

**VILLAGE OF UPPER BROOKVILLE
PUBLIC HEARING ON PROPOSED LOCAL LAWS C-2016 & D-2016
HEARINGS AND BOARD OF TRUSTEES' MEETING
SEPTEMBER 19, 2016**

Public hearings on proposed Local Laws C-2016 & D-2016 and a regular meeting of the Board of Trustees of the Incorporated Village of Upper Brookville, Nassau County, New York, were held at the Annex on the grounds of the Planting Fields Arboretum located on Planting Fields Road in the Village on Monday, September 19, 2016, at 6:30 P.M.

Present:	Elliot S. Conway	Mayor
	Antje B. Dolido	Trustee
	Francis J. Russo	Trustee
	Michael F. Schwerin	Trustee (<i>via Video Conference</i>)
Absent:	William R. Campbell	Deputy Mayor
Also Present:	Tracy L. Lynch	Village Clerk/Treasurer
	Sam Vergata	Road Commissioner
	John Guglielmo	Village Resident
	Dorothy Guglielmo	Village Resident
	Harold Greenberg	Village Resident
	Lori Falco-Greenberg	Village Resident
	Linda Santolli	Village Resident
	Carl Friedrich	Village Resident
	Peter P. MacKinnon, Esq.	Humes & Wagner, LLP Attorneys for the Village

HEARING ON PROPOSED LOCAL LAW C-2016

The Mayor called the hearing on proposed Local Law C-2016 to order at 6:30 P.M. The affidavits of publication of the notice of hearing and mailing of the local law and notice were presented and ordered annexed to the minutes of this hearing.

The Board discussed and considered proposed Local Law C-2016 , which will add new Article IV entitled, “*Special Benefit Assessment for Garbage Collection*”. Proposed Local Law C-2016, pursuant to Municipal Home Rule Law §10(1)(ii)(e)(2) will create a Special Benefitted Assessment Area (“SBAA”) and authorizes the imposition of a Special Benefit Assessment on all improved residential properties in the SBAA, except for resident properties whose owner opted out from inclusion in the SBAA. The SBAA is established to provide for the on-going collection of solid waste generated from those residential dwellings that are part of the SBAA. This local law will allow for the annual assessment of the cost incurred by the Village to provide solid waste collection for those residential properties in the SBAA on a per unit cost basis, fairly

distributing the collection and administrative costs incurred by the Village among those benefitted residential dwellings within the SBAA.

The Mayor called for comments in favor of, or in opposition to, the proposed local law. Mr. Guglielmo inquired about the difference on the allocation of costs for garbage collection by the Village between an assessment based on assessed valuation of residential units compared to one based on the number of units. He pointed out that all homes are not equal because the degree of difficulty of collection will vary, for example, based on the driveway slope, length and weather conditions. The Mayor noted that while there may be variations in the relative cost of collection, the creation of a solid waste district had the potential for significant savings for Village residents based on the buying power of multi-hundreds of homes, a multi-year contract and the elimination of sales tax charged to a resident. Mrs. Santolli inquired if a Village resident participating in the SBAA could elect to have trash collected at the curb. The Mayor answered in the affirmative. Ms. Falco-Greenberg asked if a Village resident could opt out and remain out of the SBAA until such time as they decided to “opt back in” and the Mayor and Village Attorney confirmed that there would be an annual window of opportunity for any resident to do so. There being no further comments or questions, the hearing was closed.

HEARING ON PROPOSED LOCAL LAW D-2016

The Mayor called the hearing on proposed Local Law D-2016 to order. The affidavits of publication of the notice of hearing and mailing of the local law and notice were presented and ordered annexed to the minutes of this hearing.

The Board discussed proposed Local Law D-2016, which will amend Chapter 195, “*Vehicles and Traffic*,” Section 195-4, “*Parking, Standing and Stopping*,” of the Code of the Village of Upper Brookville. The proposed local law will add subsection C to prohibit a person from stopping, standing or parking a vehicle within fifteen feet of a fire hydrant, except for noted exceptions. Said violation carries a maximum fine of \$400.

The Mayor called for comments in favor or in opposition to the proposed local law. There were no comments, the hearing was closed.

The Mayor then called to order the regular meeting of the Board of Trustees. He requested that the affidavits of posting and mailing of the Trustees' meeting as required by the Open Meetings Law be annexed to the minutes of this meeting.

ADOPTION OF LOCAL LAW 2-2016

The Board then considered the adoption of Local Law 2-2016 (Proposed C-2016) which will add new Article IV entitled, “*Special Benefit Assessment for Garbage Collection*”. Proposed Local Law C-2016, pursuant to Municipal Home Rule Law §10(1)(ii)(e)(2) will create a Special Benefitted Assessment Area (“SBAA”) and authorizes the imposition of a Special Benefit Assessment on all improved residential properties in the SBAA, except for resident properties

whose owner opted out from inclusion in the SBAA. The SBAA is established to provide for the on-going collection of solid waste generated from those residential dwellings that are part of the SBAA. This local law will allow for the annual assessment of the cost incurred by the Village to provide solid waste collection for those residential properties in the SBAA on a per unit cost basis, fairly distributing the collection and administrative costs incurred by the Village among those benefitted residential dwellings within the SBAA.

After discussion, and on motion duly made and seconded, the Board unanimously

RESOLVED, that in accordance with Article 8 of the State Environmental Quality Review Act, the adoption of Local Law 2-2016, pursuant to Municipal Home Rule Law §10(1)(ii)(e)(2) will create a Special Benefitted Assessment Area (“SBAA”) and authorizes the imposition of a Special Benefit Assessment on all improved residential properties in the SBAA, except for resident properties whose owner opted out from inclusion in the SBAA. The SBAA is established to provide for the on-going collection of solid waste generated from those residential dwellings that are part of the SBAA. This local law will allow for the annual assessment of the cost incurred by the Village to provide solid waste collection for those residential properties in the SBAA on a per unit cost basis, fairly distributing the collection and administrative costs incurred by the Village among those benefitted residential dwellings within the SBAA shall be classified as a Type II "*action*" and will require no environmental review under SEQRA, and further

RESOLVED that Local Law 2-2016, which will add new Article IV entitled, “*Special Benefit Assessment for Garbage Collection*” be, and the same hereby is, enacted by the Board of Trustees of the Incorporated Village of Upper Brookville as follows:

**INCORPORATED VILLAGE OF UPPER BROOKVILLE
PROPOSED LOCAL LAW C-2016
AMENDMENT TO CHAPTER 172
“SOLID WASTE”**

A local law to add new Chapter 172, “*Solid Waste*” to the Code of the Village of Upper Brookville. The Code was adopted by Local Law 1-2000 on September 9, 2000, by the Board of Trustees and last amended by Local Law 3-2014, adopted by the Board on November 18, 2014.

BE IT ENACTED by the Board of Trustees of the Incorporated Village of Upper Brookville as follows:

SECTION I. Add new Article IV, entitled “*Special Benefit Assessment for Solid Waste Collection*,” to read as follows:

ARTICLE IV
Special Benefit Assessment for Solid Waste Collection

§172-40. Authorization

Pursuant to Municipal Home Rule Law §10(1)(ii)(e)(2), the Incorporated Village of Upper Brookville hereby creates a Special Benefitted Assessment Area (“SBAA”) and authorizes the imposition of a Special Benefit Assessment on all improved residential properties in the SBAA area in order to provide for the on-going collection of solid waste generated from those residential dwellings, which are within the SBAA.

§172-41. Legislative Findings and Purposes

The Village of Upper Brookville hereby determines that the creation of a SBAA and the imposition of a Special Benefit Assessment for the on-going collection of solid waste generated from residential dwellings within the Village is a community improvement that enhances the quality of life in the Village and improves the general welfare of those residents within the SBAA. Further, imposing a Special Benefit Assessment on those properties receiving the benefit of collecting solid waste from their residence will also preserve and protect the health, safety, comfort and general welfare of those Village residents within the Benefitted Area. The Special Benefit Assessment will allow for the annual assessment of the cost incurred by the Village to provide on-going solid waste collection to be equitably shared on a per unit cost basis, fairly distributing the collection and administrative costs incurred by the Village among those benefitted residential dwellings within the SBAA.

§172-42. Definitions

SPECIAL BENEFIT ASSESSMENT

An annual assessment set by the Board of Trustees and levied on all improved residential real properties situated and located within the Benefitted Area of the Village. The total assessment shall be based upon the total cost for the removal of solid waste, including administration expenses incurred by the Village in providing this service to the benefitted residential dwellings within the Village. The assessment shall be allocated equally among the benefitted properties within the Benefitted Area on a per dwelling basis.

SPECIAL BENEFITTED ASSESSMENT AREA and BENEFITTED AREA

All parcels of land located and situated within the Village of Upper Brookville which are currently improved with a residential dwelling unit; excluding those properties that have

requested to be excluded from solid waste collection, and those properties that are operated under special use permit, or are legally used for commercial purposes.

SOLID WASTE

Includes garbage, recyclables, trash, refuse and rubbish, but shall not include hazardous waste and non-processible waste.

§172-43. Establishment of Special Benefitted Assessment Area

On or before January 30, 2017, the Board of Trustees shall file in the office of the Village Clerk a list of all properties constituting the SBAA. Any property owner desiring to have their property initially excluded from the SBAA shall file a written election with the Village Clerk on or before December 31, 2016. Thereafter, on ten (10) days' notice, both published and mailed to all property owners listed, the Board of Trustees shall hold a public hearing on the formation of the SBAA and the inclusion of the listed properties within the SBAA. After public hearing, the Board of Trustees may complete the establishment of the SBAA. The final listing of properties to be included in the SBAA shall be filed with the Village Clerk, who shall publish notice of its filing. Any aggrieved property owner may seek an order of certiorari to review inclusion of their property within the Benefitted Area in a court of record, as provided by Article 78 of the Civil Practice Law and Rules. Such proceeding must be commenced within 15 days after the publication of the notice of filing of the final list is filed with the Village Clerk.

For subsequent calendar years, any property owner seeking to have their property either excluded from or included in the SBAA, must file a written election on or before December 15 of the preceding year. A property owner, who within sixty (60) days of purchasing property previously excluded from the SBAA, may petition to have the property included within the Benefitted Area. The Board of Trustees shall be authorized to add to or remove properties from the Benefitted Area in its sole discretion.

§172-44. Levy and Collection of Special Assessments

The Village Board of Trustees may annually by resolution annually establish, levy and collect the special assessments on all properties within the SBAA. A listing of all property within the SBAA and the assessment to be levied by the Board of Trustees on those properties shall be filed with the Village Clerk.

§172-45. Payment

Once levied, the SBAA shall be a lien on all properties within the Benefitted Area for the full amount of the annual assessment. The assessment must be paid by each property owner in the SBAA without penalty on or before July 1 of the year assessed, unless otherwise required by

the Board of Trustees. If any Special Benefit Assessment is not timely paid, penalties shall be computed at a rate not to exceed 1% per month until the Special Benefit Assessment is paid or discharged.

§172-46. Administration

The Board of Trustees of the Incorporated Village of Upper Brookville shall be authorized by resolution to establish, amend or repeal rules, regulations, fees and procedures pertaining to the administration of collection and disposal of solid waste within the Special Benefitted Assessment Area as it shall determine, in its sole discretion, necessary and proper.

SECTION II. This local law shall take effect upon filing with the Department of State.

Votes in favor of adoption:	Elliot S. Conway	Aye
	Antje B. Dolido	Aye
	Francis J. Russo	Aye
	Michael F. Schwerin	Aye – via video conference
Not voting as not having been present:	William R. Campbell	

ADOPTION OF LOCAL LAW 3-2016

The Board then considered the adoption of Local Law 3-2016 (proposed D-2016) which will amend Chapter 195, “*Vehicles and Traffic*,” Section 195-4, “*Parking, Standing and Stopping*,” of the Code of the Village of Upper Brookville. The proposed local law will add subsection C to prohibit a person from stopping, standing or parking a vehicle within fifteen feet of a fire hydrant, except for noted exceptions. Said violation carries a maximum fine of \$400.

After discussion, and on motion duly made and seconded, the Board unanimously

RESOLVED, that in accordance with Article 8 of the State Environmental Quality Review Act, the adoption of Local Law 3-2016, which will add subsection C to prohibit a person from stopping, standing or parking a vehicle within fifteen feet of a fire hydrant, except for noted exceptions which said violation carries a maximum fine of \$400 shall be classified as a Type II “*action*” and will require no environmental review under SEQRA, and further

RESOLVED that Local Law 3-2016, be, and the same hereby is, enacted by the Board of Trustees of the Incorporated Village of Upper Brookville as follows:

**INCORPORATED VILLAGE OF UPPER BROOKVILLE
PROPOSED LOCAL LAW D-2016**

**AMENDMENT TO CHAPTER 195
“VEHICLES & TRAFFIC”**

A local law to amend Chapter 195, “*Vehicles and Traffic*” to the Code of the Village of Upper Brookville. The Code was adopted by Local Law 1-2000 on September 9, 2000, by the Board of Trustees and last amended by Local Law 1-2015, adopted by the Board on February 24, 2015.

BE IT ENACTED by the Board of Trustees of the Incorporated Village of Upper Brookville as follows:

SECTION I. Amend Chapter 195-4, “*Parking, Standing and Stopping,*” to read as follows:

C. No person shall stop, stand or park a vehicle within fifteen feet of a fire hydrant (unless a different distance is posted) when such hydrant is being accessed by a fire vehicle engaged in an emergency operation, unless such vehicle is attended by a licensed operator seated in the front seat, who can immediately have such vehicle moved in case of an emergency. Said violation carries a maximum fine of \$400.

SECTION II. This local law shall take effect upon filing with the Department of State. . . .

NOTE: New words are double underlined. Deletions are ~~struck out~~. Dotted . . . lines set off that portion of a Section or Subsection which is amended.

Votes in favor of adoption:	Elliot S. Conway	Aye
	Antje B. Dolido	Aye
	Francis J. Russo	Aye
	Michael F. Schwerin	Aye
Not voting as not having been present:	William R. Campbell	

MINUTES

The Mayor deferred approval of the minutes of the Trustees' meetings held on July 19, 2016 and August 26, 2016. The August 12, 2016 Trustee minutes were approved as presented..

RATIFICATION AND APPOINTMENT OF VILLAGE OFFICIALS

The Mayor welcomed Tracy L. Lynch back to the Village as Village Clerk/Treasurer. She was appointed to fill out the unexpired 2-year term that began July 1, 2016.

The Mayor and Board of Trustees unanimously ratified and approved the following each for a term of one year:

Accountant
Building Inspector/Zoning Consultant
Building Department Clerk
Acting Village Justice
Prosecuting Attorney
Deputy Prosecuting Attorneys

Barbara Valentino
Sergio Tedesco
Laurie Dooney
Edward Dolido, Esq.
Joseph R. Carrieri
Peter P. MacKinnon
Peter M. Weiler
John Ritter, Jr.
Christopher G. Wagner
James Cortazzo, Jr.
Dwight Kennedy
Barbara C. Miller
Jeffrey Thielen
Samuel Vergata
Samuel Vergata

Court Clerk
Historian
Roads Commissioner
Code Investigator

PLANNING BOARD

The Mayor reappointed Peter Pappas as a member of the Planning Board for a five-year term, which term shall expire on the first Monday in July, 2021.

The Mayor reappointed Morgan Fischer as an alternate member of the Planning Board for a one-year term.

The Planning Board is now composed of the following persons whose terms will expire on the first Monday in July in the year indicated:

William J. Quinn, Chairman	2018
Michael Levin	2020
Merle DeMott	2017
Fred Kunken	2019
Peter Pappas	2021
Morgan Fischer (<i>Alternate Member</i>)(one year term)	2017
Vacant (<i>Alternate Member</i>)(one year term)	2017

All appointments were unanimously approved by the Board of Trustees.

BOARD OF ZONING APPEALS

The Mayor appointed Innis O'Rourke, III, as Chairman of the Board of Zoning Appeals for a five year term, which term expires on the first Monday in July, 2021. The Mayor appointed Philip Wachtler a member of the Board of Zoning Appeals for the unexpired five year term, which term expires on the first Monday in July, 2020. Mayor appointed Richard McCormick as an alternate member of the Board of Zoning Appeals for a one year term.

The Zoning Board is composed of the following persons whose terms will expire on the first Monday in July in the year indicated:

Innis O'Rourke, III , Chairman	2021
Tracy Kemper	2019
Philip Wachtler	2020
Bert Rowley	2017
Herman Hertweck	2018
Richard McCormick (<i>Alternate Member</i>)(one year term)	2017
Vacant (<i>Alternate Member</i>)(one year term)	2017

All appointments were unanimously approved by the Board of Trustees.

BOARD OF ETHICS

The Board of Trustees appointed Elliot S. Conway as Chairperson and member of the Board of Ethics for a one-year term to expire on the first Monday in July, 2017. The full membership of the Board of Ethics and their terms are as follows:

	<u>Term expires 1st Monday in July in the year:</u>
Elliot S. Conway, Chair	2017
Vacant	2017
Vacant	2017

BILLS

The Mayor reviewed the bills listed on Warrant No. 004 in the total sum of \$324,997.27 dated 9/19/2016 a copy of which is annexed to these minutes. The bills were, on motion duly made and seconded, ratified and approved for payment.

FINANCIALS

The Mayor reviewed the July and August 2016 financials, noting a number of village tax refunds to residents following Small Claims Assessment Reviews (SCAR). Upon motion and seconding, the Board approved village tax refunds to seventeen villagers that totaled of \$15,417.47.

VILLAGE CLERK'S REPORT

SMALL CLAIMS TAX REFUNDS

The Village Clerk noted that there were several Village residents who were awarded assessment reductions in a Small Claims review proceedings against Nassau County for the 2015/16 and 2016/17 tax years. She noted that the Village is a non-assessing unit and follows the Nassau County roll and any subsequent reduction granted in a SCAR proceeding. She noted that the Village was served with a copy of the Small Claim Petitions and confirmed there are no arrears on any of the properties and recommended that the Board authorize these reductions in assessment and refund the overpayment of the Village's assessment. After discussion, and on motion duly made and seconded, it was unanimously,

RESOLVED, that the Village Clerk/Treasurer be, and she hereby is, directed to reduce the Village assessment for the following properties and is authorized to pay the Village tax refunds noted below to the respective owners and/or representatives as follows:

Pellitteri – Section 18, Block A, Lot 1066, assessed value reduced from 3,935 to 3,738 for the 2015/16 tax year for a refund of \$254.98;

Neisloss – Section 22, Block G, Lot 334, assessed value reduced from 8,124 to 7,200 for the 2015/16 tax year for a refund of \$1,195.93;

Etra – Section 22, Block J, Lot 1178, assessed value reduced from 5,208 to 4,948 for the 2015/16 tax year for a refund of \$336.52;

Guglielmi – Section 22, Block 23, Lot 55, assessed value reduced from 6,035 to 5,733 for the 2015/16 tax year for a refund of \$390.88;

Izadpanahian – Section 24, Block E, Lot 1045, assessed value reduced from 7,200 to 5,670 for the 2015/16 tax year for a refund of \$1,980.28;

Behrooz, LLC – Section 24, Block 18, Lot 9, assessed value reduced from 5,896 to 4,422 for the 2015/16 tax year for a refund of \$1,907.80;

Li – Section 24, Block 26, Lot 4, assessed value reduced from 5,384 to 4,500 for the 2015/16 tax year for a refund of \$1,144.16;

Friesel – Section 24, Block 27, Lot 15, assessed value reduced from 6,953 to 6,120 for the 2015/16 tax year for a refund of \$1,078.15;

Ehrlich – Section 18, Block A, Lot 978, assessed value reduced from 2,709 to 2,641 for the 2015/16 tax year for a refund of \$88.01;

Bello – Section 22, Block J, Lot 1115, assessed value reduced from 7,023 to 6,700 for the 2015/16 tax year for a refund of \$418.06;

Sinha – Section 22, Block J, Lot 1179, assessed value reduced from 7,000 to 5,950 for the 2015/16 tax year for a refund of \$1,359.02;

Colaitis – Section 22, Block 27, Lot 11, assessed value reduced from 3,267 to 3,095 for the 2015/16 tax year for a refund of \$222.62;

Bandyopadhyay – Section 24, Block 26, Lot 31 assessed value reduced from 2,632 to 2,430 for the 2015/16 tax year for a refund of \$261.45;

Soni – Section 24, Block 27, Lot 5, assessed value reduced from 7,903 to 7,200 for the 2015/16 tax year for a refund of \$909.89;

Nouvahian – Section 24, Block 26, Lot 9A, assessed value reduced from 3,150 to 2,363 for the 2016/17 tax year for a refund of \$1,127.53;

Doshi – Section 24, Block E, Lot 1027, assessed value reduced from 8,550 to 7,650 for the 2016/17 tax year for a refund of \$1,289.40

Burns – Section 24, Block 24, Lot 8B, assessed value reduced from 4,645 to 3,631 for the 2016/17 tax year for a refund of \$1,452.76.

TAG SALE PERMITS

The Clerk/Treasurer reviewed three tag sale permit requests for Goldgram, 377 Juniper Drive, Sale Date: 9/24 & 9/25 10am – 4pm), Meltzer (40 Laurel Woods Rd – Sale Date: 9/24, 9am – 4pm) and Mazzeo Residence 971 Ripley Ln – Sale Date: 10/15 & 16 9am – 4pm). Upon motion and seconding, the permit requests were unanimously approved.

The Clerk requested approval to continue its Contract with Williamson Law Book commencing October 1, 2016 thru September 30, 2017 for a cost of \$998. Ms. Lynch explained that Williamson Law provided the Village's accounting software and online support if needed. After discussion, and on motion duly made and seconded, it was unanimously

RESOLVED, that the contract with Williamson Law Book for its accounting software in the amount of \$998 is approved and the Village Clerk be, and she hereby is, authorized to sign the contract on behalf of the Village.

ROAD COMMISSIONER / CODE ENFORCEMENT MATTERS

The Mayor and Road Commissioner noted that the Street Light Contract with Anker Electric has expired on August 31, 2016. The current contract will continue on a month to month basis while the Village solicits proposals for a new contract. The Village Clerk was authorized to follow up on rebidding the Street Light Contract.

The Road Commissioner discussed requests for two new street light fixtures at (a) the corner of Bel Air Ct & Remsens Lane and (b) at the end of Lawn Lane in the cul-de-sac. It was determined that neither fixture was in the village and the requests were denied.

The Mayor will follow up with the Road Commissioner and Trustees to determine a Village wide approach for servicing light fixtures on private roads.

Sam Vergata, Code Investigator, reported on a number of properties where corrective action was needed for the residents to maintain their property.

BUILDING DEPARTMENT REPORT

There were no significant Building Department activities to report. The Code Enforcement Investigator reported on a number of violations and the Board discussed remediation options.

POLICE REPORT

The Mayor and Deputy Police Commissioner reported progress. A meeting of the Old Brookville Police Commissioners is scheduled for Wednesday, September 21.

There was no Fire & Storm Water Management Report.

ARCHITECTURAL REVIEW BOARD

The Chairman of the Architectural Review Board reported on a design matter for a home in the Wolver Hollow Road Historic District and received the support of the Mayor and Trustees on her approach to enforce the design objectives of the Historic District.

MAYOR'S REPORT

The Mayor reported on progress in rolling out the new Village website www.upperbrookville.org and the Village's effort to gather email addresses from residents. A PDF of the Village history will be added to the website along with updated forms, a payment feature, bios of the Mayor, Trustees and certain Village officials and an automated FOIL request feature. There will also be neighborhood tabs in the near future to facilitate communication at the Neighborhood Association level. The Mayor then asked for suggestions of any additions to the new website.

The Trustees then further discussed new residents and the need to both welcome them to the Village and inform them of Village laws that regulate tree removal, earth movement and new building, etc. A number of instances were cited where new residents removed trees, dumped earth, or commenced demolition and/or construction without permission from the Village or obtaining a permit. It was decided that following the Clerk/Treasurer having knowledge of a home sale, a letter from the Mayor should direct the homeowner to a "New Resident" orientation page on the Village website. Also, the Village Attorney suggested that the Village Clerk provide title companies with a short pamphlet describing topical sections of the Village Code so that they might be better informed, and also directing them to the Village website where the Village Code is electronically linked. It is hoped that the title company will send on this information to new buyers moving into the Village.

The Mayor described the terms agreed with Coffeed Corporation, the food and beverage operator at the Planting Fields State Historic Park Hay Barn, amending their application to the New York State Liquor Authority for a liquor license. The Board's amendments were three conditions that included location; hours permitted; and required entrance and egress through the gate off Planting Fields Road. On motion duly made and seconded, the Trustees approved and ratified the action taken by the Mayor on Friday, September 16, to waive the 30-day Advanced Notice requirement to the Village based upon compliance with those three conditions.

The Mayor described the advantages to acquiring a 65" high definition flat screen TV for the Village Hall to (a) facilitate presentations to Village residents such as the September 28, 2016 National Grid Education Session from regarding natural gas; (b) permit participation in meetings by offsite contributors; and (c) participation by Trustees who are out-of-town at the time of Board meetings. New York State Village Law requires out-of-town participants to join by video conference if their votes are to be counted. This electronic video link will permit Board members to be better informed on the affairs of the Village when they are called away, enhancing their decision making and streamlining Village operations. On motion duly made and seconded, the Mayor and Trustees approved the purchase of a 65" high definition flat screen TV.

The Mayor also described the advantages of installing microphones for use by the Board in the Village Hall. After a brief discussion of the merits, the Board agreed that the acoustics in the existing Village Hall were adequate but the concept should be reviewed when the meetings

are moved to a larger Village Hall. It was suggested that the meeting room in the Village Hall should be outfitted with acoustical tiles or other similar elements to permit better sound transmission, for both officials and members of the public.

The Mayor reported he attended the Nassau County Village Officials Association (NCVOA) Annual Dinner on Thursday, September 15, 2016 with Laurie Dooney, Building Clerk, at the Westbury Manor in Westbury. Over 200 officials were in attendance representing 63 Nassau County villages. The next meeting of NCVOA will be Tuesday, October 13, 2016 at Westbury Manor. Executives from Moody's and Standard and Poor's will discuss "Village Credit Ratings 101" which would be timely given the upcoming Upper Brookville bond issue. Upper Brookville Trustees and Village Officials are welcomed to attend.

The Mayor reported a request from a Village resident to post signs, two weeks in advance, promoting the Westbury Kennel Association Dog Show on Sunday, October 2nd at the Planting Fields Arboretum. It was noted that the Village has permitted the posting of these signs for many years. Upon motion duly made and seconded, the Trustees unanimously approved the request to post the signs which should be promptly removed after the event.

The Mayor described the *NY Conference of Mayors Annual Meeting and Training session* open to Mayors, Managers, Trustees, Attorneys, Finance Officers and Clerks. Dates are May 7-9, 2017 at the Gideon Putnam Hotel in Saratoga Springs. The Mayor noted the importance of being aware of current State initiatives that may impact Upper Brookville as well as learning the best practices in other 544 New York State villages. Upon motion duly made and seconded, the Trustees unanimously approved the attendance in 2017 by the Mayor, Village Clerk/Treasurer, and any Trustees.

The Mayor mentioned the need for Continuing Education for Municipal Planning and Zoning Officials. New York State law mandates that members of planning boards and zoning boards of appeals in New York—who make important decisions of interest to communities and property owners for both the short and long terms—obtain at least four hours of training every year. The law also applies to people appointed as alternates to these boards.

The qualifications to be appointed as a village official are that appointees be at least 18 years old, U.S. citizens, and residents of the municipality on whose board they are serving. So—the four hours of training per year in Board of Trustee approved course or courses is a minimum standard.

The Mayor mentioned the annual Land Use Training Program for municipal planning and zoning officials offered by the Wilbur F. Breslin Center for Real Estate Studies in collaboration with Hofstra School of Law and The Institute of Real Estate at Hofstra University, taught at Hofstra University. The course is intended to fulfill the New York state training requirement for municipal planning and zoning officials. The Clerk/Treasurer will research the timing of this training program (typically presented in October) and notify village officials.

The Mayor discussed a request by a villager to have reflective Village of Upper Brookville (VUB) stickers to be placed on car bumpers. It was recommended that stickers have a permit number attached to each sticker and such numbers would be registered to residents by

license plate. The concept was well received and upon motion duly made and seconded, the Trustees unanimously approved the request.

VILLAGE CLERK/TREASURER

The Mayor reported on the hiring of Tracy L. Lynch as Village Clerk/Treasurer to fill the unexpired 2-year term which began on July 1, 2016. Ms. Lynch's official start date was September 19, 2016. She will be working 34 hours consisting of Monday thru Thursday, 8:30 A.M. until 4:30 P.M. and Fridays, 8:30 A.M. until 12:30 P.M. This includes a half-hour for lunch. Ms. Lynch declined coverage under the Village's family NYS Health Insurance program, which makes her eligible for a \$100 per week payment for opting out of the program. It was suggested that the Village Hall be closed for an hour each day to permit time for the Clerk/Treasurer to have lunch, pick up mail, go to the bank or obtain supplies, for example. The Mayor will follow up with Ms. Lynch and revise the hours posted on the Village website. After discussion, upon motion duly made and seconded, the Trustees unanimously ratified the appointment of Tracy L. Lynch as Village Clerk/Treasurer on the terms described in her offer letter dated August 29, 2016, copy attached.

The Mayor explained the need to update the Village's Employee Handbook which was written in 2008. Trustee Dolido offered to work with the Mayor and Village Attorney to update the Handbook.

BANK DEPOSITORY AND SECURITY FOR DEPOSITS

Upon motion duly made and seconded, it was

RESOLVED, that First National Bank of Long Island and Valley National Bank be, and they hereby are, designated as depositories of this Village and that the funds of this Village deposited with said banks be subject to withdrawal upon checks not exceeding \$10,000 when signed on behalf of this Village solely by Clerk/Treasurer, and

FURTHER RESOLVED, that the Mayor alone or the Deputy Mayor alone, or any one of the Trustees be, and they hereby are, authorized to sign and countersign checks respectively, to draw on the funds up to \$10,000 of the Village in the absence or inability of the Treasurer, and

FURTHER RESOLVED, that any check in excess of the sum of \$10,000 shall be signed by two of the following, the Mayor, Clerk/Treasurer or any Trustee, and

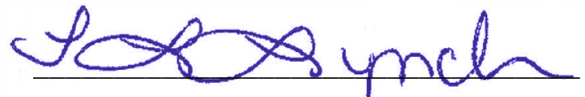
FURTHER RESOLVED, that the Board hereby adopts and incorporates the provisions of First National Bank of L.I. and Valley National Bank resolutions concerning the deposit and disbursements of funds from said banks, and

FURTHER RESOLVED, that the Treasurer be, and she hereby is, authorized and directed to require from the above designated depositories appropriate security for the funds of the Village, deposited with said depositories.

EXECUTIVE SESSION

The Mayor closed the regular meeting to enter Executive Session to discuss personnel matters. At the conclusion of the Executive Session, the Board reopened the regular meeting.

There being no other business to discuss, the meeting was adjourned at 8:20 P.M.

A handwritten signature in blue ink, appearing to read "J. S. Lynch", written over a horizontal line.

Upper Brookville Village Clerk/Treasurer