

**VILLAGE OF UPPER BROOKVILLE  
REGULAR BOARD OF TRUSTEES' MEETING  
JUNE 21, 2016**

A regular meeting of the Board of Trustees of the Incorporated Village of Upper Brookville, Nassau County, New York, was held at the Greenhouse Classroom on the grounds of the Planting Fields Arboretum located on Planting Fields Road in the Village on Tuesday, June 21, 2016, at 6:30 P.M.

Present:	Terry L. Thielen	Mayor
	William R. Campbell	Trustee
	Francis J. Russo	Trustee

Absent:	Antje Dolido	Trustee
	Michael F. Schwerin	Trustee

Also Present:	Samuel Vergata, Street Commissioner
	Elliot Conway, Village Resident
	Bennett Brodie, Village Resident
	Amish Mehta and Jigna Mehta, Village Residents
	Peter M. Weiler, Esq. of Humes & Wagner, LLP Attorneys for the Village

The Mayor called the meeting to order at 7:11 P.M. and stated that Trustee Campbell was delayed on his commute from New York City because problems of the Long Island Railroad. She requested that the affidavits of mailing and posting of the Public Information Notice in compliance with the Open Meetings Law be presented and annexed to the minutes of this meeting.

**MINUTES**

The Mayor called for approval of the minutes of the Trustees' meeting held on May 19, 2016, which, on motion duly made and seconded, were unanimously approved as amended.

**BILLS**

The bills listed on 2016/17 Warrant No. 01 in the total amount of \$38,443.96 and 2015/16 Warrant No. 12 dated 5/17/16 in the total amount of \$235,705.17, dated June 21, 2016, copies of which are annexed to these minutes, were, on motion duly made and seconded, ratified and approved for payment.

**TREASURER'S REPORT**

The Treasurer's Report for the month ending May 31, 2016, was presented, examined, as explained by the Mayor, approved and ordered filed.

## VILLAGE CLERK'S REPORT

The Mayor noted that the Mill River Club has requested that it be granted a permit to conduct its usual fireworks display on Saturday, July 2, 2016, with a July 3, 2016 rain date. After discussion, the Board noted that this event has never caused any problems. After discussion the Board, on motion duly made and seconded, unanimously

**RESOLVED**, that a permit be granted to the Mill River Club, pursuant to Penal Law, Section 405, to allow this year's July 2 (rain date July 3), 2016, fireworks display on the 18<sup>th</sup> Fairway on the Club's property, in accordance with and subject to the conditions contained in its application, and subject to the following:

1. The provisions of Section 405 of the Penal Law;
2. Appropriate traffic control as shall be required by the Old Brookville Police Department at the expense of the applicant;
3. Approval by the Nassau County Police Department and compliance with its restrictions and requirements as set forth in its approval letter.
4. Applicant shall deliver an original certificate of insurance in the minimum amount of \$5,000,000 naming the Village as an additional insured. This certificate shall be delivered to the Village Clerk at least five days in advance of the date of the display, and

**FURTHER RESOLVED**, that the above applicant shall, at all times during the display, have in effect the certificate of insurance and liability coverage as set forth in the application, and

**FURTHER RESOLVED**, that failure to comply with any of the above requirements shall result in immediate revocation of the permit.

## FILMING REQUEST

The Mayor mentioned that NBC Universal, LLC has made an application to have a filming event at 55 Mill River Road for a TV series called "The Path." This event will involve certain scenes utilizing the picturesque driveway of the premises, as well as some use of the dwelling and is not expected to create any problems. After discussion, the Board, on motion duly made and seconded, unanimously

**RESOLVED**, that the application of NBC Universal, LLC for a filming event at 55 Mill River Road to be held from July 7<sup>th</sup> to July 9<sup>th</sup>, be, and the same hereby is, approved, subject to the usual requirements for such event.

The Mayor also mentioned that the producers of the show "Madam Secretary" have made a request to have tentative filming at the LaSilva property on Oyster Bay/Glen Cove Road between July 6 and July 16, 2016. Further details will be forthcoming, and after discussion the Board, on motion duly made and seconded, unanimously

**RESOLVED**, that the filming at LaSilva be subject to the approval of the Mayor after additional details are submitted.

### **STREET COMMISSIONER'S REPORT**

Mr. Vergata reported that the road crew is involved with general maintenance, such as the filling of pot holes and maintenance of drainage structures. He noted that he is scheduled to have an independent contractor with specialized equipment clean certain catch basins and drainage facilities in the Village. He also said there has been some tree trimming and removal where trees have created a hazard. He also requested that he be given permission to hire some additional summer help. A former employee who has performed well in the past is interested in doing some part-time work. Thereafter, the Board approved and granted authority to Mr. Vergata to hire the extra man on a part-time basis as needed.

### **CODE ENFORCEMENT REPORT**

Mr. Vergata reported that there is an abandoned house on Mill River Road and that he was finally able to contact the owner or occupant of the house and issued a warning to require a cleanup of the property as soon as possible. He also reported he received complaints about the premises located at 26 Overbrook Road on lack of failure to properly maintain vegetation growth at a pond adversely affecting several adjacent properties. He said he was told the Homeowners Association is considering hiring an attorney to require the homeowner to discontinue the nuisance and to get another property owner to install landscaping for a recently constructed house.

### **BUILDING DEPARTMENT REPORT**

The Mayor made reference to the written report that was circulated to the Board noting that the total amount of Building Department fees collected during the month of June was \$15,485.15. Mr. Conway suggested that the form of the report be modified to show a "file complete" column so that there would be documentation of when the Building Department has all the information it requires.

### **POLICE REPORT**

The Mayor reported that nothing new has occurred with the Muttontown litigation and that the crime rate remains low. A new officer has been hired and three officers are out because of sickness or injuries. Hopefully, those officers will return to work soon. She also mentioned there are two open patrolmen positions that need to be filled.

**ARCHITECTURAL REVIEW**

No report.

**MAYOR'S REPORT**

The Mayor reported that the Village received a notice from attorneys representing Long Island University and AT&T regarding a proposal to remove, replace, and upgrade an existing cellular telephone aerial on the C.W. Post College campus. She stated that it has been represented that the new tower will be the same height as the old tower. The Mayor also noted that the attorneys representing Long Island University also relayed information about the possibility of non-cell tower sites to improve cell reception which was relayed to resident Conway.

She also reported that Cablevision sent a notice to the Village indicating that its channel 783 will be discontinued.

**LEGAL REPORT**

No report, except that the Village Attorney answered Mr. Conway's question about the status of the pending application before the Board of Appeals by the Chabad on Cedar Swamp Road by stating the applicant asked for a postponement of the previously scheduled hearing so that it could file a new plan regarding the construction of a new facility.

**OTHER BUSINESS**

Mr. Mehta inquired and expressed concern about what he stated was a 10% increase in his Village taxes. Thereafter, a discussion ensued about possible ways of saving money and making application to New York State to obtain State aid money for the restoration of Village roads.

There being no further business, the meeting was adjourned at 8:28 p.m.

Filed with me this 7<sup>th</sup> day  
of November, 2016

  
Village Clerk