

MINUTES OF SEA CLIFF VILLAGE BOARD
December 3, 2012

The meeting of the Incorporated Village of Sea Cliff was held on Monday, December 3, 2012 at 7:30 p.m. at Village Hall, to discuss various Village matters.

Present: Bruce Kennedy, Mayor
 Thomas Powell, Village Trustee
 Peter Hayes, Village Trustee
 Thomas Murphy, Village Trustee
 Marianne Lennon, Village Clerk
 Brian Stolar, Village Attorney
 John Mirando, Village Administrator
 Drew Lawrence, Superintendent of Buildings

Absent: Carol Vogt, Village Trustee

Trustee Murphy moved Abstract No. 2322 in the amount of \$271407.78. Seconded by Trustee Powell and unanimously approved by those present.

On a motion by Trustee Murphy, seconded by Trustee Powell and unanimously approved by those present, the minutes of November 13, 2012 were approved.

On a motion by Mayor Kennedy, seconded by Trustee Hayes and unanimously approved by those present, the Board agreed to modify the tax certiorari settlement for 34 and 32 The Boulevard, by deleting the revaluation clause.

Trustee Hayes offered the following resolutions for adoption

RESOLUTION NO. 75, YEAR 2012

RESOLVED, that the Mayor be authorized to sign a maintenance agreement with A+ Technology Solutions, for the period 11/01/12 to 10/31/13 in the amount of \$2,695.00 and for the period of 11/01/13 to 10/31/14 in the amount of \$3,195.00.

Trustee Hayes moved the adoption of the foregoing resolution and seconded by Trustee Powell. All present voted in favor of the motion and the resolution was duly adopted.

RESOLUTION NO. 76, YEAR 2012

BOND RESOLUTION DATED DECEMBER 3, 2012.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$320,000 BONDS OF THE VILLAGE OF SEA CLIFF, NASSAU COUNTY, NEW YORK, TO PAY THE COST OF THE PURCHASE OF SANITATION TRUCKS FOR USE FOR CONSTRUCTION AND MAINTENANCE PURPOSES, 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 purchase of sanitation trucks for use for construction and maintenance purposes, 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 \$320,000 bonds of said Village pursuant to the provisions of the Local Finance Law.

MINUTES OF SEA CLIFF VILLAGE BOARD
December 3, 2012

Section 2. It is hereby determined that the estimated maximum cost of the aforesaid class of objects or purposes is \$320,000, and the plan for the financing thereof is by the issuance of the \$320,000 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 fifteen years, pursuant to subdivision twenty-eight 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 exceed five years, and that the foregoing is not an assessable improvement.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

Section 5. 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 6. 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 7. 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,

MINUTES OF SEA CLIFF VILLAGE BOARD
December 3, 2012

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 8. 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 9. 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 10. The validity of such bonds and bond anticipation notes may be contested only if:

MINUTES OF SEA CLIFF VILLAGE BOARD
December 3, 2012

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 11. Upon this resolution taking effect, the same 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.

Section 12. This resolution is adopted subject to permissive referendum in accordance with Section 36.00 of the Local Finance Law and Article 9 of the Village Law.

Trustee Hayes moved the adoption of the foregoing resolution and seconded by Trustee Murphy.

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 Hayes	VOTING	Aye
Trustee Murphy	VOTING	Aye
Trustee Powell	VOTING	Aye

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 77, YEAR 2012

BOND RESOLUTION DATED DECEMBER 3, 2012.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$120,000 BONDS OF THE VILLAGE OF SEA CLIFF, NASSAU COUNTY, NEW YORK, TO PAY THE COST OF THE PARTIAL RECONSTRUCTION OF THE VILLAGE HALL, IN AND FOR SAID VILLAGE.

MINUTES OF SEA CLIFF VILLAGE BOARD
December 3, 2012

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 partial reconstruction of the Village Hall, in and for the Village of Sea Cliff, Nassau County, New York, including incidental expenses in connection therewith, a specific object or purpose, there are hereby authorized to be issued \$120,000 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 specific object or purpose is \$120,000, and the plan for the financing thereof is by the issuance of the \$120,000 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 specific object or purpose is fifteen years, pursuant to subdivision twelve of paragraph a of Section 11.00 of the Local Finance Law, because Village Hall is a class "B" building within the meaning of subdivision 11 thereof. It is hereby further determined that the maximum maturity of the bonds authorized will exceed five years, and that the foregoing is not an assessable improvement.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

Section 5. 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.

MINUTES OF SEA CLIFF VILLAGE BOARD
December 3, 2012

Section 6. 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 7. 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 8. 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

MINUTES OF SEA CLIFF VILLAGE BOARD
December 3, 2012

those required by Section 52.00 of the Local Finance Law, as the Village Treasurer shall determine.

Section 9. 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 10. 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 11. Upon this resolution taking effect, the same 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.

Section 12. This resolution is adopted subject to permissive referendum in accordance with Section 36.00 of the Local Finance Law and Article 9 of the Village Law.

Trustee Hayes moved the adoption of the foregoing resolution and seconded by Trustee Murphy.

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 Hayes	VOTING	Aye
Trustee Murphy	VOTING	Aye

MINUTES OF SEA CLIFF VILLAGE BOARD
December 3, 2012

Trustee Powell VOTING Aye

The resolution was thereupon declared duly adopted.

On a motion by Trustee Hayes, seconded by Mayor Kennedy and unanimously approved by those present, the Board went into Executive session at 9:20 p.m. to discuss pending litigation issues.

On a motion by Mayor Kennedy, seconded by Trustee Murphy and unanimously approved by those present, the Board came out of Executive Session at 9:35 p.m.

Meeting adjourned at 9:40 p.m.

Marianne Lennon
Village Clerk