

BOARD OF TRUSTEES
INC. VILLAGE OF EAST WILLISTON
MARCH 18, 2013
AGENDA MEETING

Agenda Meeting of the Board of Trustees of the Incorporated Village of East Williston was held on March 18, 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.

Also present: John Mirando, P.E., Paul Granger, P.E.

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 moved to adjourn into executive at 7:30 p.m. for the purpose of discussing negotiations.

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 moved to re-convene the agenda meeting at 8:20p.m.

The Board discussed the sanitation bid results and possible award. Trustee Siciliano stated that during the public hearing, Mr. Mangano from DeJana stated that the issue of the cars being scratched by DeJana employees was neither addressed nor rectified by the company. He felt DeJana should repair the damage to the cars before any contract is signed.

Mr. Blinkoff stated that when considering the award of the bid, it may be best to issue a warning period through a letter of award to DeJana stating certain conditions they must adhere to and rectify issues (complaints) that have occurred. DeJana would have to accept the conditions to be awarded the bid.

Trustee Vella stated he would contact John Riordan regarding the direction of flow control with the Town of North Hempstead.

The Board discussed the preliminary budget.

Trustee Parente stated that the Fire Department will appropriate \$1,150 for the Commissioners line item, if it is needed.

Trustee DeBenedittis questioned the need for two Commissioners to attend the annual convention. Trustee Parente stated the reason was to have the appropriate people available to

sign off on certain purchases that may be made during these conventions. Two Commissioners need to approve a purchase.

Mr. Delury stated that the insurance increase for the coming year is between \$2,500 and \$3,000.

Trustee Vella said the budget should reflect the change in the insurance costs.

Mayor Tanner stated that the Board has made a very bold move to increase funding to the Fire Department budget.

Trustee Vella asked that the Fire Department provide a report of checks and balances on its expenditures.

Trustee Siciliano wanted to find out when the last stress test was performed on the aerial ladder truck.

The Board discussed the bid received to either demolish or renovate the buildings at 8 Sumter Avenue.

Trustee Vella felt that the house should be demolished given the reports of the engineer submitted last year.

Mr. Blinkoff stated that the Village will be pursuing the reimbursement of monies from the Muzios for some time. He added that the judge had granted a summary judgment in the Muzio's case and the Village will have to reinitiate a law suit.

The amount bid to demolish the house was \$30,000.00.

Mr. Blinkoff stated that a letter needed to be sent to the Muzio's giving them notice of the date of demolition, and that they should remove whatever contents of the house they want prior to the demolition date.

Trustee Siciliano stated that before any demolition takes place, the Village should allow the potential buyer to go through the application and hearing process with the Planning Board and/or Zoning Board.

RESOLUTION #10-2013 A RESOLUTION ACCEPTING THE BID OF COLONIAL CRAFTERS, INC. TO DEMOLISH THE BUILDINGS AT 8 SUMTER AVENUE, EAST WILLISTON AT A COST OF \$30,000.00.

On the motion of Trustee Vella, seconded by Trustee Parente and with Mayor Tanner and Trustees Parente, DeBenedittis, Siciliano and Vella all voting “aye”, the Board unanimously accepted the bid of Colonial Crafters, Inc. to demolish the buildings at 8 Sumter Avenue, East Williston, New York.

RESOLUTION #11-2013 A BOND RESOLUTION OF THE VILLAGE OF EAST WILLISTON, NEW YORK, ADOPTED MARCH 18, 2013, AUTHORIZING THE PAYMENT OF A SETTLED CLAIM BY THE VILLAGE, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$105,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$105,000 SERIAL BONDS OF SAID VILLAGE TO FINANCE SAID APPROPRIATION

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 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 pay a settled claim in the matter of *Lucchesi Engineering, P.C. v. The Incorporated Village of East Williston* (Index # 8931/10) pursuant to the Release and Stipulation of Settlement executed by the parties on February 21, 2013. The estimated maximum cost thereof is \$105,000, including costs incidental and related thereto, and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of not to exceed \$105,000 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 \$105,000 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 applicable to the purpose for which said serial bonds are authorized to be issued, within the limitations of Section 11.00 a. 33. of the Law, is five (5) years; provided, however, that in the event the total amount of such judgment and any other similar claims, judgments or awards falling due and being paid in a single fiscal year shall exceed one per centum of the average assessed valuation of real property in the Village, the applicable period of probable usefulness shall be ten (10) years; and provided further that in the event such judgment and any other similar claims, judgments or awards falling due and being paid in a single fiscal year shall exceed two per centum of the average assessed valuation of real property in the Village, the applicable period of probable usefulness shall be fifteen (15) 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 for the purpose for which said bonds are authorized. 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 exceed five (5) years only if the applicable conditions described in Section 3(a) are met.

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, or a summary thereof, 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.

RESOLUTION #12-2013 INTRODUCING LOCAL LAW 2 OF THE YEAR 2013 AND PROVIDING FOR PUBLIC NOTICE AND HEARING

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 unanimously approved the following resolution:

BE IT RESOLVED, that Local Law “2” of the Year 2013 providing for an amendment to the Village Code of the Incorporated Village of East Williston which would authorize a property tax levy in excess of the limit established by New York State General Municipal Law 3-c shall be introduced for the consideration of the Board of Trustees. Said section of the General Municipal Law otherwise limits any increase in the property tax levy to no more than two per-cent or the Consumer Price Index, whichever is lesser, 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 Monday, April 1, 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.

RESOLUTION #13-2013 AUTHORIZING THE DATE FOR THE VILLAGE WIDE GARAGE SALE AS JULY 10, 2013.

On the motion of Trustee Parente, seconded by Mayor Tanner, and with Mayor Tanner and Trustees Parente, DeBenedittis, Siciliano and Vella all voting “aye”, the Board unanimously authorized the date of the Village wide garage sale to be held on July 10, 2013.

RESOLUTION #14-2013 APPROVING THE STREET LIGHT REPAIR AT 383 CHARLES STREET BY ANKER’S ELECTRIC IN THE AMOUNT OF \$4,858.00.

On the motion of Trustee Vella, seconded by Mayor Tanner, and with Mayor Tanner and Trustees Parente, DeBenedittis, Siciliano and Vella all voting “aye”, the Board unanimously approved the street light repair at 383 Charles Street in the amount of \$4,858.00.

The Board discussed the duties involved in Village Hall maintenance. Trustee DeBenedittis felt that the Department of Public Works should be responsible for snow removal around the Village Hall. Mayor Tanner maintained that DPW’s first responsibility is to clear the Village streets ensuring they are safe and passable. It has always been the responsibility of the person handling Village Hall maintenance to clear snow around the Village Hall property.

Trustee Vella said he will address the issue with person involved in maintenance.

There being no further business, the meeting was adjourned at 10:15 p.m.