

**VILLAGE OF MANORHAVEN
BOARD OF TRUSTEES BUDGET HEARING
March 28, 2019 – 7 p.m. - MINUTES**

CALL TO ORDER: 7:00 p.m.

Pledge of Allegiance: John Popeleski

Attendance: Trustee Rita Di Lucia, Trustee Ken Kraft, Trustee John Popeleski, Deputy Mayor Priscilla von Roeschlaub, Mayor Jim Avena, Sharon Abramski, Village Clerk-Treasurer, Jonathan Fielding – Village Attorney.

MAYOR COMMENTS:

- Standard & Poor's Review – AA+, an increase by 3 levels from an A+

2019 – 2020 TENTATIVE BUDGET REVIEW:

PUBLIC COMMENTS:

None

- *Motion to close public comment by Trustee Popeleski; seconded by Trustee Kraft; motion unanimously carried.*

- *Motion to accept the 2019 – 2020 budget by Deputy Mayor von Roeschlaub; seconded by Trustee Popeleski; motion unanimously carried.*

ADJOURNMENT:

- *Motion to adjourn public hearing and move into the Board of Trustees General Meeting by Deputy Mayor von Roeschlaub; seconded by Trustee Kraft; motion unanimously carried.*

Manorhaven, NY
Sharon Natalie Abramski, RMC, CMC
Village Clerk-Treasurer
March 28, 2019

**VILLAGE OF MANORHAVEN
BOARD OF TRUSTEES MEETING
March 28, 2109 – 7 p.m. - MINUTES**

CALL TO ORDER: 7:03 p.m.

REPORTS:

Justice Court

Police Department

Building Department

- Motion to accept reports by Deputy von Roeschlaub; seconded by Mayor Avena; motion unanimously carried.

MINUTES:

Draft Minutes of the February 28, 2019 Hearing and BOT Meeting

Draft Minutes of the March 5, 2019 Budget Review Session

Draft Minutes of the March 21, 2019 Work Session

- Motion to accept minutes by Deputy Mayor von Roeschlaub; seconded by Trustee Di Lucia; motion unanimously carried.

ABSTRACT OF CLAIMS:

Abstract of Claims dated 2/27/19 through 3/26/19

- May I have a motion to accept the Abstract by Deputy Mayor von Roeschlaub; seconded by trustee Popeleski; motion unanimously carried

RESOLUTIONS:

RESOLUTION #17 - 2019 - MARCH 28, 2019 - A RESOLUTION AWARDING A CONTRACT FOR THE COLLECTION, REMOVAL AND DISPOSAL OF SOLID WASTES AND RECYCLABLES

WHEREAS the Board of Trustees previously authorized and directed the Village Clerk-Treasurer to advertise and solicit for bids in connection with the collection, removal and disposal of solid waste and recyclables within the Village, pursuant to Section 103 of the General Municipal Law; and

WHEREAS a bid was made to the Village of Manorhaven by Dejana Industries, LLC of 165 Cantiague Rock Road, Westbury, NY 11590, being the lowest responsible bidder in the amounts of: \$777,115 for the period of June 1, 2019 to May 31, 2020; the amount of \$777,115 for the period of June 1, 2020 to May 31, 2021; the amount of \$777,115 for the period of June 1, 2021 to May 31, 2022; the amount of \$777,115 for the period of June 1, 2022 to May 31, 2023; and the amount of \$777,115 for the period of June 1, 2023 to May 31, 2024.

THEREFORE BE IT RESOLVED that at the direction of the Manorhaven Board of Trustees, a Carting Agreement between the Village of Manorhaven and Dejana Industries, LLC shall be accepted effective immediately.

- Motion to accept Garbage Bid Resolution by Trustee Popeleski; seconded by Trustee Kraft; unanimously carried.

RESOLUTION #18 - 2019 - MARCH 28, 2019 - CONSTRUCTION OF IMPROVEMENTS AT MORGAN'S DOCK PARK, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$550,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BOND IN THE PRINCIPAL AMOUNT OF \$550,000 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 construct improvements at Morgan's Dock Park, including water service improvements, installation of water lines, installation of sprinklers, electrical improvements, installation of a connection to the Port Washington Water District water main, and other related improvements, and also including planning and engineering costs. The estimated maximum cost thereof, including

preliminary costs and costs incidental thereto and the financing thereof, is \$550,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in the principal amount of \$550,000 to finance said appropriation and the levy and collection of taxes upon 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 \$550,000 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 of the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 19 (c) of the Law, is fifteen (15) 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 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 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 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 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 is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption hereof, to cause to be published, in full, in the "Port Washington News," a newspaper having general circulation in said Village and hereby designated the official newspaper of the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the following form:

INC. VILLAGE OF MANORHAVEN, NY - LEGAL NOTICE

PLEASE TAKE NOTICE that on March 28, 2019, the Board of Trustees of the Village of Manorhaven, in the County of Nassau, New York, adopted the bond resolution entitled:

"Bond Resolution of the Village of Manorhaven, New York, adopted March 28, 2019, authorizing the construction of improvements at Morgan's Dock Park, stating the estimated maximum cost thereof is \$550,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$550,000 to finance said appropriation, an abstract of such bond resolution concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the Village of Manorhaven to construct improvements at Morgan's Dock Park, including water service improvements, installation of water lines, installation of sprinklers, electrical improvements, installation of a connection to the Port Washington Water District water main, and other related improvements, and also including planning and engineering costs; ***STATING*** the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$550,000; ***APPROPRIATING*** said amount for such purpose; and ***STATING*** the plan of financing includes the issuance of bonds in the principal amount of \$550,000 to finance said appropriation, and the levy of taxes upon all the taxable real property within the Village to pay the principal of said bonds and the interest thereon;

SECOND: AUTHORIZING the issuance of bonds in the principal amount of \$550,000 pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING that (a) the period of probable usefulness of the object or purpose for which the bonds are authorized is fifteen (15) 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 purpose for which said bonds are authorized; and (c) the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Village; and ***PLEDGING*** to their payment the faith and credit of the Village;

FIFTH: DELEGATING to the Village Clerk-Treasurer the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: March 28, 2019

SHARON NATALIE ABRAMSKI, RMC, CMC

Village Clerk – Treasurer

Section 8. The Village Clerk is hereby authorized and directed to cause a summary of this Bond Resolution to be published after this Bond Resolution shall take effect, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

- *Motion to accept BAN Resolution by Deputy Mayor von Roeschlaub; seconded by Trustee Popeleski; unanimously carried.*

TOPICS FOR DISCUSSION:

- Status of Cell Node Research - Will renew moratorium in April

UPCOMING MEETINGS/EVENTS:

- 4/15, Mon. at 10 a.m. – Bid Opening for Water Extension from Morgan’s Dock Park
- 4/17, Weds. at 7 p.m. – BOT Meeting (No Work Session in April)
- 4/19, Fri. – Village Offices Closed
- 4/27, Sat. at 9:30 a.m. – Earth Day Clean-up at the gazebo in the Preserve
- 4/27, Sat at 11 a.m. – Arbor Day Ceremony in the Preserve
- 5/16, Thurs. – Work Session at 6 p.m.; Town Hall Meeting at Village Hall at 7 p.m.
- 5/18, Sat. – Annual Bulk Pick-up

PUBLIC COMMENT:

- Mike Masiello wants to emphasize that the new garbage carting company should consider using Meadow Carting workers.
- Gary Maynard is still upset about 22 Sagamore Hill Drive and the BZA decision to allow 3 stories. He sought the opinion of each Board member of the outcome of the application.
- Ken Kraft was “shocked” over the BZA decision while he was away. He’s seen the growth in Manorhaven over the past forty years and wishes builders would take the character of the neighborhood into consideration. He researched and discovered that these types of decisions are up to the BZA and not the BOT.
- Rita Di Lucia was in agreement I with Trustee Kraft.
- Priscilla von Roeschlaub said that this decision has been a topic of discussion with the Board. There may be something they can do in the future, but not anymore on this application. She finds that Dejana always does “class” work and maybe the residents will end up liking the project.
- Jim Avena refrained from making any comments on the matter.
- Dorit Zeevi-Farrington pressed the Deputy Mayor for an opinion on three-stories. Priscilla felt that the three-stories versus five new homes each had their own “pros and cons.” Dorit distributed part of an article regarding the most stressed cities. Manorhaven was listed as #6.
- Clerk Sharon Abramski requested that a complete copy of the article be submitted to the Board instead of the redacted version.
- Nick Marra commented on the role of the BZA and variances and ensued a conversation regarding the past administration’s appointment of seven BZA members.
- Mike Masiello feels that residential growth in Manorhaven is a “good problem.” It reflects that Manorhaven has good schools and that people want to live here.

ADJOURNMENT: 7:41 p.m.

- *Motion to close meeting by Deputy Mayor von Roeschlaub; seconded by Trustee Popeleski; unanimously carried.*

Manorhaven, NY
Sharon Natalie Abramski, RMC, CMC
Village Clerk-Treasurer
March 28, 2019