

BOARD OF TRUSTEES
INC. VILLAGE OF EAST WILLISTON
FEBRUARY 5, 2013
AGENDA MEETING

Agenda Meeting of the Board of Trustees of the Incorporated Village of East Williston was held on February 5, 2013 at 7:30p.m. At the Village Hall, 2 Prospect Street, East Williston, New York.

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

The Board received copies of the bids received for sanitation services opened today. Mr. Blinkoff advised that the Village had until April 1, 2013 to advise DeJana that they will not be continuing with the previous contract.

The Board asked if the Village had to award the contract to the lowest bidder. Mr. Blinkoff stated that the Board will have to hold a public hearing to address the issue

Mayor Tanner stated that he wanted to see what the two lowest bidders could propose as far as a recycling program public education. The Clerk was instructed to contact the contractors to find out what they would propose.

RESOLUTION #2-2013 BOND RESOLUTION OF THE VILLAGE OF EAST WILLISTON, NEW YORK, ADOPTED FEBRUARY 5, 2013, AUTHORIZING THE EXPLORATION OF POTENTIAL ALTERNATIVE WATER SOURCES FOR THE VILLAGE, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$27,500, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF \$27,500 SERIAL BONDS OF SAID VILLAGE TO FINANCE APPROPRIATION.

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

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 explore potential alternative water sources for the Village, including the preparation of plans and specifications in connection with water system capital projects that may be undertaken in the future by the Village. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$27,500 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$27,500 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 \$27,500 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. 62 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 resolution was declared adopted.

RESOLUTION #3-2013 BOND RESOLUTION OF THE VILLAGE OF EAST WILLISTON, NEW YORK, ADOPTED FEBRUARY 5, 2013, AUTHORIZING THE EXPLORATION OF THE CONSTRUCTION OF AN EMERGENCY WATER CHLORINATION SYSTEM BY THE VILLAGE, AS DIRECTED BY AN ORDER OF THE NASSAU COUNTY BOARD OF HEALTH, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$5,100, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE AND AUTHORIZING THE ISSUANCE OF \$5,100 SERIAL BONDS OF SAID VILLAGE TO FINANCE SAID APPROPRIATION

On the motion of Trustee Siciliano, seconded by Trustee Parente, and with Mayor Tanner and Trustees Parente, DeBenedittis, Siciliano and Vella voting “aye”, the Board authorized the following resolution:

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 explore the construction of an emergency water chlorination system by the Village, including the preparation of plans and specifications in connection therewith, all as directed by an order of the Nassau County Board of Health. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$5,100 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$5,100 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 \$5,100 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. 62 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 resolution was declared adopted.

Treasurer Michael Delury gave a brief, preliminary budget presentation for the fiscal year 2013-2014. More meetings regarding the budget will follow.

Trustee Siciliano stated that he has asked Public Works Superintendent James Bailey to obtain information on prices for new street sweepers. The Clerk advised that there are no current New York State contracts for sweepers. Mayor Tanner said that the Village should send a letter to the State Office of General Services requesting a bid for sweepers. If enough municipalities ask for a bid, OGS will put the equipment (or item) out for bid.

Trustee Siciliano informed the Board that he met with David Burke of the East Williston Little League about the proposed score board and batting cage. He passed around a photo of the location of where the scoreboard will be placed. The Little League also wants to install a retractable batting cage, and bleachers on the third base side.

Trustee DeBenedittis stated that residents on Bengueyfield Drive complained of people at Devlin Field standing on the bleachers looking into their yards. Perhaps a six foot fence could be installed in the area.

Mayor Tanner asked Trustee Vella to contact the representatives from the Little League and advise them about installing a six foot fence.

Trustee Siciliano stated that he had panned in on his calendar for February to discuss the possibility of having an old/antique car display on Memorial Day. The consensus was that it would be a nice idea to have this event.

Trustee Siciliano advised that Fire Department Exempt Organization will be meeting on February 20th to discuss the building for the antique truck.

Trustee Siciliano stated that a resident of 100 Weeks Road contracted to have a Village tree removed. This is a violation of the Village Code and court appearance tickets will be issued to both the company that removed the tree and the homeowner who requested the removal.

Mayor Tanner asked that Judy Buonocore, Lisa Feimer and Michael Vecchione be invited to attend the February 12, 2013 meeting to be sworn in as Village Historian, Co-Chair of the Beautification Committee and Michael Vecchione as a member of the Planning Board, respectively.

Trustee DeBenedittis stated that the Recreation Committee is considering the following events to be held in 2013: a dinner at Madison's Restaurant (night out with neighbors), a party on the Village Green featuring food from Moe's (cost approximately \$35.00 per person); to be held on May 4th.

Trustee DeBenedittis advised that the annual Easter egg hunt will take place on March 23rd at 10am.

Trustee DeBenedittis asked if waivers need to be submitted by Recreation Committee activities for each group of sessions. Mr. Blinkoff advised that this should be done for each set of activities undertaken.

Trustee DeBenedittis submitted a copy of the Village of East Hills revised tree policy and asked that East Williston consider something similar. The Clerk advised that she has heard back from a representative from Cornell Cooperative Extension and will be speaking with them about CCE aiding the Village in its efforts to revise its tree policy.

Mr. Blinkoff apprised the Board about the status of the property at 8 Sumter Avenue. He stated that the Board needed to formalize the transfer monies owed for reports, cleanup, trapping of animals, etc. at 8 Sumter Avenue, to the tax roll. The approximate amount is \$16,000.00.

RESOLUTION #4-2013 A RESOLUTION AUTHORIZING THE TRANSFER OF EXPENSES OWED RELATIVE TO THE PROPERTY AT 8 SUMTER AVENUE, EAST WILLISTON, NEW YORK TO THE TAX ROLL IN THE APPROXIMATE AMOUNT OF \$16,000.00.

On the motion of Trustee Vella, seconded by Trustee Siciliano, and with Mayor Tanner and Trustees DeBenedittis, Siciliano and Vella voting “aye”, and Trustee Parente not present, the Board authorized to transfer expenses relative to 8 Sumter Avenue to the tax roll in the approximate amount of \$16,000.00.

Mr. Blinkoff advised the Board that the plaintiffs rejected the offer of settlement in the matter of Luchessi matter.

RESOLUTION #5-2013 A RESOLUTION AUTHORIZING TO OFFER A SETTLEMENT IN THE MATTER OF LUCCHESI v. VILLAGE OF EAST WILLISTON IN THE AMOUNT OF \$60,000 PLUS ATTORNEYS FEES.

On the motion of Mayor Tanner, seconded by Trustee Siciliano, and with Mayor Tanner and Trustees DeBenedittis, Siciliano and Vella voting “aye”, and Trustee Parente not present, the Board authorized to offer a settlement in the amount of \$60,000.00, plus attorney’s fees for the matter of Luchessi v. Village of East Williston, with the intent to bond for such monies in the future.

Mr. Blinkoff stated that with regard to the Article 78 involving the water issue with Williston Park, he asked for an extension until February 25, 2013.

On the motion of Trustee Vella, seconded by Trustee Siciliano and with Mayor Tanner and Trustees DeBenedittis, Siciliano and Vella all voting “aye”, there being no further business, the meeting was adjourned at 10:00 p.m.