

**VILLAGE OF MANORHAVEN
BOARD OF TRUSTEES
MINUTES OF SPECIAL EMERGENCY MEETING
THURSDAY, JANUARY 17, 2013**

COPY

The Board held a special emergency meeting on Thursday, January 17, 2013 at 5:00 p.m. The meeting was called to order at 5:00 p.m. by Mayor Giunta, with the following in attendance:

Giovanna Giunta	Mayor
Rita DiLucia	Trustee
Lucretia Steele	Trustee
Dorit Zeevi-Farrington	Trustee
Charles J. Casolaro	Village Attorney
Liz Gaynor	Village Clerk-Treasurer
Mark Lazarovic, Deputy Mayor	Absent

4 members of the public were in attendance. The Mayor asked Elise Ledda to lead the assembly in reciting the Pledge of Allegiance.

Village Attorney Casolaro stated the sole purpose of this emergency meeting was for the Mayor and Trustees to review the proposed bond resolution and to review quotes received for tree project both related to extraordinary costs incurred by the Village from Super Storm - Hurricane Sandy. Village Counsel explained these funds were not anticipated nor budgeted. The Village Clerk is in the process of working with FEMA for reimbursement, but the Village does not anticipate reimbursement for 6 – 12 months for these emergency expenses.

The Mayor and Board of Trustees considered the proposed bond resolution in the amount of \$225,000, as stated within documents attached to minutes. Trustee Steele made a motion to accept the proposed bond resolution as presented. Trustee Zeevi-Farrington seconded the motion.

The Board was polled as follows:

Trustee Zeevi-Farrington	Aye
Trustee Steele	Aye
Trustee DiLucia	Aye
Mayor Giunta	Aye

All in favor.

The Mayor and Board of Trustees considered the proposed budget note resolution not to exceed \$485,000, as stated within documents attached to minutes. Trustee Steele made a motion to accept the proposed budget note resolution as presented. Trustee Zeevi-Farrington seconded the motion.

The Board was polled as follows:

Trustee Zeevi-Farrington Aye
Trustee Steele Aye
Trustee DiLucia Aye
Mayor Giunta Aye
All in favor.

Presented to The Mayor and Board of Trustees six tree quotes for Proposed Tree Project, all trees were damaged and/or compromised from Hurricane Sandy.

- | | |
|-------------------------------------|-----------|
| 1) Danny DP Tree Service | \$ 65,000 |
| 2) Conserva Tree | \$ 99,600 |
| 3) Kev's Landscaping & Tree Service | \$ 99,710 |
| 4) John Construction Corp. | \$169,000 |
| 5) P & P Landscaping, Inc. | \$188,600 |
| 6) Dom's Tree Service | \$192,000 |

The Mayor and Board of Trustees reviewed and discussed the proposed quotes. Trustee Steele made a motion to accept the lowest responsible bidder, Danny DP Tree Service in the amount of \$65,000, seconded by Trustee Zeevi-Farrington.

The Board was polled as follows:

Trustee Zeevi-Farrington Aye
Trustee Steele Aye
Trustee DiLucia Aye
Mayor Giunta Aye

All in favor.

NEXT MEETING: The next meeting is scheduled for **Thursday, January 31, 2013 at 7:30 p.m., Public Hearing beginning at 6:00 p.m.**

Trustee DiLucia made a motion to close the meeting, seconded by Trustee Steele.

The Board was polled as follows:

Trustee Zeevi-Farrington Aye
Trustee Steele Aye
Trustee DiLucia Aye
Mayor Giunta Aye

There being no further business to come before the Board, the meeting was adjourned at 5:25 p.m.

Respectively submitted,

Liz Gaynor
Village Clerk-Treasurer

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Incorporated Village of Manorhaven


LOCAL ORDER FOR EMERGENCY MEETING OF THE BOARD OF TRUSTEES

ORDER NO: 1 – 2013

I, GIOVANNA GIUNTA, the Mayor of the Incorporated Village Manorhaven, pursuant to the New York Village Law §4-400 and §4-412 and Public Officers Law §104(2) hereby Orders an Emergency-Special Meeting of a quorum of the Board of Trustees to consider and vote on the issuance of a Budget Note Resolution and Bond Resolution authorizing the Village Clerk/Treasurer, in consultation with the Village Attorney, Village Accountant and Village Bond Counsel, to borrow funds and appropriate said funds to pay for capital projects and operating expenses which are a direct result of the damage from Hurricane Sandy, but were not earlier appropriated or budgeted.

It is further ordered that the Village Clerk shall publish notice of this meeting, to the extent reasonable, given the nature of the exigent and emergency circumstances, using all media outlets, including the Village web-site and shall further post notice in conspicuous places at or near Village Hall.

WHEREFORE, I hereunto affix my signature this 17th day of January, 2013 and upon execution hereof, this Order shall take effect immediately and be promptly recorded in the Office of the Village Clerk and made part of the public record.


GIOVANNA GIUNTA, Mayor
Inc. Village of Manorhaven

EXTRACT OF MINUTES

Meeting of the Board of Trustees of the
Village of Manorhaven, in the
County of Nassau, New York

January 17, 2013

* * *

A special meeting of the Board of Trustees of the Village of Manorhaven, in the County of Nassau, New York, was held at the Village Hall, 33 Manorhaven Boulevard, Port Washington, New York, on January 17, 2013.

There were present: Giovanna Giunta, Mayor; and

Trustees: Rita DiLucia, Lucretia Steele, Dorit Zeevi-Farrington

There were absent: Mark Lazarovic, Deputy Mayor

Also present: Charles J. Casolaro, Village Attorney
 Liz Gaynor, Village Administrator, Clerk

* * *

Trustee Steele offered the following resolution and moved its adoption:

BOND RESOLUTION OF THE VILLAGE OF MANORHAVEN,
NEW YORK, ADOPTED JANUARY 17, 2013, AUTHORIZING
VARIOUS CAPITAL PROJECTS IN CONNECTION WITH
STORM-RELATED DAMAGE, STATING THE ESTIMATED
MAXIMUM COST THEREOF IS \$225,000, APPROPRIATING
SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING
THE ISSUANCE OF \$225,000 SERIAL BONDS OF SAID
VILLAGE TO FINANCE SAID APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF MANORHAVEN, 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 Manorhaven, in the County of Nassau, New York (herein called the "Village"), is hereby authorized to undertake and complete various capital projects in connection with storm-related damage, including sewer pump station improvements, acquisition of a grinder/mulcher, replacement of a compressor, acquisition of equipment, replacement of damaged concrete, electrical improvements and other related projects. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$225,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of \$225,000 serial bonds of the Village 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. It is expected that Federal and/or State aid shall be received by the Village to pay all or part of the costs of the projects described herein. Any aid or grant funds received from FEMA or

from any other source are authorized to be used to pay all or part of the cost of the projects described herein or to pay debt service on any bonds or notes issued pursuant to this resolution.

Section 2. Serial bonds of the Village in the principal amount of \$225,000 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 the appropriation made pursuant to this resolution.

Section 3. The following additional matters are hereby determined and declared:

(a) The periods of probable usefulness applicable to the objects or purposes for which said bonds are authorized to be issued are equal to or in excess of five years; however, the bonds authorized pursuant to this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds, shall mature no later than five (5) years after the date of original issuance of said bonds or notes.

(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 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 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 "*Port Washington News*" a newspaper having 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 Zeevi-Farrington and duly put to a vote on roll call, which resulted as follows:

AYES: 4

NOES: 0

The resolution was declared adopted.

NOTICE

The resolution, a summary of which is published herewith, has been adopted on the 17th day of January, 2013, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Village of Manorhaven, in the County of Nassau, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the constitution.

Liz Gaynor
Village Clerk-Treasurer

BOND RESOLUTION OF THE VILLAGE OF MANORHAVEN,
NEW YORK, ADOPTED JANUARY 17, 2013, AUTHORIZING
VARIOUS CAPITAL PROJECTS IN CONNECTION WITH
STORM RELATED DAMAGE, STATING THE ESTIMATED
MAXIMUM COST THEREOF IS \$225,000, APPROPRIATING
SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING
THE ISSUANCE OF \$225,000 SERIAL BONDS OF SAID
VILLAGE TO FINANCE SAID APPROPRIATION

The object or purpose for which the bonds are authorized is the undertaking and completion of various capital projects in connection with storm related damage, including sewer pump station improvements, acquisition of a grinder/mulcher, replacement of a compressor, acquisition of equipment, replacement of damaged concrete, electrical improvements and other related projects, at the estimated maximum cost of \$225,000.

The periods of probable usefulness applicable to the objects or purposes for which said bonds are authorized to be issued are equal to or in excess of five years; however, the bonds authorized pursuant to this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds, shall mature no later than five (5) years after the date of original issuance of said bonds or notes.

The amount of obligations to be issued is \$225,000.

A complete copy of the bond resolution summarized above shall be available for public inspection during normal business hours at the office of the Village Clerk, at the Village Hall, 33 Manorhaven Boulevard, Port Washington, New York.


Dated: January 17, 2013
Port Washington, New York

CERTIFICATE

I, Liz Gaynor, Village Clerk of the Village of Manorhaven, in the County of Nassau, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Board of Trustees of said Village of Manorhaven duly called and held on January 17, 2013, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Board of Trustees and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Village of Manorhaven this 17th day of January, 2013.

(SEAL)



Village Clerk

EXTRACT OF MINUTES

Meeting of the Board of Trustees of the

Village of Manorhaven, in the

County of Nassau, New York

January 17, 2013

* * *

A special meeting of the Board of Trustees of the Village of Manorhaven, in the County of Nassau, New York, was held at the Village Hall, 33 Manorhaven Boulevard, Port Washington, New York, on January 17, 2013.

There were present: . Giovanna Giunta, Mayor; and

Trustees: Rita DiLucia, Lucretia Steele and Dorit Zeevi-Farrington

There were absent: Mark Lazarovic, Deputy Mayor

Also present: Charles J. Casolaro, Village Attorney

Liz Gaynor, Village Administrator, Clerk

* * *

Trustee Steele offered the following resolution and moved its adoption:
BUDGET NOTE RESOLUTION OF THE VILLAGE OF
MANORHAVEN, NEW YORK, ADOPTED JANUARY 17, 2013,
AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$485,000
BUDGET NOTES OF SAID VILLAGE, INCLUDING RENEWALS
THEREOF, PURSUANT TO SECTION 29.00 OF THE LOCAL
FINANCE LAW, TO PROVIDE FUNDS FOR STORM-RELATED
EXPENSES FOR WHICH AN INSUFFICIENT OR NO PROVISION
HAS BEEN MADE IN THE ANNUAL BUDGET FOR THE FISCAL
YEAR ENDING MAY 31, 2013

THE BOARD OF TRUSTEES OF THE VILLAGE OF MANORHAVEN, IN
THE COUNTY OF NASSAU, NEW YORK, HEREBY RESOLVES (by the favorable vote of
not less than a majority of all members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Manorhaven, in the County of Nassau, New York,
(herein called the "Village"), hereby authorizes the issuance of Budget Notes (the "Notes") of
the Village, including renewals thereof, in the principal amount of not to exceed \$485,000 for the
purpose of providing funds to pay expenditures for which an insufficient or no provision has
been made in the Village's Annual Budget for the fiscal year ending May 31, 2013, consisting of
expenditures for costs related to Superstorm Sandy and other storm events. Said Notes shall be
issued pursuant to Section 29.00 of the Local Finance Law, constituting Chapter 33-a of the
Consolidated Laws of the State of New York (the "Law").

Section 2. The following matters are hereby determined and declared:

(a) There are no other funds currently budgeted and available to pay or provide
for the object or purpose set forth in Section 1 hereof.

(b) Said Notes shall mature within one year from their date of issuance and may be renewed from time to time but said Notes, including the renewals thereof, shall mature not later than the close of the second fiscal year succeeding the fiscal year in which such Notes are issued.

(c) The proceeds of the Notes herein authorized may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose of which said Notes are authorized. The foregoing statement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 3. The Notes herein authorized, and any notes issued in renewal thereof, shall contain the recital of validity prescribed by Section 52.00 of the Law and shall be general obligations of the Village. The faith and credit of the Village are irrevocably pledged to the punctual payment of the principal of and interest on said Notes and, unless said Notes are otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget of the Village and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 4. Subject to the provisions of this resolution and of the Law, and pursuant to Section 30.00, and Sections 50.00, 56.00 and 60.00 of the Law, the powers to authorize and to prescribe the terms, form and contents and as to the sale and issuance of any such Notes and the renewals of the Notes authorized by this resolution, are hereby delegated to the Village Treasurer as the chief fiscal officer of the Village.

Section 5. Each of the Notes herein authorized shall be executed in the name of the Village by its Village Treasurer and the corporate seal of the Village shall be affixed thereon and attested by its Village Clerk.

Section 6. This resolution shall take effect immediately.

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

AYES: 4

NOES: 0

The resolution was declared adopted.

CERTIFICATE

I, Liz Gaynor, Village Clerk of the Village of Manorhaven, in the County of Nassau, New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Board of Trustees of said Village duly called and held on January 17, 2013, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Board of Trustees and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Village this 17th day of January, 2013.

(SEAL)