

BOARD OF TRUSTEES
INC. VILLAGE OF EAST WILLISTON
MONDAY, APRIL 7, 2014

Meeting of the Board of Trustees of the Incorporated Village of East Williston was held on Monday, April 7, 2014 at 7:00 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, Robert M. Vella, Jr., Village Attorney Jeffrey L. Blinkoff, Village Treasurer Michael Delury, Village Clerk Marie L. Hausner.

RESOLUTION NO. 9 -2014 CHANGING THE DATE OF THE VILLAGE-WIDE TAG SALE TO SATURDAY, MAY 31, 2014 WITH A RAIN DATE OF JUNE 1, 2014.

On the motion of Trustee Siciliano, seconded by Trustee DeBenedittis, and with Mayor Tanner and Trustees Parente, DeBenedittis, Siciliano and Vella, all voting "aye", the Board unanimously approved to change the date of the Village-wide tag sale to May 31, 2014, with a rain date of June 1, 2014.

RESOLUTION NO. 10 -2014 A RESOLUTION APPROVING THE PURCHASE OF A 2014 CHEVROLET TAHOE FOR USE AS A CHIEFS VEHICLE BY THE EAST WILLISTON FIRE DEPARTMENT.

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 purchase of a 2014 Chevrolet Tahoe to be used as a Chief's vehicle by the East Williston Fire Department.

BOARD OF TRUSTEES
INC. VILLAGE OF EAST WILLISTON
ANNUAL ORGANIZATION MEETING AND BUDGET HEARING
MONDAY, APRIL 7, 2014

Annual Organizational Meeting and Budget Hearing of the Board of Trustees of the Incorporated Village of East Williston was held on Monday, April 7, 2014 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: Daniel Cramblitt, Patrick Theodore, Emil and Kathy Samuels, Joseph Masters, Ray Gaudio, Lucie and Henry Decsi, John Mangano.

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 moved to close the hearing and reserve decision.

The meeting commenced with a public hearing to consider Local Law No. 2 of 2014 authorizing a tax levy in excess of the limit established in General Municipal Law Section 3-c. A verbatim transcript of said hearing is on file in the office of the Village Clerk.

RESOLUTION NO. 11 -2014 Local Law No. 2 of the year 2014 Village of East Williston, County of Nassau - A local law authorizing a property tax levy in excess of the limit established in General Municipal Law §3-c
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 2014 and concluding in 2015 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes 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 in 2014 and concluding in

2015 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §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 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 second public hearing was for the proposed budget for the fiscal year 2014 – 2015. A transcript of the public hearing is on file in the office of the Village Clerk.

RESOLUTION NO. 12 -2014 A RESOLUTION APPROVING AN AMENDMENT TO THE PROPOSED BUDGET FOR THE FISCAL YEAR JUNE 1, 2014 TO MAY 31, 2015.

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 amendment to the budget for the period June 1, 2014 to May 31, 2015.

RESOLUTION NO. 13 -2014 A RESOLUTION APPROVING THE BUDGET FOR THE FISCAL YEAR JUNE 1, 2014 TO MAY 31, 2015.

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 unanimously approved the budget for the period June 1, 2014 to May 31, 2015.

At this time, the Mayor administered the oath of office to Associate Justice Emil Samuels and Zoning Board member Lucie Decsi.

RESOLUTION NO. 14 -2014 A RESOLUTION APPROVING THE PROFORMA RESOLUTIONS FOR 2014-2015.

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 unanimously approved the proforma resolutions the period June 1, 2014 to May 31, 2015 as follows:

PRO FORMA RESOLUTIONS - 2014

Depository of Accounts

“RESOLVED, that Chase Bank, Flushing Bank and First National Bank of Long Island 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 \$0.50 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 2014: May 12, June 9, July 14, August 11, September 8, October TBD, November 10, December 8. 2015: January 12, February 9, March 9, April 6.

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) 2014: May TBD, June 30, July 28, August 25, September 29, October 27, November 24, December 29. 2015: January 26, February 23, March 30 . 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 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 Siciliano, and with Mayor Tanner and Trustees Parente, DeBenedittis, Siciliano and Vella all voting “aye”, and the Board unanimously approved the minutes of the regular meeting of March 10, 2014.

On the motion of Trustee DeBenedittis, seconded by Trustee Vella, 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 24, 2014.

On the motion of Trustee Siciliano, seconded by Trustee DeBenedittis, and with Mayor Tanner and Trustees Parente, DeBenedittis, Siciliano and Vella all voting “aye”, the Board unanimously approved the abstracts of claims for March 2014 as follows:
20130518 – 20130643.

Chief Cramblitt presented the March 2014 report for the East Williston Fire Department. The Department responded to a total of 10 calls during the month; four fire calls, five EMS calls and -one mutual aid call.

Chief Cramblitt advised those present that they should ensure that their house numbers are clearly visible from the street in case of an emergency.

Lastly, Chief Cramblitt thanked the Mayor and Board of Trustees for working with the officers on the 2014-2015 Budget.

TRUSTEE REPORTS

DEPUTY MAYOR/TRUSTEE BONNIE PARENTE

Trustee Parente stated that the East Williston Fire Department held elections recently. James Clark was elected captain. Joseph Fabrizio who was appointed to fill the unexpired term of First Assistant Chief Patrick McWhirk will remain in the position.

Trustee Parente noted that the Fire Department will be purchasing a new chief's vehicle, so that all three Chiefs will be driving an official department vehicle. The new Chevrolet Tahoe was ordered by another fire department on Long Island, but was rejected after the order.

Lastly, the Fire Department installation dinner will take place on April 26th.

TRUSTEE CAROLINE DEBENEDITTIS

Trustee DeBenedittis stated that the Recreation Committee continues to hold yoga and boot camp classes. The stroller group meets on Tuesday mornings in the Village Hall. Spring tennis fliers will be sent out next week.

The annual egg hunt will be held on Saturday, April 12th at 10am with a rain date of Sunday, April 13th.

The second annual Village-wide tag sale will take place on Saturday, May 31, 2014, with a rain date of June 1, 2014.

TRUSTEE ROBERT M. VELLA, JR.

Trustee Vella presented the Justice Court report for the month of March 2014. The court collected a total of \$2,701.00 in fines during the month.

Trustee Vella presented the Library report. Pre-K story time takes place on Thursdays at 11:30am. Toddler story time is held on Fridays at 11:30am. The daytime book club will meet on April 8th to discuss the book The Manor: Three Centuries at a Slave Plantation on Long Island. The evening book club will meet on April 10th to discuss the book The Husbands Secret. The Library continues to collect new or gently worn shoes for "Shoes for All". Lastly, the Library will be closed on April 18th in observance of Good Friday.

TRUSTEE CHRISTOPHER A. SICILIANO

Trustee Siciliano stated that the East Williston Little League parade will take place on April 26th starting at Devlin Field and marching to North Side School for the annual carnival.

The Department of Public Works street sweeper has been out making rounds in the Village. The Village is looking into purchasing a new sweeper.

The Department of Public Works is readying the tennis courts and Devlin Field for the season. The staff is also planting street trees, now that the weather has cleared.

Residents looking to clean up their yards after the winter should obtain orange stickers to place on black bags so the sanitation employees can identify the bags as yard waste. The stickers can be picked up at the Village office.

If residents notice any street lights out, they should call the Village office and advise the employees to the street lighting contractor can be notified.

MAYOR DAVID E. TANNER

Mayor Tanner stated the Board discussed exercising the Village's option under the sanitation contract to renew the contract for sanitation services for a second year with DeJana Industries. The Village did solicit a bid for the contract this year. DeJana submitted the same bid prices as their submission last year. One company that submitted a bid was deemed unqualified. After review of the bids, the Board rejected them, and opted to pursue the second year of the current contract with DeJana.

John Mangano from DeJana Industries was present at the meeting and gave his assurance that all complaints will be dealt with expeditiously. In the past few weeks, there had been complaints about garbage cans not being replaced to the back of each premises. He noted that there had been a new driver on the route due to the injury of another employee, but the problem was rectified.

Mayor Tanner said that Mr. Mangano had stepped up to the plate, so to speak in personally meeting with residents at the Village Hall to address complaints. After these "one on one" sessions, sanitation complaints went down to zero.

RESOLUTION NO. 15 -2014 A RESOLUTION APPROVING THE SECOND YEAR OF THE SANITATION CONTRACT WITH DEJANA INDUSTRIES, INC. FOR THE PERIOD JUNE 1, 2014 TO MAY 31, 2015.

On the motion of Trustee Parente, seconded by Trustee DeBenedittis, and with Mayor Tanner and Trustees Parente, DeBenedittis and, Siciliano, all voting "aye" and Trustee Vella abstaining, the Board approved to exercise the option to renew the contract with DeJana Industries, Inc. for a second year for the period June 1, 2014 to May 31, 2015.

Mayor Tanner stated that he met with Thomas Tiernan, North Hempstead Highway Superintendent to discuss various public works purchases that the Village can make

through the Town to save the Village money. Items include traffic signs, fuel, road sand and the like.

VILLAGE CLERK MARIE HAUSNER

The following building permits were issued in March 2014: 87 Robbins Drive, construction of a garage addition. 28 Downing Street, installation of a new three piece bathroom. 40 Orchard Drive, installation of a central air conditioning unit. 43 Orchard Drive, installation of a new driveway. 180 Concord Street, conversion to a handicapped bathroom.

The Nassau County Police Department Third Precinct did not submit a report for the month of March 2014.

The Clerk noted that the Village office will be closed on Friday, April 18th in observance of Good Friday.

Mayor Tanner opened the meeting to the residents.

Kathy Samuels noted there was glass in the street near her home. She asked if the sweeper can make a few passes in the area. She also noted that people are not picking up after their dogs. She asked if the Village could send out fliers or an email blast reminding residents to pick up after their pets.

Ray Gaudio stated that a federal study will be undertaken to analyze airplane noise from traffic in area airports. Monitors will be set up to create noise maps. A “round table” group of residents, members of the FAA and the Port Authority will be established to conduct a dialogue on the noise problem. He also stated that the Port Authority has been apathetic toward complaints. The round table group should aid in making changes.

Mr. Gaudio also questioned the speed limits on Roslyn Road, given the recent accidents that have taken place (although they were outside of the Village limits). The Board advised him that they will ask the Third Precinct to see if they can step up patrols, but noted that since Officer William Handworth left a few years ago, and the merging of the third and sixth precincts, the police have focused attention on crimes rather than traffic. It was also noted that Roslyn Road is a Nassau County maintained road, and the speed limits and traffic devices are under the control of the County, and not the Village.

Trustee Vella stated that people do travel on Roslyn Road at some times frightening speeds.

Daniel Cramblitt noted that he has seen a police presence on Roslyn Road of late.

Patrick Theodore asked about parking tickets issued when a guest stays overnight. A friend received a ticket for parking on the street on a Saturday night. Mayor Tanner stated that the Village Code prohibits parking on all Village streets between 2am and 6am.

Mr. Blinkoff stated the person should appear in court and speak with the judge.

The Clerk stated that if a resident knows they are having a guest, they can come to the Village office and request an overnight parking pass (for up to a two week period in one calendar year). One needs to supply the license plate number of the car and the year and make of the car.

Joseph Masters asked about the status of 8 Sumter Avenue and the water issue with Williston Park. Mr. Blinkoff stated that the Village and the Muzios were due back in court on April 21st. At that time Judge McCormack will rule on whether the Village can proceed with demolition of the buildings on the property.

With regard to the matter with Williston Park, there are two actions pending. The issue before the Supreme Court ruled in favor of East Williston. There is no decision on the Article 78. The matter will be going before the Appellate Division in May.

Mayor Tanner added that the Village met with Williston Park on many occasions. Williston Park had raised the rate twice; the first time from \$2,99 to \$3,87 and then to \$4.33. East Williston is still paying the \$2,99 rate until such time as the matter is resolved in court.

Trustee Vella said the Board tried to work out a resolution with Williston Park and suggested having a joint district, but this was not an option.

Carla Strauss asked if there were any other options for the Village to consider obtaining water.

Mayor Tanner replied that the process is very slow. The Village has looked into other options but definitive answers are not readily available.

On the motion of Trustee Siciliano, seconded by Trustee Parente, there being no further business, the meeting was adjourned at 8:42 pm.