

MINUTES OF SEA CLIFF VILLAGE BOARD
November 10, 2014

The meeting of the Incorporated Village of Sea Cliff was held on Monday, November 10, 2014, at 7:00 p.m. at Village Hall to discuss various Village matters.

Present: Bruce Kennedy, Mayor
 Carol Vogt, Village Trustee
 Edward Lieberman, Village Trustee
 Elena Villafane, Village Trustee
 Kevin McGilloway, Village Trustee
 Brian Stolar, Village Attorney
 Marianne Lennon, Village Clerk

Welcome to the Board Meeting of November 10, 2014 of the Incorporated Village of Sea Cliff.

Mayor Kennedy

Erinn McDonnell led the assembly in the Pledge of Allegiance.

On a motion by Mayor Kennedy, seconded by Trustee Vogt and unanimously approved by those present, the following Abstracts were approved:

Abstract 1.11.2014 in the amount of \$346,786.47

Abstract 3.10.2014 in the amount of \$3,866.86

Abstract 1.11.2014 in the amount of \$40,798.39

Abstract 4.11.2014 in the amount of \$5,400.44

Abstract 5.11.2014 in the amount of \$389.78

On a motion by Mayor Kennedy, seconded by Trustee McGilloway and unanimously approved by those present, the minutes of October 14, 2014 and November 3, 2014 were approved.

Mayor Kennedy offered the following resolutions for adoption:

RESOLUTION NO. 57, YEAR 2014

RESOLVED, that the Board of Trustees of the Incorporated Village of Sea Cliff, N. Y., shall hold a meeting on Monday, December 8, 2014 at 7:00 p.m. in the Community Center, 300 Sea Cliff Avenue, Sea Cliff, New York, for the purpose of holding a public hearing on the application of George Schidlovsky and Christopher Doran, owner of the Oak Room Tavern, to renew and modify their Cabaret License, and that notice of such hearing shall be given as required by the Village Code.

Seconded by Trustee Lieberman and unanimously approved by those present.

RESOLUTION NO. 58, YEAR 2014

BOND RESOLUTION DATED NOVEMBER 10, 2014.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$23,500 BONDS OF THE VILLAGE OF SEA CLIFF, NASSAU COUNTY, NEW YORK, TO PAY THE COST OF THE ACQUISITION OF A PASSENGER VEHICLE FOR USE BY THE DEPARTMENT OF PUBLIC WORKS, IN AND FOR SAID VILLAGE.

RESOLVED, by the Village Board of Trustees of the Village of Sea Cliff, Nassau County, New York, as follows:

Section 1. For paying the cost of the acquisition of a passenger vehicle for use by the Department of Public Works, in and for the Village of Sea Cliff, Nassau County, New York, to replace a passenger vehicle in service for three years or more, and including incidental expenses in connection therewith, a specific object or purpose, there are hereby authorized to be issued \$23,500 bonds of said Village pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the estimated maximum cost of the aforesaid specific object or purpose is \$23,500 and the plan for the financing thereof is by the issuance of the \$23,500 bonds of the Village of Sea Cliff, Nassau County, New York, authorized to be issued pursuant to this resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is three years, pursuant to subdivision seventy-seven of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds authorized will not exceed three years, and that the foregoing is not an assessable improvement.

Section 4. The faith and credit of said Village of Sea Cliff, Nassau County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied on all the taxable real property in said Village a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 5. Such bonds shall be in fully registered form and shall be signed in the name of the Village of Sea Cliff, Nassau County, New York, by the manual or facsimile signature of the Village Treasurer and a facsimile of its corporate seal shall be imprinted thereon and may be attested by the manual or facsimile signature of the Village Clerk.

Section 6. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Village

Treasurer, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he or she shall deem best for the interests of the Village; provided, however, that in the exercise of these delegated powers, he or she shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Village Treasurer shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 7. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Village by the facsimile signature of its Village Treasurer, providing for the manual countersignature of a fiscal agent or of a designated official of the Village), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Village Treasurer. It is hereby determined that it is to the financial advantage of the Village not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the Village Treasurer shall determine.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. The validity of such bonds and bond anticipation notes may be contested only if:

1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or

2) The provisions of law which should be complied with at the date of publication of this 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

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 10. This resolution, which takes place immediately, shall be published in summary in the *Gold Coast Gazette*, the official newspaper of the Village, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Mayor Kennedy	voting	Aye
Trustee Vogt	voting	Aye
Trustee Lieberman	voting	Aye
Trustee Villafane	voting	Aye
Trustee McGilloway	voting	Aye

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 59, YEAR 2014

BOND RESOLUTION DATED NOVEMBER 10, 2014.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$161,000 BONDS OF THE VILLAGE OF SEA CLIFF, NASSAU COUNTY, NEW YORK, TO PAY THE COST OF THE ACQUISITION OF VEHICLES AND EQUIPMENT FOR USE BY VARIOUS VILLAGE DEPARTMENTS, IN AND FOR SAID VILLAGE.

RESOLVED, by the Village Board of Trustees of the Village of Sea Cliff, Nassau County, New York, as follows:

Section 1. For paying the cost of the acquisition of vehicles and equipment for use by various Village departments, in and for the Village of Sea Cliff, Nassau County, New York, including incidental expenses in connection therewith, a class of objects or purposes, there are hereby authorized to be issued \$161,000 bonds of said Village pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the estimated maximum cost of the aforesaid class of objects or purposes is \$161,000 and the plan for the financing thereof is by the issuance of the \$161,000 bonds of the Village of Sea Cliff, Nassau County, New York, authorized to be issued pursuant to this resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is five years, pursuant to subdivision eighty-nine, as each item will have a period of probable usefulness of at least five years under one or both of subdivisions twenty-seven, twenty-eight or thirty-two of said paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds authorized will not exceed five years, and that the foregoing is not an assessable improvement.

Section 4. The faith and credit of said Village of Sea Cliff, Nassau County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied on all the taxable real property in said Village a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 5. Such bonds shall be in fully registered form and shall be signed in the name of the Village of Sea Cliff, Nassau County, New York, by the manual or facsimile signature of the Village Treasurer and a facsimile of its corporate seal shall be imprinted thereon and may be attested by the manual or facsimile signature of the Village Clerk.

Section 6. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Village Treasurer, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he or she shall deem best for the interests of the Village; provided, however, that in the exercise of these delegated powers, he or she shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Village Treasurer shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 7. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Village by the facsimile signature of its Village Treasurer, providing for the manual countersignature of a fiscal agent or of a designated official of the Village), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined

by the Village Treasurer. It is hereby determined that it is to the financial advantage of the Village not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the Village Treasurer shall determine.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. The validity of such bonds and bond anticipation notes may be contested only if:

1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or

2) The provisions of law which should be complied with at the date of publication of this 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

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 10. This resolution, which takes place immediately, shall be published in summary in the *Gold Coast Gazette*, the official newspaper of the Village, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

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The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Mayor Kennedy	voting	Aye
Trustee Vogt	voting	Aye
Trustee Lieberman	voting	Aye
Trustee Villafane	voting	Aye
Trustee McGilloway	voting	Aye

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 60, YEAR 2014

WHEREAS, the Village has solicited competitive bids for the construction of a sanitary sewer line on Sea Cliff Avenue; and

WHEREAS, the Village has received bids and opened the bids on the date and at the time provided in the notice soliciting the bids;

NOW, THEREFORE, BE IT RESOLVED that the bid submitted by Thomas Novelli Contracting Corp. in the amount of \$1,469,740.00 is hereby accepted as the lowest responsible bid meeting the bid specifications.

Seconded by Trustee McGilloway and unanimously approved by those present.

On a motion by Trustee Vogt, seconded by Trustee Lieberman and unanimously approved by those present, the Mayor was authorized to sign a maintenance agreement with Barist Elevator Co., subject to review and approval as to form by the Village Attorney for a term of one year.

On a motion by Trustee Lieberman, seconded by Trustee Vogt and unanimously approved by those present, the Board approved the closure of Central Avenue, from Sea Cliff Avenue to Summit Avenue, on Sunday, December 7, 2014 from 4:30pm to 5:30pm for the Tree Lighting Ceremony.

Public Comment:

- Concern over the closure of the boat ramp at the bottom of Laurel Avenue and beach access
- Comments regarding tree law
- Concern over Memorial Park being referred to by different names

Meeting adjourned at 7:55 p.m.

Marianne Lennon
Village Clerk

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