

BOARD OF TRUSTEES
INC. VILLAGE OF EAST WILLISTON
ANNUAL ORGANIZATIONAL MEETING
AND BUDGET HEARING
MONDAY, APRIL 1, 2013

Annual Organizational Meeting and Budget Hearing of the Board of Trustees of the Incorporated Village of East Williston was held on Monday, April 1, 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, Robert M. Vella, Jr., Village Attorney Jeffrey L. Blinkoff, Village Treasurer Michael Delury, Village Clerk Marie L. Hausner.

Also present: Patrick Theodore, John Ferro, Dan Cramblitt, Robert Campagna, Joseph Masters, Susan Quinn, Phil Amico, Al Testani, Michael Kelapire, Joseph Marangelo, Marie Greico, Nancy Kirk, John Azzara, Barbara Seixas.

The meeting commenced with a public hearing to consider a proposed local law to authorize a property tax levy in excess of the limit established by the New York State General Municipal Law. A copy of the verbatim transcript of the hearing is on file in the office of the Village Clerk.

RESOLUTION #15-2013 A LOCAL LAW AUTHORIZING A PROPERTY TAX LEVY IN EXCESS OF THE LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW SECTION 3-c.

On the motion of Trustee Vella, 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:

Section 1. Legislative Intent.

It is the intent of this local law to allow the Village of East Williston to adopt a budget for the fiscal year commencing 2013 and concluding in 2014 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law Section 3-c.

Section 2. Authority.

This local law is adopted pursuant to subdivision 5 of General Municipal Law Section 3-c, which expressly authorized a local government's governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

Section 3. Tax Levy Limit Override.

The Board of Trustees of the Village of East Williston, County of Nassau is hereby authorized to adopt a budget for the fiscal year commencing 2013 and concluding in 2014 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law Section 3-c.

Section 4. Severability.

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or in circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law, or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date.

This local law shall take effect immediately upon filing with the Secretary of State.

The next public hearing was to present the proposed budget for the 2013-2014 fiscal year. A verbatim transcript of said hearing is on file in the office of the Village Clerk.

RESOLUTION #16-2013 A RESOLUTION APPROVING THE BUDGET FOR THE FISCAL YEAR JUNE 1, 2013 AND ENDING MAY 31, 2014.

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 budget for the fiscal year beginning June 1, 2013 and ending May 31, 2014.

Mayor Tanner administered the oath office to Joseph Masters as a member of the Library Board and Marie Hausner as Village Clerk.

RESOLUTION #17-2013 A RESOLUTION APPROVING THE PRO FORMA RESOLUTIONS FOR THE VILLAGE OF EAST WILLISTON FOR 2013-2014.

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 Pro Forma resolutions:

PRO FORMA RESOLUTIONS - 2013
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 Mineola American 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. All claims should be signed and **dated** by Mayor and Trustees.

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 2013: May 13, June 10, July 8, August 12, September 9, October (TBD), November (TBD), December 9, January 13, 2014, February 10, 2014, March 10, 2014, April 7, 2014.

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 2013: April 29, May (TBD), June 24, July 29, August 26, September 30, October 28, November 25, December 30,, January 27, 2014, February 24, 2014, March 31, 2014. 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 Parente, seconded by Trustee DeBenedittis, and with Mayor Tanner, and Trustees Parente, DeBenedittis, Siciliano and Vella all voting “aye”, the Board unanimously approved the minutes of the regular meeting of March 11, 2013.

On the motion of Trustee Siciliano seconded by Mayor Tanner, and with Mayor Tanner and Trustees Parente, DeBenedittis, Siciliano and Vella all voting “aye”, and the Board unanimously approved the minutes of the agenda meeting of March 18, 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”, and the Board unanimously approved the abstracts of claims for March 2013 as follows: 20120518 – 20120591.

Chief Theodore presented the March 2013 report for the East Williston Fire Department. The Department responded to a total of 13 calls during the month; four fire calls, eight EMS calls and -one mutual aid call.

Chief Theodore stated that this is his last report as Chief of the Department. During his tenure, he has experienced one of the worst fires in East Williston history, a tropical storm, a hurricane and an earthquake. He will still be a line officer, as he will assume the role as Second Assistant Chief.

TRUSTEE REPORTS

DEPUTY MAYOR/TRUSTEE BONNIE PARENTE

Trustee Parente stated that it has been a pleasure working as Fire Department liaison along side Chief Theodore. He has done an amazing job as Chief.

Trustee Parente also made special mention of Department member Kevin Mulrooney who saved the life of a man, performing “old fashioned” CPR on a man while vacationing in Aruba with his family.

Trustee Parente also mentioned the passing of the mother of member Tiffany Patello.

TRUSTEE CAROLINE DEBENEDITTIS

Trustee DeBenedittis thanked the members of the Historic Committee for their presentation of “Living with History” on March 23rd at 2pm. Former Mayor Tony Casella gave a wonderful talk on living in the Village for many years.

Trustee DeBenedittis stated that the Recreation Committee will be hosting a “Fiesta on the Green “ for children on May 3rd from 4-7pm. A “Cuatro de Maio” party will be held on May 4th from 6:30-10:30pm for adults on the Village Green.

The annual concert on the Green will take place on May 22nd at 7pm and the annual Memorial Day Run will take place on May 27th.

RESOLUTION #18-2013 A RESOLUTION APPROVING A VILLAGE WIDE YARD SALE TO BE HELD ON JULY 13, 2013 WITH A RAIN DATE OF JULY 14, 2013 BETWEEN THE HOURS OF 9AM AND 2PM.

On the motion of Trustee DeBenedittis, seconded by Trustee Siciliano, and with Mayor Tanner and Trustees Parente, DeBenedittis, Siciliano and Vella all voting “aye”, the Board unanimously approved to hold a Village-wide yard sale on Saturday, July 13, 2013, between the hours of 9am and 2pm, with a rain date of July 14, 2013.

TRUSTEE CHRISTOPHER A. SICILIANO

Trustee Siciliano informed those present that the East Williston Little League parade will take place on Saturday, April 13, 2013 at 11:30 am at Devlin Field.

Trustee Siciliano informed those present that the Village will commence sidewalk repairs from Hurricane Sandy and Belgian block repairs from snow plow damage in mid-April.

He further stated that Public Works is clearing the streets of sand from the winter storms.

Lastly, Trustee Siciliano reminded residents that the Village has orange decals available for opaque bags used to identify yard waste by the sanitation contractor.

TRUSTEE ROBERT M. VELLA, JR.

Trustee Vella presented the Justice Court report for the month of March 2013. The court collected a total of \$5,925.00 in fines for parking, moving and Code violations.

Trustee Vella gave the Library report. Continuing Library programs include Pre-K story time on Thursdays at 11:30am and Toddler story time on Fridays at 11:30am.

VILLAGE CLERK MARIE HAUSNER

The following building permits were issued in March 2013: 220 Glenmore St. modification of driveway. 201 Dickson Circle, installation of window well and egress window. 215 Concord St. installation of natural gas generator. 6 Ridge Road construction of patio, drywells, Belgian block curbing and Belgian block driveway apron. 205 Charles St. one story porch addition. 470 Sagamore Avenue, interior structural repairs.

RESOLUTION #19-2013 A RESOLUTION ADOPTING THE FINAL ASSESSMENT ROLL FOR THE FISCAL YEAR JUNE 1, 2013 TO MAY 31, 2014.

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 the final assessment roll for the fiscal year June 1, 2013 to May 31, 2014.

The Nassau County Police Department Third Precinct report for February 2013 showed no reports of burglaries or robberies, one parking violation and four moving violations were issued. There were two auto accidents with three auto injuries reported.

There were no reports of grants for March 2013.

MAYOR DAVID E. TANNER

Mayor Tanner asked Mr. Blinkoff to apprise those present on the status of 8 Sumter Avenue. Mr. Blinkoff stated that the individual in contract with Mr. Muzio for the purchase of 8 Sumter Avenue has made an application to the Planning Board of the Village of East Williston for a partition of the land. They are looking to hold the hearing in late April, early May. Should a decision be made not to partition the land by the Planning Board, the contractor who bid to either demolish the buildings or renovate them said he will hold the price bid for the project.

On the motion of Trustee Siciliano, seconded by Trustee Vella, there being no further business, the meeting was adjourned at 9:45 p.m.