

BOARD OF TRUSTEES
INC. VILLAGE OF EAST WILLISTON
AGENDA MEETING
MONDAY, JULY 30, 2018

Agenda Meeting of the Board of Trustees of the Incorporated Village of East Williston was held on Monday, July 30, 2018 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 Siciliano, Anthony Casella, Treasurer Michael Delury, Marie L. Hausner, Village Clerk, Bonnie Kreisman, Secretary to the Board of Trustees, Village Attorney Jeffrey Blinkoff

Excused from meeting: Trustee James Iannone.

Mayor Tanner stated that he was awaiting word from Mayor Ehrbar of Williston Park about a proposed meeting on the construction of the new elevated water tower. The proposed date is Wednesday, August 1st.

The Board re-convened at 10:21pm. No action was taken during the executive session.

RESOLUTION #2018- 34 A RESOLUTION RATIFYING THE BOARD OF TRUSTEES DECISION TO JOIN THE VILLAGE OF FREEPORT'S ACTION AGAINST THE TOWN OF NORTH HEMPSTEAD AND THE COUNTY OF NASSAU TO COLLECT VILLAGE'S FAIR SHARE OF SALES TAX REVENUE, ON THE CONDITION THAT THERE BE NO EXPENSE TO THE VILLAGE OF EAST WILLISTON.

On the motion of Trustee Siciliano, seconded by Trustee Parente and with Trustees Parente, Siciliano and Casella all voting "Aye" and Mayor Tanner recusing himself, the Board ratified the decision to join the Village of Freeport's action against the Town of North Hempstead and the County of Nassau to collect Village's fair share of sales tax revenue, on the condition that there be no expense to the Village of East Williston.

Michael Delury had developed a fund balance policy for the Village at the request of Mayor Tanner. He had previously distributed a copy of said policy for review by the Board.

The policy guides the Village as to how to designate payments for certain projects and provides guidelines for distribution of available funds as well as designating certain funding levels.

Potential lenders look to see if a long term plan is in place when determining borrowing rates.

Trustee Parente asked if there is a penalty if the Village fund balance goes below the designated amount. Mayor Tanner stated that the policy is self-governing, and is used for guidance purposes.

Mayor Tanner stated that the New York State Comptroller's office recommends that Villages have a policy in place. They also recommend that the fund balance not exceed 12% of a budget.

Standard and Poors use a general amount not to fall below \$500,000 without becoming a negative credit rating.

RESOLUTION #2018- 35 A RESOLUTION TO APPROVE THE FUND BALANCE POLICY FOR THE VILLAGE OF EAST WILLISTON.

On the motion of Trustee Casella and seconded by Trustee Siciliano, and with Mayor Tanner and Trustees Parente, Siciliano and Casella all voting "aye", the Board approved a resolution for the fund balance policy for the Village of East Williston as follows:

INC. VILLAGE of EAST WILLISTON FUND BALANCE POLICY

The Board recognizes that the maintenance of a fund balance is essential to the preservation of the financial integrity of the Village and is fiscally advantageous for both the Village and the taxpayer. This policy will ensure that the Village maintains adequate fund balances and reserves in order to:

- Provide sufficient cash flow for daily financial needs,
- Secure and maintain investment grade bond ratings (if necessary),
- Offset significant economic downturns or revenue shortfalls, and
- Provide funds for unforeseen expenditures related to emergencies.

Definitions

Fund balance is a measurement of available financial resources and is the difference between total assets and total liabilities in each fund. The following definitions will be used in reporting activity in governmental funds. The Village may or may not report all fund types in any given reporting period based on actual circumstances and activity.

The General Fund is used to account for all financial resources not accounted for and reported in another fund.

Debt service funds are used to account for all financial resources restricted, committed or assigned to expenditure for principal and interest.

Capital projects funds are used to account for all financial resources restricted, committed or assigned to expenditure for the acquisition or construction of capital assets.

GASB Statement 54 distinguishes fund balance classified based on the relative strength of the constraints that control the purposes for which specified amounts can be spent. Beginning with the most restrictive constraints, fund balance amounts will be reported in the following categories:

- 1) **Nonspendable fund balance**- amounts that are not in a spendable form (e.g., inventory) or are legally or contractually required to be maintained intact (e.g., permanent fund principal).
- 2) **Restricted fund balance** - amounts that can be spent only for the specific purposes stipulated by external parties either constitutionally or through enabling legislation (e.g., grants or donations).
- 3) **Committed fund balance** - amounts that can be used only for the specific purposes determined by a formal action of the Board of Trustees. Commitments may be changed or lifted only by referring to the formal action that imposed the constraint originally (e.g., the board's commitment in connection with future construction projects).

INC. VILLAGE of EAST WILLISTON - FUND BALANCE POLICY

4) **Assigned fund balance** - amounts *intended* to be used by the government for specific purposes. Intent can be expressed by the Board of Trustees or by a designee to whom the governing body delegates the authority. In governmental funds other than the general fund, assigned fund balance represents the amount that is not restricted or committed. This indicates that resources in other governmental funds are, at a minimum, intended to be used for the purpose of that fund.

5) **Unassigned fund balance**- includes all amounts not contained in other classifications and is the residual classification of the general fund only. Unassigned amounts are available for any legal purpose.

Policy

The responsibility for designating funds to specific classifications shall be as follows: **Committed Fund Balance - The Board of Trustees** is the Village's highest level of decision-making authority, and the formal action that is required to be taken to establish, modify, or rescind a fund balance commitment is a resolution approved by the Board.

Assigned Fund Balance-The **Board of Trustees** has authorized the Mayor and the Clerk- Treasurer as officials authorized to assign fund balance to a specific purpose as approved by this fund balance policy.

Mayor Tanner spoke with the fire department chiefs about a possible matching grant from Senator Schumer's office for equipment needed by the fire department.

Trustee Parente brought up the issue of limiting landscapers from working on Saturdays. She felt that it appears more and more landscaping companies are working on Saturdays. She was still undecided on a path to take on this issue.

Ms. Kreisman thought that perhaps the allowable working hours could be limited on a Saturday, rather than from 9am to 5pm.

The office staff will make calls to other villages to see what hours they allow landscapers to work on Saturdays.

Mayor Tanner inquired as to the progress Kerry Collins is making on closing out old building permits open for more than one year.

Ms. Kreisman stated that Mr. Collins schedule is very tight, but that Elise Campagna currently started going through the old folders, facilitating a faster way to start the close out of permits.

Mayor Tanner felt that Ms. Campagna may be able to go out and look over simple permits such as fences and driveways to hasten close-out of these types of permits.

Mr. Delury stated he was awaiting the list of fees and fee structures from Kerry Collins for changes/additions to East Williston fees for review by the Board.

Trustee Parente stated that the house being constructed at 23 Ogden Avenue is completely different than what was presented to the zoning board.

Ms. Kreisman stated that the structure fits the Village Code, but the does not match surrounding houses on the street, noting that Ogden Avenue has much smaller building lots.

The Board discussed a possible hearing regarding the condition of the house at 20 High Street.

Mr. Blinkoff stated that he was in contact with attorney William Nolan, attorney for owner Patricia Huse. He noted that the environmental engineer who wrote up a review of the condition of the house at 20 High Street, was hired by Mrs. Huse's insurance company.

Mr. Blinkoff has inquired if Mr. Nolan had filed a building permit to work on remediation of the house. Mr. Blinkoff did not know if Mr. Nolan had specific authority to do so.

Trustee Parente felt that if the owner is going to file a building permit to work on the house, there may not be a need to hold a hearing on the property.

Trustee Siciliano felt that Kerry Collins should be in attendance at the meeting with regard to this subject, since he has been involved with this property since the broken pipe situation arose earlier this year. He was aware that Mr. Collins is not available on the next meeting date of August 20, 2018.

On the motion of Trustee Parente, seconded by Mayor Tanner, the Board moved to adjourn into executive session at 8:20pm to discuss potential litigation.

The Board re-convened at 8:38pm. No action was taken during the executive session.

Mr. Blinkoff was directed to contact Mr. Nolan (attorney for owner of 20 High Street) to ask them to file building permits for remediation of the property, or a public hearing will be held with regard to the condition of said property.

Mayor Tanner stated that he had once again contacted Nassau County with regard to the placement of curbing on East Williston Avenue. They promised to get back to him in mid-August.

Trustee Parente asked about the status of the Latham Lane street lights.

Ms. Hausner advised that the light at 400 Latham Lane is surrounded by bushes, planted by the property owners (or previous property owners), preventing access to the base of the light for the repair of the wiring. A letter will go out to the current resident advising them that the bushes must be trimmed or removed.

Trustee Parente also asked that the resident at the corner of Ogden Avenue and Sagamore Avenue be advised to trim the bushes along the Ogden Avenue sidewalk, as people cannot use the walk due to the bushes extending beyond the property line.

Trustee Parente also asked that the sign at the tennis courts be corrected to reflect proper wording.

Trustee Parente asked about the status of the radio room. Mayor Tanner said he will have to check with Trustee Iannone upon his return.

Mayor Tanner asked Trustee Parente to follow up with the chiefs of the East Williston Fire Department about possible grants for the Department.

RESOLUTION #2018- 36 A RESOLUTION TO SCHEDULE A PUBLIC HEARING IN ACCORD WITH LOCAL LAW 1 OF 2018.

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

WHEREAS, Local Law One of 2018 established a temporary moratorium on the consideration or approval of applications for conditional uses or the amendments of existing conditional use grants pursuant to section 160 – 40 of the Village Code and upon construction on such properties, and

WHEREAS, said Local Law provides that owners of real property within the Village may apply in writing to the Board of Trustees requesting an exemption from the moratorium after due notice and public hearing which exemption may be granted in the sole discretion of the Board of Trustees, and

WHEREAS, a written application having been received on behalf of the Wheatley Hills Golf Club,

BE IT RESOLVED, that the Board of Trustees hold a public hearing on said application proposed 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 PM on Monday, August 20, 2018, 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.

Mayor Tanner asked Mr. Blinkoff about the status of the contract with RealTerm Energy for LED lighting.

Mr. Blinkoff stated that the pilot program will go forward and that the Village can advise residents of the location of the lights via email blast or flier. He added that the contract now calls for two public meetings on the subject.

Mayor Tanner thought that contract had stated cobra head lights, but the Board had stated they wanted to match coach lighting fixtures, or other matching fixtures deemed appropriate.

RESOLUTION #2018- 37 A RESOLUTION TO APPROVE THE AGREEMENT WITH REALTERM ENERGY FOR INSTALLATION OF LED LIGHTING AND RELATED WORK AT A COST OF \$150,000.00 SUBJECT TO FINALIZATION OF SPECIFIC CONTRACT WORDING BY THE VILLAGE ATTORNEY.

On the motion of Trustee Siciliano and seconded by Trustee Casella, and with Mayor Tanner and Trustees Parente, Siciliano and Casella all voting “aye”, the Board approved the agreement with RealTerm Energy for installation of LED lighting and related work at a cost of \$150,000.00 subject to finalization of specific contract wording by the village attorney.

Mayor Tanner confirmed that Mr. Delury had the necessary bond paperwork ready for the meeting on August 20th. Mr. Delury stated that he did have the information in place for the meeting.

Trustee Siciliano stated that Nassau County contractors have started work on traffic light electrical work, sidewalks and handicapped ramps on Roslyn Road. While the village did not receive official notification, he had the clerk contact Nassau County, and was sent to various offices without getting any official word from them about this work.

RESOLUTION #2018- 38 A RESOLUTION AUTHORIZING THE VILLAGE OF EAST WILLISTON TO PARTICIPATE IN 2018-2019 JUSTICE COURT ASSISTANCE PROGRAM GRANT.

On the motion of Trustee Casella and seconded by Trustee Siciliano, and with Mayor Tanner and Trustees Parente, Siciliano and Casella all voting “aye”, the Board authorized participation in the 2018-2019 Justice Court Assistance Program Grant.

On the motion of Trustee Parente, seconded by Trustee Siciliano, there being no further business, the meeting was adjourned at 9:26pm.