON, NEW YORK.**

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 approved the following resolution:

**RESOLVED**, that based upon the determination of the Supreme Court Nassau County of the Honorable Vito DeStefano by which the Village was permitted to demolish the structure at 8 Sumter Avenue as the facts may warrant, and

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Upon, the engineering reports of Dean Koutsoubis which have been prepared in conjunction with the Board's determination, and which support the need for demolition in light of the nature of the premises, and

Upon, the Board's prior determination to accept bids for demolition, such bids having been received and reviewed, with the lowest responsible bidder being J. GALVIN CONSTRUCTION, INCORPORATED which submitted a bid in the amount of \$ \$28,500.00 for demolition, and Upon, the Village Board having been made aware of the existing debts upon the property, including those owed to the Village,

NOW THEREFORE BE IT RESOLVED:

That the contract for demolition is to be awarded to J. GALVIN CONSTRUCTION, INCORPORATED subject to: appropriate contractual documents being prepared and accepted; arrangements being made to bond the cost of such project; and subject to satisfactory clarification from the bidder that all materials including but not limited to asbestos will be removed and are included in the bid amount. Upon satisfactory clarification not being provided, then the contract shall be awarded to AMPORT DESIGN AND CONSTRUCTION in the amount of \$61,653.00.

That prior to the demolition, notice in the form of a posting at the property is to be provided advising the owners of the demolition 30 days prior to the scheduled date of demolition, and further advising the homeowners that any articles they wish to remove from the premises must be removed in advance of the scheduled date or the same will be destroyed in conjunction with the demolition,

That any further costs owed by the Muzios as owners of the property at 8 Sumter Lane are to be transferred to the Village tax roll as a lien upon the property upon the failure of the Muzios to have made payment,

That Village Counsel is instructed to make arrangements to pursue the reimbursement of any such costs through such proceedings as may be initiated on behalf of the Village seeking the same.

**RESOLUTION NO. 33 -2013 A RESOLUTION TO TRANSFER ANY UNPAID TAXES, PENALTIES, WATER FEES, EXPENSES, AND FUTURE EXPENSES FOR 8 SUMER AVENUE, EAST WILLISTON, NEW YORK TO THE TAX ROLL.**

On the motion of Trustee Siciliano, seconded by Trustee Vella, and with Mayor Tanner and Trustees Parente, DeBenedittis, Siciliano and Vella all voting "aye", the Board authorized to

transfer any unpaid taxes, penalties, water fees expenses and future expenses for 8 Sumter Avenue, East Williston, New York to the tax roll.

That any further costs owed by the Muzios as owners of the property at 8 Sumter Lane are to be transferred to the Village tax roll as a lien upon the property upon the failure of the Muzios to have made payment.

**RESOLUTION NO. 34 -2013 A RESOLUTION TO PROVIDE NOTICE IN THE FORM OF A POSTING AT THE PROPERTY OF 8 SUMTER AVENUE ADVISING THE OWNERS OF THE DEMOLITION 30 DAYS PRIOR TO THE DEMOLITION TO REMOVE ARTICLES THEY WISH TO REMOVE FROM THE PREMISES .**

On the motion of Trustee Parente, seconded by Trustee Vella, and with Mayor Tanner and Trustees Parente, DeBenedittis, Siciliano and Vella all voting “aye”, the Board authorized That prior to the demolition, notice in the form of a posting at the property is to be provided advising the owners of the demolition 30 days prior to the scheduled date of demolition, and further advising the homeowners that any articles they wish to remove from the premises must be removed in advance of the scheduled date or the same will be destroyed in conjunction with the demolition.

Mayor Tanner opened the meeting to residents who wished to address the Board.

Joseph Masters advised the Board that the asphalt sidewalks along East Williston Avenue. Since East Williston Avenue is a County road, the clerk will advise Nassau County Department of Public Works.

Trustee Siciliano stated that the Village is replacing street trees taken down by Hurricane Sandy. The trees are being replaced with “wire friendly” trees that do not grow wide to tangle in wires.

Connie Hannan asked to speak to the Board about fencing in the rear of her yard along the Long Island Rail Road tracks and the height of installation.

On the motion of Trustee Siciliano, seconded by Trustee Parente, there being no further business, the meeting was adjourned at 9:35 p.m.