

VILLAGE OF BELLEROSE
PUBLIC HEARING/REGULAR BOARD MEETING
50 Superior Road, Bellerose Village, NY 11001
April 16, 2018 7:30PM

In Attendance:

Mayor Henry J. Schreiber
Deputy Mayor Joseph Juliano
Trustee Kenneth Moore
Trustee Daniel Driscoll

Trustee Kate Dorry
Village Clerk-Treasurer Rosaleen Shea
Village Attorney Richard Handler
Audience: 22

The Mayor opened the Regular Board of Trustees Meeting at 7:32PM. He led all in the Pledge of Allegiance. He then asked for a moment of silence for all the Armed Forces and First Responders. He asked if there were any recording devices in the room.

Mayor Schreiber recognized former Trustee Peggy Hagan with the attached Proclamation from the Board of Trustees. The Mayor thanked Peggy for her service as Trustee for ten years. Hon. Peggy Hagan expressed her gratitude and addressed the residents. She received a standing ovation.

Mayor Schreiber then opened the Public Hearing at 7:38PM regarding Proposed Local Law # 2 of the Year 2018 to amend BVC Chapter 204 to permit the Village Clerk or Traffic Commissioner to immobilize any motor vehicle with three or more outstanding summonses, warrants or any unpaid fines, attached hereto. Village Attorney Handler synopsised the changes in the proposed law stating that its purpose was to aid Bellerose Village in deterring scofflaws and to enforce the parking laws equitably.

- The Mayor opened the hearing for public discussion. As there being no discussion, the Mayor moved to close the Public Hearing at 7:45PM. On motion by Mayor Schreiber, seconded by Deputy Mayor Juliano, the Proposed Local Law # 2 of the Year 2018 was passed unanimously with the following roll call:

Trustee Moore - AYE	Deputy Mayor Juliano - AYE
Trustee Driscoll - AYE	Trustee Dorry - AYE
Mayor Schreiber - AYE	

The Mayor opened the Public Hearing on the Proposed Budget for 2018-19 at 7:45PM. He stated that he had prepared the proposed budget with review by the Board of Trustees.

A posted synopsis of significant expenses outlined in the budget for everyone to review and the proposed budget (see attached) was presented by Mayor Schreiber:

- The proposed 2018-2019 Budget reflects a 2.4% increase which will again stay below the NYS tax cap while enabling the commencement of a major road improvement project.
- Phase 1 of the Road Reconstruction Project will begin after June 1, 2018.
- Phase 1 is estimated at a total cost of \$720,000. Financing is projected as follows: \$195,000 Village funds from on-hand reserves; \$125,000 from an anticipated NYS road grant; and \$400,000 from a 15-year bond issue to be authorized at the Regular Board of Trustees Meeting on April 16th. There are property tax increases that will result and at this time indications are that the impact will be approximately \$75-\$90 per year per household for the 15-year, \$400,000 bond repayment.

After the budget is approved and the funds are allocated, the Board will proceed with procurement of professional engineers that will be tasked with evaluating and classifying streets for attention, assisting the Board in obtaining construction bids, establishing construction schedules and monitoring contractor performance. Many residents have voiced their concern about the need to repair the roads in our Village. The Board recognizes that while there are numerous worthwhile projects to be addressed in the Village, including the need for a costly, new firetruck (\$500,000+), the roads are the immediate priority

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and there is a need to keep total Village debt at a prudent and manageable level. The Mayor stated that he believed the proposed budget to be prudent and fiscally responsible.

He asked if the Board of Trustees had questions and/or comments, and as there being none he motioned to open the meeting to the public for comment, seconded by Deputy Mayor Juliano and carried and was opened at 8PM.

Public Comment

J. Enright inquired as to what street grants are available to help pay for roads.

J. Tweedy asked about the fund balance.

D. Loos inquired about outsourcing street sweeping and leaf pick-up.

F. Altman asked about cost of fire hydrant rentals.

D. Christ stated residents pay for water bills.

H. Tripmacher asked about the operation of the street sweeper.

Sherry Ha inquired as to who will choose the order of streets to be repaired.

J. Enright questioned the Belmont Redevelopment Project's impact on the Road Project.

After all those who wished to be heard, having been heard and there being no further discussion, Mayor Schreiber motioned to close the public meeting. Deputy Mayor Juliano seconded the motion, which passed unanimously. The meeting closed at 8:07PM.

Mayor Schreiber motioned to open the Regular Board of Trustees meeting at 8:07PM. Deputy Mayor Juliano seconded the motion, which passed unanimously.

On motion by Deputy Mayor Juliano, seconded by Trustee Moore the Minutes of the March 19, 2018 Regular Board of Trustees Meeting and the Public Hearing/Annual Organization Meeting of April 2, 2018 were unanimously approved.

Bills to be paid for the following period were reviewed and on motion by Trustee Driscoll seconded by Trustee Dorry, were unanimously approved. These were:

March 20, 2018 -	totaling	\$22,256.09
March 21 – April 4, 2018 -	totaling	\$124,099.43
April 5 – April 12, 2018 -	totaling	\$6,681.71

Treasurer's Report: March 2018:

General Fund -	\$ 802,166.35	Revenues -	\$ 32,923.08
Petty Cash -	\$ 500.00	Expenses -	\$ 115,960.49

Mayor's Report

- On motion by Mayor Schreiber, seconded by Deputy Mayor Juliano, the Proposed Budget for 2018-19 was passed unanimously with the following roll call:
Trustee Moore - AYE Deputy Mayor Juliano - AYE
Trustee Driscoll - AYE Trustee Dorry - AYE
Mayor Schreiber - AYE
- The Mayor reported that three proposals and quotes were sought for professional engineering services for the Road Project. Proposals from H2M architects & engineers and HE2PD were received. Carman & Dunne, PE did not respond. On motion by Mayor Schreiber, seconded by Trustee Driscoll, the contract for H2M architects & engineers dated October 31, 2017 was approved and accepted unanimously with the following roll call:

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Trustee Dorry - AYE
Trustee Driscoll - AYE
Mayor Schreiber - AYE

Trustee Moore - AYE
Deputy Mayor Juliano - AYE

- The Mayor asked Village Attorney Handler to report on the Road Reconstruction Project Bond Resolution. Attorney handler advised the following: The Board of Trustees adopts a resolution. The public has a permissive referenda option: 20% of the electorate may petition the Board regarding its passage.
- The Mayor asked Deputy Mayor Juliano to read aloud the proposed Bond Resolution:

“Bond Resolution of the Village of Bellerose, New York, to be adopted April 16, 2018, authorizing the construction of road improvements, stating the estimated maximum cost thereof is \$400,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of not to exceed \$400,000 to finance said appropriation, “an abstract of such bond resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Village to construct road improvements; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$400,000; APPROPRIATING said amount for such purpose; and STATING the plan of financing includes the issuance of \$400,000 bonds of the Village, 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; SECOND: AUTHORIZING the issuance of \$400,000 bonds of the Village pursuant to the Local Finance Law of the State of New York (the “Law”) to finance said appropriation; THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued is fifteen (15) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Village for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and 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 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.

- On motion by Deputy Mayor Juliano, seconded by Trustee Driscoll, the Bond Resolution extract of minutes and related documents appended hereto and listed above; for authorization of a bond not to exceed \$400,000 for the repair and reconstruction of roads was adopted unanimously with the following roll call:

Deputy Mayor Juliano - AYE Trustee Moore - AYE
Trustee Driscoll - AYE Trustee Dorry - AYE
Mayor Schreiber - AYE

- The Mayor advised that Phase 1 of the Road Project will commence after June 1, 2018 and that the estimated maximum cost of Phase 1 if the Project is \$720,000 and that maximum of \$400,000 will be financed through bonding.

Village Attorney’s Report – None.

Highway/Public Works Commissioner Report

Gorge Braun reported that a catch basin at 17 Michigan Rd collapsed and was repaired.

Police Commissioner Report

Police Commissioner Tamparo read the following police report:

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March 2018

- 10 Parking violations issued
- 15 Moving violations issued
- 2 Accidents
- 2 Aided
- 1 Criminal Mischief

Parking tickets issued by Code Enforcement Officer

- March 2018 - 62 Tickets

Fire Department Report

Commissioner Christ reported:

- The BFD officer elections were held. The new Fire Chief is Brian McQuaid and Assistant Fire Chief is Emil Pape, Jr. He thanked Ex-Chief Adrian de Armas for his dedication. The new Fire Captain is John Gibbons, the 1st Lieutenant is Steven Cesped and 2nd Lieutenant is Raul Sanchez.
- Governor Cuomo has passed a new unfunded mandate to provide cancer insurance for volunteer firefighters.
- There were three fire calls: 3/25/18 – 99 Tulip Ave, 12 resp.; 4/3/18 callbox on Ontario/Commonwealth, 11 resp.; and 4/15/18 Tres Chiles, Jericho Turnpike, 13 resp.

Recreation Commissioner Report

The Mayor reported that he is finalizing dates for the Summer Camp and the bi-annual Bellerose Village Day celebration.

Superintendent of Maintenance report

Trustee Moore reported that he is in the process of obtaining quotes from outside contractors for seasonal street sweeping and leaf pick-up for the Village.

Tree Board Report

John Tweedy presented the attached tree report.

Deputy Mayor Juliano

- DM Juliano reported on the Empire State Belmont Redevelopment Project.

Trustee Moore

- Trustee Moore thanked Assemblywoman Solages for supporting Bellerose Village's Road Project and Fire Department.

Trustee Driscoll

- Trustee Driscoll is planning activities for Bellerose Village youth for Memorial Day after the parade: 3-on-3 Basketball Tournament and other games.

Trustee Dorry

- Trustee Dorry reported that the Floral Park Bellerose School District is making a school budget presentation on May 2, 2018 at Village Hall.

Mayor Schreiber announced the following:

- COURT Sessions, Wednesday, April 18, 2018 & May 16, 2018 at 6PM



DELAFIELD & WOOD LLP May 1, 2018 at 6:30PM
Tuesday, May 8, 2018 at 1PM

- ARC Meeting Wednesday, May 9, 2018 at 7PM
- Tree Board Meeting, Tuesday, May 15, 2018 at 7:30PM
- Regular Board Meeting, Monday, May 21, 2018 at 7:30PM

PHONE: 212-820-9300
FAX: 212-820-9300
7 WORLD TRADE CENTER
NEW YORK, NY 10007
WWW.HAWKINS.COM

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The business meeting was adjourned at 9:17PM, on motion by Deputy Mayor Juliano, seconded by Trustee Driscoll and unanimously approved. The meeting opened for public comment at 9:17PM.

H. Tripmacher thanked the Mayor and the Board of Trustees for holding the budget under the NYS tax cap.

After all those who wished to be heard, having been heard and there being no further discussion, Mayor Schreiber closed the public meeting. Deputy Mayor Juliano seconded the motion, which passed unanimously. The meeting closed at 9:21PM.

Submitted,

Rosaleen Shea

Rosaleen Shea
Village Clerk - Treasurer

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212) 820-9620

March 22, 2018

Village of Bellerose, New York
Bonds for Construction of Road Improvements
(Our File Designation: 5771/)

Richard G. Handler, Esq.
Village of Bellerose
50 Superior Road
Bellerose, New York 11001

Dear Richard:

Pursuant to your request, I am sending along a draft Extract of Minutes of a Board of Trustees meeting with a revised date of April 16, 2018, showing adoption of the above bond resolution. **Please note that adoption of the bond resolution requires at least a two-thirds vote of the entire membership of the Board of Trustees, without taking into account any temporary vacancies or absences. Therefore, at least four affirmative votes are required for adoption.**

Section 7 of the bond resolution contains the form of Notice to be published in the official Village newspaper and posted in six (6) locations throughout the Village, and in each Village polling place, within ten (10) days after adoption. The draft Affidavit of Posting to be executed by the Village Clerk, is also attached. A copy of the notice, as posted, should be attached to this Affidavit.

Please obtain and forward to me a certified copy of the Extract of Minutes, an executed Affidavit of Posting and an original Affidavit of Publication from the newspaper. Upon receipt of such items we shall forward the additional documents required with respect to the estoppel publication of the bond resolution.

With best regards, I am

Very truly yours,



William J. Jackson

WJJ/ml
Enclosures

cc: Henry J. Schreiber, Mayor
Rosaleen Shea, Village Clerk

EXTRACT OF MINUTES

Meeting of the Board of Trustees of the

Village of Bellerose, in the

County of Nassau, New York

April 16, 2018

* * *

A regular meeting of the Board of Trustees of the Village of Bellerose, in the County of Nassau, New York, was held at the Village Hall, 50 Superior Road, Bellerose, New York, on April 16, 2018.

There were present: Hon. Henry J. Schreiber, Mayor; and

Trustees: Joseph Juliano, Kenneth Moore, Daniel Driscoll, Kate Dorry

There were absent: 0

Also present: Rosaleen Shea, Village Clerk

* * *

Deputy Mayor Joseph Juliano offered the following resolution and moved its adoption:

BOND RESOLUTION OF THE VILLAGE OF BELLEROSE,
NEW YORK, ADOPTED APRIL 16, 2018, AUTHORIZING THE
CONSTRUCTION OF ROAD IMPROVEMENTS, STATING THE
ESTIMATED MAXIMUM COST THEREOF IS \$400,000,
APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE,
AND AUTHORIZING THE ISSUANCE OF BONDS IN THE
PRINCIPAL AMOUNT OF NOT TO EXCEED \$400,000 TO
FINANCE SAID APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF BELLEROSE, 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 Bellerose, in the County of Nassau, New York (herein called the “Village”), is hereby authorized to construct road improvements. The estimated maximum cost of the Project, including preliminary costs and costs incidental thereto and the financing thereof, is \$400,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of \$400,000 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.

Section 2. Bonds of the Village in the principal amount of \$400,000 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 applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 20(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 relative to the authorization 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, 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 is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to publish or cause to be published, in full, in "*The Gateway*," a newspaper having a general circulation within 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:

LEGAL NOTICE

VILLAGE OF BELLEROSE, NEW YORK

PLEASE TAKE NOTICE that on April 16, 2018, the Board of Trustees of the Village of Bellerose, in the County of Nassau, New York, adopted a bond resolution entitled:

"Bond Resolution of the Village of Bellerose, New York, adopted April 16, 2018, authorizing the construction of road improvements, stating the estimated maximum cost thereof is \$400,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of not to exceed \$400,000 to finance said appropriation,"

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an abstract of such bond resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Village to construct road improvements; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$400,000; APPROPRIATING said amount for such purpose; and STATING the plan of financing includes the issuance of \$400,000 bonds of the Village, 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;

SECOND: AUTHORIZING the issuance of \$400,000 bonds of the Village pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued is fifteen (15) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Village for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and 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 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: April 16, 2018

Rosaleen Shea
Village Clerk

Section 8. The Village Clerk is hereby directed, after said bond resolution shall take effect, to cause said bond resolution to be published, in summary, 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.

* * *

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

AYES: 5

NOES: 0

The resolution was declared adopted.

CERTIFICATE

I, Rosaleen Shea, Village Clerk of the Village of Bellerose, 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 Bellerose duly called and held on April 16, 2018, 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 Bellerose this 16th day of April, 2018.

Rosaleen Shea

Village Clerk

AFFIDAVIT OF POSTING

STATE OF NEW YORK)
 :SS:
COUNTY OF NASSAU)

Rosaleen Shea, being duly sworn, deposes and says:

That she is and at all times hereinafter mentioned she was the duly qualified and acting Village Clerk of the Village of Bellerose, in the County of Nassau, State of New York;

That on April 17, 2018, she has caused to be conspicuously posted and fastened up in the following places a Notice setting forth an abstract of the bond resolution duly adopted by the Board of Trustees on April 16, 2018, a copy of which is annexed hereto and made a part hereof, said places constituting at least six (6) of the most conspicuous public places in said Village, and at least one copy in each polling place in said Village:

1. Outside Bulletin Board, Village Hall, 50 Superior Road.
2. Northeast Corner of Superior Road and Pennsylvania Boulevard.
3. Northwest Corner of Superior Road and Massachusetts Boulevard.
4. Northeast Corner of Superior Road and Massachusetts Boulevard.
5. West Entrance to Village at Massachusetts Boulevard and Jericho Turnpike.
6. Southwest Corner of Commonwealth Boulevard and Jericho Turnpike.

Rosaleen Shea
Village Clerk

Subscribed and sworn to before me
this 17th day of April, 2018.

K. O'Malley Notary Lic# ****889
Notary Public, State of New York