

**VILLAGE OF UPPER BROOKVILLE
BOARD OF TRUSTEES' MEETING
OCTOBER 15, 2018**

A regular meeting of the Board of Trustees of the Incorporated Village of Upper Brookville, Nassau County, New York, was held at the Carriage House on the grounds of the Planting Fields Arboretum, located on Planting Fields Road in the Village, on Monday October 15, 2018 at 6:30 P.M.

Present:	Elliot S. Conway	Mayor
	Edward J. Madden	Trustee
	Antje B. Dolido	Trustee
	Innis O'Rourke	Trustee
	Carl A. Friedrich	Trustee

Also Present:	Tracy L. Lynch	Clerk/Treasurer
	Thomas Mullen	Assistant to the Board of Trustees
	Sam Vergata	Road Commissioner
	Mr & Mrs. Greenberg	Village Residents
	Peter Colgrove, Esq.	Humes & Wagner, LLP Attorneys for the Village

The Mayor called the meeting to order at 6:40 P.M. He 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 Trustee meetings held on September 17, 2018, October 8, 2018 as well as the Annual Organization Meeting Appointments from July 23, 2018. Changes were noted and on motion duly made and seconded, were unanimously approved. **(See Exhibit A, B & C)**

PUBLIC COMMENT

A member of the Beautification Committee asked the Board to provide the Committee with a planting budget for the Village welcome sign located on the corner of Northern Boulevard and Wolver Hollow Road. Following discussion, the Board agreed the Village would fund a one-time expenditure of up to \$1,000 for this location as it is a central gateway into the Village. The Mayor mentioned the Board had previously approved up to \$500 for each sign location. The Mayor instructed the Committee and the Road Commissioner to proceed with the plantings at this location as planned. He cautioned that the site was vulnerable to trucks cutting the corner so, until New York State consents to install a guard rail, plantings should be close to the sign.

FINANCIAL REPORT

Bills

After presentation by the Clerk, and on motion duly made and seconded, the Board unanimously

RESOLVED, to approve payment of the bills listed on Warrant No. 5 in the total sum of \$65,600.50, dated October 15, 2018 which are annexed to these minutes.

(See Exhibit D)

Treasurer's Report

After presentation by the Clerk and examination, on motion duly made and seconded, the Board unanimously

RESOLVED, to approve and file the Treasurer's Report for the month ending September 2018. **(See Attached Exhibit E)**

She also informed the Board that the Village Auditors submitted the Annual Update Document FYE May 31, 2018 to New York State on October 1, 2018.

VILLAGE CLERK'S REPORT

SCAR Assessment Reduction/Village Tax Refunds

The Clerk reported that several residents were awarded assessment reductions in Article 7 Proceedings for the 2012/13 & 2013/14 tax year and a Small Claims Proceeding for the 2018/19 tax year against Nassau County. She noted that the Village was served a copy of all Petitions and recommended that the Board authorize the reduction and refund on the Village assessment roll as required by law. After discussion and on motion duly made and seconded, it was

RESOLVED, that the Village Clerk/Treasurer be, and she is hereby authorized to reduce the assessed value for the premises owned by the following residents, and to refund the appropriate Village tax to the respective owner or representative based on the reduction, provided the Village taxes have been paid in full, and copies of applications were submitted to the Village as follows:

Kumar – Sec. 24, Blk. 24, Lot 18, assessed value of \$22,718, reduced to \$19,800 for 2012/13 tax year for a total refund of \$3085.20 and

Kumar – Sec. 24, Blk. 24, Lot 18, assessed value of \$22,718, reduced to \$17,200 for 2013/14 tax year for a total refund of \$6187.89 and

Ferrara – Sec. 22, Blk. J, Lot 1181, assessed value of \$7,528, reduced to \$7,134 for 2018/19 tax year for a total refund of \$545.53.

Mill River Club Fireworks Display

The Clerk noted that the Mill River Club made a request for the approval of a fireworks display at the Club premises on November 3, 2018 (no rain date) to celebrate Diwali, the Hindu Festival of Lights. Under the provisions of Section 405 of the Penal Law, the property owner must first receive approval from the municipality before it can apply to the Nassau County Bomb Squad to get a permit to discharge fireworks. The material recently submitted with the application indicates that the fireworks display would take place in the most central area of the Club's 1150 acre golf course facility. Thereafter, on motion duly made and seconded, the Board unanimously

RESOLVED, that a permit be granted to the Mill River Club, pursuant to NYS Penal Law section 405, to allow a November 3, 2018 (no rain date), fireworks display on the 18th 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 provision 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 restriction 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.

Next, a proposed fireworks permit application was distributed that which would require each applicant to pay the Village a \$750 permit fee. After discussion and on motion duly made and seconded, it was

RESOLVED, to adopt the application and fee as presented.

ROAD COMMISSIONER/CODE INSPECTOR REPORT

Road Commissioner Vergata reported his crew conducted general maintenance around the Village and recently cleaned out the catch basins on Ripley, Lawn & Hillcrest Lanes and is getting prices to road stripe Planting Fields Road, Mill River Road and Ripley Lane.

He also contacted the supplier of the Ice B' Gone Magic product and arranged for a demonstration at the Village of Laurel Hollow next week. He would report back to the Board on the effectiveness of the product in melting road ice.

The Commissioner also reported that he is meeting with McGowan & Sons this week to get a price to reconstruct the Village's portion of Terrace Lane. He mentioned that the Board had previously approved extending McGowan's contract to include this section of Terrace Lane however, when McGowan priced the job, their bid covered the reconstruction of all of Terrace Lane including the portion maintained by the Town of Oyster Bay and not just the Village's portion which is only 360 linear feet by 30 feet wide.

The Mayor estimated, based on the previous bid, the cost would be approximately \$25,000.

After discussion and on motion duly made and seconded, it was

RESOLVED, to approve reconstructing the Village's portion of Terrace Lane and, award the project, subject to adhering to the Village's procurement rules.

BUILDING DEPARTMENT REPORT

The Clerk/Treasurer referred to the reports submitted by the Building Department Clerk for September 2018 activity.

MAYOR'S REPORT

House Rental Permits

The Mayor reported he was researching the approach taken in other municipalities and would draft a permit for circulation to the Board for consideration and comments.

Dogwood Tree Program

The Mayor proposed a supplemental Dogwood Tree Program this fall. He reported there was such an overwhelming response to the initial program that approximately 60 residents were unable to participate because the Village could not source additional trees. He has asked the Village Tree Warden, Mrs. Helen Solomon, to find a supplier of hybrid Dogwood's for fall distribution.

Similar to the initial program, residents who make a minimum contribution to the Village's Beautification Fund could receive a set number of trees. All trees must be planted on the residents' property in a location of their selection with the requirements being that they be sited not further than 50 yards from the road, either public or private, and visible from passing vehicles.

The Board agreed unanimously to offer this program again and to distribute the trees with water bags.

POLICE REPORT

No Report

FIRE & STORM WATER MANAGEMENT REPORT

No Report

ARCHITECTURAL REVIEW REPORT

No Report

LEGAL REPORT

No Report

The next meeting of the Board of Trustees is scheduled for Monday November 19, 2018.

Signed on November 19, 2018 by

Tracy Lynch
Village Clerk