

**VILLAGE OF UPPER BROOKVILLE  
BOARD OF TRUSTEES' MEETING**

**JUNE 17, 2019**

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 June 17, 2019 at 6:30 P.M.

Present:	Edward J. Madden	Deputy Mayor
	Carl A. Friedrich	Trustee
	Innis O'Rourke, III	Trustee
	Antje B. Dolido	Trustee

Absent:	Elliot S. Conway	Mayor
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Also Present: Tracy L. Lynch, Clerk/Treasurer  
Peter MacKinnon, Esq. of Humes & Wagner, LLP  
Attorneys for the Village

The Deputy Mayor called the meeting to order at 6:40 P.M. He requested that the affidavits of mailing and posting of the Public Information Notices in compliance with the Open Meetings Law be presented and annexed to the minutes of this meeting.

**MINUTES**

The Deputy Mayor called for approval of the minutes of the Trustee meeting held on May 20, 2019. Changes were noted and on motion duly made and seconded, the minutes were unanimously approved as amended. *\*(See Attached Exhibit A)\**

**PUBLIC COMMENT**

No Comment

**FINANCIAL REPORT**

**Bills**

The Clerk/Treasurer presented all claim forms listed on Warrant No. 1, dated June 17, 2019, with supporting invoice details and /or purchase contracts. The claims include Police Protection Payment #1 in the amount of \$485,374.50. After inspection and review by the Trustees and on motion duly made and seconded, the Trustees unanimously

**RESOLVED**, to approve payment of the bills listed on Warrant No. 1 in the total sum of \$574,783.89, dated June 17, 2019 which are annexed to these minutes.

*\*(See Attached Exhibit B)\**

## **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 May 2019. *\*(See Attached Exhibit C) \**

## **VILLAGE CLERK'S REPORT**

### **John McGowan & Sons Inc. Payment**

The Clerk reported that the Terrace Lane and the Lawn Lane cul-de sac repaving project was completed and the Road Commissioner has approved the work and recommended final payment. The Clerk then requested the Board approve final payment of \$41,200 to the Village's contractor.

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

**RESOLVED** That payment of \$41,200 to John McGowan & Sons Inc for the milling, paving and resetting of Belgium block on the Village's portion of Terrace Lane and the County portion of the Lawn Lane cul-de-sac be approved and the Village Clerk/Treasurer is hereby authorized to make said payment.

*\*(See Attached Exhibit D)\**

Next, the Village Clerk reported that she spoke to the Nassau County Deputy Attorney's office for the status of the Lawn Lane cul-de-sac transfer to the Village from Nassau County. The transfer is awaiting approval from the Department of Public Works. Once approved by NC DPW, it will then require approval of the Planning and Open Space Parks & Advisory Commissions and then finally the Nassau County Legislature. The County Attorney's office noted that this approval process would take at least six months before a conveyance to the Village could take place .

Lastly, the Clerk explained that the Village had previously discussed to reimburse one of the residents on the Lawn Lane cul-de-sac for the paving work she did on the other portion of the cul-de-sac in anticipation of the Village acquiring the property from NC. This resident was now asking to be reimbursed by the Village. After discussion, the Board agreed that the reimbursement payment will be made once the Village officially takes title to the entire cul-de-sac.

## **MAYOR'S/TRUSTEES REPORT**

### **Aircraft Noise**

Trustee Madden reported he attended a press conference earlier in the day held by Rep. Thomas Suozzi where he announced that he is working with the FAA to establish new regulations for flights arriving at JFK International Airport in Queens to reduce noise of planes on landing approach to the airport. The new regulations would require flights to remain at a minimum 3,000 feet elevation until 15 miles from the airport. Mr. Suozzi reported that the landing technology designed to improve flying safety and efficiency, was responsible for rerouting many of JFK's flights to follow a direct path over LI residential areas. Mr. Suozzi also reported on an additional noise reduction remediation of dispersing

flight patterns which would alleviate incessant aircraft noise over some communities.

### **Health Insurance for Elected Officials**

Trustee O'Rourke stated that he wishes to elect to join the Village's health insurance plan and requested participation in the Village's plan starting January 1, 2020. The Clerk agreed to take care of the enrollment process and will inform Trustee O'Rourke when enrolment is effective and his scheduled payment amount to the Village.

### **AT&T Tower**

The Board deferred formal approval of the AT&T tower lease at the Old Brookville Police Station pending confirmation that the required tower lease space would not interfere with OB PD police operations which is required under the current lease with the Protected Villages.

### **Dwelling Volume Limitations**

The Mayor had previously requested that the Board consider amendments to the current Zoning Code that would not change the current overall volume restrictions, but allow for revisions to the method of calculating volume that would accommodate the trend of higher ceilings and other building features such as external overhangs. The amendment would not increase the current building height regulations. The Board requested that the Building Inspector provide his comments on the proposed amendments. The Board noted that after the Building Inspectors report, the Village Attorney was requested to draft a local law to be introduced at the July Trustees meeting.

### **ROAD COMMISSIONER/CODE INSPECTOR REPORT**

The Clerk reported that the owner of 5 Wheatley Road was making progress to correct the drainage issue on his property which impedes water flow from the Nassau County culvert under Wheatley Road. The property owner's engineer was working on a design which would allow the runoff to flow unimpeded from the intersection of Brookville & Wheatley Road up to Northern Boulevard. A public hearing to address the drainage issue would be held in abeyance pending the owner moving forward with the required remediation of the drainage problem,

### **BUILDING DEPARTMENT REPORT**

The Clerk/Treasurer referred to the reports submitted by the Building Department Clerk for May 2019 activity. *\*(See Attached Exhibit E)*

### **POLICE REPORT**

Commissioner Dolido reported that the Old Brookville Police Department held a ceremonial "walkout" on Friday June 14<sup>th</sup> for retiring police Chief Richard Smith which was very well attended. The Board expressed their appreciation to Chief Smith for his 35 years of service to the Village and extended its best wishes for many years of good health

and happiness during his retirement and all future endeavors.

She also reported that Lieutenant Christopher Walsh was interviewed by all the Mayors and was offered the temporary position of Chief, which he accepted until he formally qualifies as a permanent Chief under Civil Service regulations. His moving up ceremony will be held at the end of June.

## **ARCHITECTURAL REVIEW REPORT**

No Report

## **LEGAL REPORT**

No Report

## **EXECUTIVE SESSION**

The Deputy Mayor closed the meeting and on motion duly made and seconded, the Board unanimously resolved to enter into Executive Session to discuss police and fire matters.

The Board came out of Executive Session and, after discussion, and on motion duly made and seconded, the Board unanimously

**RESOLVED** to authorize the Mayor, or a representative of the Board, to accept and sign the East Norwich Fire Company (ENFC) Protection contract for the period commencing January 1, 2017 and terminating December 31, 2019 *\*(See Attached Exhibit F)\** and,

**FURTHER RESOLVED** to authorize the Clerk to make a payment to ENFC totaling \$12,030.64 for services due on Base Fire and Emergency Medical Services, Expansion Project, and Length of Service Award for the period January 1, 2017 and terminating December 31, 2019.

The next meeting of the Board of Trustees is scheduled for Monday July 15, 2019.

*Signed by Tracy Lynch on 7/15/19*

Tracy Lynch  
Village Clerk