

BOARD OF TRUSTEES
INC. VILLAGE OF EAST WILLISTON
AGENDA MEETING
MONDAY, AUGUST 31, 2015

Agenda Meeting of the Board of Trustees of the Incorporated Village of East Williston was held on Monday, August 31, 2015 at 7:30 p.m. at the Village Hall, 2 Prospect Street, East Williston, New York.

There were present: Mayor David E. Tanner, Trustees Bonnie L.S. Parente, Christopher A. Siciliano, James L. Iannone, Village Treasurer Michael Delury, Bonnie Kreisman, Secretary to the Board of Trustees, Marie L. Hausner, Village Clerk

Excused from meeting: Robert Vella, Jr.

Also present: Mr. and Mrs. Rittel.

RESOLUTION NO. 26-2015 A RESOLUTION APPROVING AN APPLICATION FOR A BLOCK PARTY ON SCHOOL STREET ON SEPTEMBER 12, 2015, WITH A RAIN DATE OF SEPTEMBER 13, 2015 .

On the motion of Trustee Parente, seconded by Trustee Iannone, and with Mayor Tanner and Trustees Parente, Siciliano, and Iannone all voting "aye", the Board approved the application of a block party to be held on School Street on Saturday, September 12, 2015 from 2pm to 11pm. The rain date will be Sunday, September 13, 2015.

James Iannone stated that a letter needs to be sent to the resident at the corner of Post Avenue and Roslyn Road advising them that the bushes need to be trimmed. It is difficult to make a left turn onto Roslyn Road.

Trustee Parente asked about the status of the fence and retaining wall at the corner of Concord Street and High Street.

Bonnie Kreisman stated that Mr. Campagna had not issued a violation. All work at the location had been stopped. Mr. Campagna wanted to confer with the Village Attorney before sending a letter to the residents, as they may have to remove the retaining wall.

Mayor Tanner said he was under the impression that violations had been issued.

Ms. Kreisman informed the Board that a variance had been issued previously to allow for a four foot fence in the front yard. Since this is a corner house, the property is considered to have two front yards.

Mayor Tanner stated that he wanted the correction to take place as soon as possible.

Mr. Blinkoff said he will speak with Mr. Campagna tomorrow.

Ms. Kreisman informed the Board that she and James Bailey are working to clear up conflicting reports about pricing of cellular meters.

There are two parts to the meter: the end point addition (which is cellular-read) and the actual meter. The meter sends a reading to the office once a day. The meter has the ability to send text alerts (example: if water is running continuously). The end point cost is \$100, plus a \$70 cellular fee for ten years.

Mayor Tanner stated that some residents will be willing to pay for a meter with this alert capability.

Ms. Kreisman stated that everyone who has this type of meter would have to have an account created to enable text alerts, which will be an administrative problem for the office. Meter readings still need to be input manually into the system to create the water billing.

There is a difference between the residential and non-residential meters, due to size of the service. These include the golf club, school and County facilities. For example, the service for the golf club is a 6" service, so replacement of the meter would probably be \$900. The school on the other hand, will cost \$2,600. The meter at the school is quite old and needs to be replaced.

The sales person for Badger Meter is currently on maternity leave, so we are awaiting her return for further information.

Mayor Tanner asked Mr. Blinkoff if commercial properties can pick up the cost of a new meter. Mr. Blinkoff stated that commercial properties can pay for the cost of a new meter if one is required.

Mayor Tanner stated that the Board is in receipt of copies of the bond resolution for the settlement of certiorari cases. He wanted to move forward with the resolution and publish the legal notice in the Williston Times.

RESOLUTION NO. 27-2015 A RESOLUTION APPROVING A BOND RESOLUTION OF THE VILLAGE OF EAST WILLISTON AUTHORIZING THE PAYMENT OF REAL PROPERTY TAX REFUNDS PURSUANT TO TAX CERTIORARI PROCEEDINGS STATING THE ESTIMATED TOTAL COST THEREOF IS \$222,000.

On the motion of Mayor Tanner, seconded by Trustee Iannone, and with Mayor Tanner and Trustees Parente, Siciliano, and Iannone all voting "aye", the Board approved the following resolution:

BOND RESOLUTION OF THE VILLAGE OF EAST WILLISTON, NEW YORK, ADOPTED AUGUST 31, 2015, AUTHORIZING THE PAYMENT OF REAL PROPERTY TAX REFUNDS PURSUANT TO TAX CERTIORARI PROCEEDINGS, STATING THE ESTIMATED TOTAL COST THEREOF IS

\$222,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$222,000 TO FINANCE SAID APPROPRIATION

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 real property tax refunds in the amount of \$222,000 pursuant to the (i) Stipulation of Settlement in the Supreme Court of the State of New York, County of Nassau, dated August 3, 2015, in the *Matter of Wheatley Hills Golf Club v. the Board of Assessors and/or the Assessor of the Village of East Williston and the Board of Assessment Review* (Index No. 400389/12, Section 9 , Block 546, Lot 13A) at the estimated maximum cost of \$190,000 and (ii) in the *Matter of the Leogrande Family Irrevocable Trust (462 Sagamore Avenue) v. the Assessor of the Village of East Williston and the Board of Assessment Review* (Index No. 12-400019, Section 9 , Block 475, Lot 6) in the amount of \$32,000. The plan of financing includes the issuance of bonds in the principal amount of \$222,000 to finance said appropriation and the levy and collection of taxes on 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. Bonds of the Village in the principal amount of \$222,000 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-a. of the Law, is five (5) years provided, however, that if the total amount of tax refunds to be paid pursuant to court orders during the fiscal year in which said refunds are paid is (i) more than one per centum but less than three per centum of the Village's tax levy for such fiscal year, then the period of probable usefulness applicable to said bonds shall be ten (10) years, and (ii) more than three per centum but less than five per centum of the Village's tax levy for such fiscal year, then the period of probable usefulness applicable to said bonds shall be fifteen (15) years, and (iii) more than five per centum of the Village's tax levy for such fiscal year, then the period of probable usefulness applicable to said bonds shall be twenty (20) 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 purposes 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 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 of the Law 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 of 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.

* * *

The adoption of the foregoing resolution was seconded by Trustee Iannone and duly put to a vote on roll call, which resulted as follows:

AYES: Mayor Tanner, Trustees Parente, Siciliano, Iannone.

NOES: None

Trustee Vella was absent from said vote.

The resolution was declared adopted

On the motion of Trustee Siciliano, seconded by Trustee Parente and with Mayor Tanner and Trustees Parente, Siciliano and Iannone all voting "aye", the Board moved to adjourn into executive session at 8:30 p.m. to discuss potential litigation.

The Board re-convened at 8:46pm. No action was taken during the executive session.

Mayor Tanner stated that as a courtesy to Mr. & Mrs. Rittel, he explained that with regard to the final decision for the conditional use permit for the Wheatley Hills Golf Club, the Board went through several drafts before rendering a final decision.

Mr. Blinkoff stated that there were circumstances regarding a legal issue regarding the final decision that raised concerns and he asked that the Board adjourn into executive session before to discuss the issue.

Mayor Tanner stated that conditions set forth in the final decision included but was not limited to: the creation of eight bedrooms in the westerly quarters with three bedrooms being permitted in the main building. No other changes to sleeping quarters were approved. All sleeping quarters are limited to employees only, with no overnight visitors. No non-employees are to sleep at the Club. No cooking will be allowed in the living quarters.

Pursuant to information provided by the Village building inspector, the Golf Club had employee housing before they applied for this conditional use application.

Mayor Tanner stated that Building Inspector Robert Campagna reviewed the decision and was in agreement with the terms. The Mayor was also comfortable with the conditions set upon the Club.

Trustee Parente concurred with the Mayor on the conditions set forth. Trustee Parente also agreed with the revised renovation plan submitted to the Village.

Trustee Siciliano said that the final Board decision improves the quality of life of the employees occupying the premises.

Trustee Iannone stated the finalized decision decreases the intensity of the use of the property by reducing the occupants from 15 to 11, as well as addressing the conditions of those residing at the Club.

RESOLUTION NO. 28-2015 A RESOLUTION APPROVING THE DECISION IN THE MATTER OF THE APPLICATION OF THE WHEATLEY HILLS GOLF CLUB, 147 EAST WILLISTON AVENUE WITHIN THE INCORPORATED VILLAGE OF EAST WILLISTON FOR APPROVAL OF A CONDITIONAL USE PURSUANT TO SECTION 160-40 OF THE VILLAGE CODE.

On the motion of Trustee Siciliano, seconded by Mayor Tanner, and with Mayor Tanner and Trustees Parente, Siciliano, and Iannone all voting “aye”, the Board approved the decision in the matter of the application of the Wheatley Hills Golf Club, 147 East Williston Avenue within the Incorporated Village of East Williston for approval of a conditional use pursuant to Section 160-40 of the Village Code. A copy of said decision is on file in the office of the Village Clerk.

Mr. Blinkoff stated that copies will be made available as soon as the Village Clerk signs the document and places the Village seal upon the decision.

Mr. Blinkoff stated that he has reviewed the Fire Department contract and has no problem with it as written.

On the motion of Trustee Siciliano, seconded by Trustee Iannone, and with Mayor Tanner and Trustees Parente, Siciliano and Iannone all voting “aye”, the Board moved to adjourn into executive session at 9:02p.m. to discuss potential litigation.

The Board re-convened at 9:35p.m.

On the motion of Trustee Parente, seconded by Trustee Siciliano, there being no further business, the meeting was adjourned at 9:38pm.