

**VILLAGE OF UPPER BROOKVILLE
BOARD OF TRUSTEES' MEETING
AND CONTINUATION OF HEARING ON
PROPOSED LOCAL LAW K-2017
JANUARY 18, 2018**

A regular meeting of the Board of Trustees and a continuation of the hearing on Proposed Local Law K-2017 of the Incorporated Village of Upper Brookville, Nassau County, New York, was held at the Annex on the grounds of the Planting Fields Arboretum, located on Planting Fields Road in the Village, on Thursday January 18, 2018 at 6:30 P.M.

Present:	Elliot S. Conway	Mayor
	Edward J. Madden	Trustee
	Carl A. Friedrich	Trustee

Not Present:	Antje Dolido	Trustee
	Frank Russo	Trustee

Also Present:	Tracy L. Lynch, Village Clerk/Treasurer
	Samuel Vergata, Street Commissioner
	Nicole Morton, Salerno Insurance Company
	Mr. Echeverria, Village Resident
	Ms. Greenman, Village Resident
	Mr. Werther, Village Resident
	Paul Stevens, LiRo Group
	Joe Bolano, LiRo Group
	Jim Antonelli, Professional Engineer
	Peter P. MacKinnon, Esq. of 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 meeting held on December 18, 2017. Changes were noted and on motion duly made and seconded, were unanimously approved.

SALERNO INSURANCE COMPANY REPORT

Nicole Morton of Salerno Insurance Company reported that the Village's insurance policy renewed November 20, 2017 and the premiums remained relatively flat from last year. The policy includes Cyber Liability coverage and allows for up to \$20K in notification coverage if a cyber event occurs. The carrier can expand the policy to

include cyber extortion & earthquake coverage which the Board declined at this time as they determined the Village's exposure is minimum.

She also mentioned that public entities are exempt from the New York Paid Family Leave Act, however, a Public Entity can elect to provide this benefit and if they opt to, they need to apply for Voluntary Coverage. This program is designed to provide paid leave in order to: bond with a new child less than one year old, care for a close relative with a serious health condition or help relieve family pressures when someone is called to active military service.

The Board agreed to discuss the Act and the Clerk agreed to follow up with Salerno Insurance and the Workers Compensation Board. If the Board elects to participate, a resolution must be adopted to join the plan. If the Village chooses to later opt out of the program, they must give the carrier one year notice.

The Mayor requested that proof of insurance be provided to the property owner located on the corner of 25A and Wolver Hollow Road, as is required by the license agreement covering the Village welcome sign, located on the property. The Clerk agreed to follow up on this item.

VILLAGE ENGINEER

LiRo Engineering Inc. purchased all assets of the Village Engineer, Sidney B. Bowne, as of December 30, 2017. In December, the Village temporarily appointed Paul Stevens and LiRo Engineering as interim Village Engineers for ongoing matters. The Mayor asked Paul Stevens, former Village Engineer to present LiRo's credentials at this meeting along with Jim Antonelli so the Board could appoint one or more Village Engineers to serve until May 31, 2018.

Paul Stevens went first. Sidney B. Bowne has been Village Engineer for 50-60 years and Paul has personally been involved as Village Engineer for 25 years. He was accompanied by LiRo Vice President, Joe Bolano. Mr. Bolano reported that LiRo has been in business since 1983. Rocco Trotta is the owner with corporate headquarters in Syosset, NY. Mr. Bolano thinks this is a good account for LiRo as their team has a wealth of experience and can support all the needs of the Village. LiRo agreed to hold the existing engineering rate schedule the Village had agreed with Bowne.

Jim Antonelli then introduced his firm. Jim was a former Bowne employee for over 17 years. He is a licensed Professional Engineer and for the last year has been self-employed serving as Village Engineer for ten villages including Laurel Hollow, Centre Island and Lattingtown. His main responsibility in the Villages is assisting Building Departments in site plan review, storm water management and road projects. His fee schedule is \$160/hour. He also works in concert with former colleagues who can conduct survey work and provide structural and construction engineering when needed.

PUBLIC COMMENT

Mr. Luis Echeverria, a resident on Terrace Lane, reported that Town of Oyster Bay snowplow trucks had pushed excess tar in front of his property on the Town side of Terrace Lane. The Road Commissioner mentioned he had contacted the Town of Oyster Bay to rectify the problem.

Ms. Greenman of 339 Mill River Road reported on the excessive speed of vehicles on Mill River Road, suggesting that the Village consider installing traffic calming devices, such as speed humps or stop signs, along the roadway. This is the latest of a series of independent complaints to the Board about traffic accidents and speeding on Mill River Road. The Mayor reported that the Village has conducted some research on this and suggested renting a machine to collect hard data on road speeds, and if it warranted, take further action.

The Board agreed after some discussion that the village should study the issue. If the data confirms a problem, neighbors should be surveyed and, subject to the results, traffic calming devices could be investigated and potentially installed. After discussion, and on motion duly made and seconded, the Board unanimously

RESOLVED to rent a traffic speed recording device for one month that will inform on the time and speed of vehicles at various Mill River Road locations.

ROAD COMMISSIONER/CODE INSPECTOR REPORT

The Road Commissioner reported on an ongoing situation with a 16" water main break associated with the construction of a new dwelling on Barnside Lane. The contractor failed to have the site marked out prior to digging, breaching the existing pipe. The Jericho Water District Commissioner, Peter Logan, is requiring the contractor to repair the break and replace the water shutoff valves. The Mayor and Road Commissioner agreed to meet with Commissioner Logan to further research and help resolve the situation.

The Board authorized the Road Commissioner to install road signs on a dozen previously selected roads in the Village once the weather warms. The Road Commissioner will follow up and provide A+ Graphic and Signs with the street names.

ADOPTION OF LOCAL LAW 9-2017

The Mayor then presented a final copy of proposed Local Law K-2017 and reviewed the significant potential savings in resident cost and policing time associated with the expected reduction in false alarms. After discussion, and on motion duly made and seconded, the Board unanimously

RESOLVED, to adopt Local Law K-2017 which amends Chapter 78, "Burglar Alarm Systems" of the code of the Village of Upper Brookville as follows:

(See Attached Exhibit A)

FINANCIAL REPORT

Bills

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

RESOLVED, to approve payment of the bills listed on Warrant No. 008 in the total sum of \$103,387.74 dated January 18, 2018 which are annexed to these minutes.

(See Attached Exhibit B)

Treasurer's Report

After presentation by the Village 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 December 2017.

(See Attached Exhibit C)

The Clerk reported that the Village had spent around \$20,000 to date creating the GDD and arranging for its ongoing administration. To reimburse these expenses, the village built in an administrative cost to the annual carting fee to be payable solely by the residents participating in the district.

However, the district formation resulted in most of the remaining Village licensed carters reducing their prices to match the awarded bid of the village carter. Further, a single carter for over half the residents using the mandated smaller (10-yard) collection vehicle will significantly prolong the life of the roads, benefiting all residents as (a) the roads are in better condition and (b) taxes are lowered by the amount saved on future road repairs. Since the district formation has resulted in a benefit to all residents, the Clerk proposed that the Board approve a reclassification of these expenses from the GDD fund to the General Fund (GF).

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

RESOLVED, to (a) reclassify \$20,012 for all expenses to date relating to the formation and administration of the Garbage Disposal District fund to the Village's General Fund and (b) charge all future expenses relating to the District to the General Fund.

VILLAGE CLERK'S REPORT

Road Bond

The Clerk requested the Board to ratify the provisions of the Certificate of Determination, authorizing the sale of \$2m in bonds to finance the road improvement projects of Chapel Gate, Friendly Road and the 2017-2019 Road Project program.

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

RESOLVED to ratify the actions of the Treasurer to sign the Certificate of Determination and award the bid to JP Morgan Chase as recommended by Munistat Services Inc. with the lowest effective net interest rate of 2.48%

(See Attached exhibit D – Certificate of Determination)

(See Attached exhibit E – Bidding Results)

(See Attached Exhibit F – Official Statement)

Voter Registration & Election Resolution

The Clerk presented the Voter Registration & Election Resolution. The next election is to be held on Tuesday June 19, 2018 in Village Hall between the hours of 12pm to 9pm. The offices that are up for re-election are Mayor, and two Trustees.

The Mayor recommended extending the terms of office for the positions of Trustee and Mayor from two to four years as is permitted by New York Village Law. He cited the four-year terms in neighboring villages Matinecock, Mill Neck, Old Brookville, Brookville and Muttontown. The village would benefit as longer terms of office provide for greater constancy, continuity and efficiency. The positions require a great amount of experience, skill and knowledge, and therefore, a longer term would be beneficial. The change would be designed to stagger the terms of the Board members and establish biennial elections in even-numbered years, cutting election-related expenses in half. The lengthening of the terms will not affect any current office holder until after an election under the new law takes place.

The Mayor and two Trustees elected in 2016 and up for re-election in 2018 would serve four-year terms. A Trustee filling an expiring term that began in 2017 by law would stand for election to a one-year term. The Trustees up for re-election in 2019 would serve five-year terms thereafter.

The law will take effect in thirty days of its passage, unless in that time a petition is filed requesting voter approval of the measure. The petition for a permissive referendum needs the signatures of 20% of the number of Village residents who were registered to vote in the last election.

This proposal requires the Board to adopt a resolution (or local law) extending the term of office for Mayor and Trustees to four years subject to permissive referendum. The resolution (or law) takes effect thirty days after its passage, unless in that time a petition is filed requesting voter approval of the measure. The petition for a permissive referendum needs the signatures of 20% of the number of Village residents who were registered to vote in the last election.

While the Board agreed to the idea of extending the term of elected officials to four years, they would further discuss how to stagger the terms and adopt the resolution in February. Until such time, the terms would remain at two years.

Therefore, after discussion, and on motion duly made and seconded, the Board unanimously

RESOLVED to keep the term of office for Mayor and Trustees to two years until February 2018 when the resolution to extend the terms to four years would be adopted. The following resolution pertaining to the registration of all persons eligible to vote and the offices to be filled at the annual Village Election is as follows:

(See Attached Exhibit G)

Unpaid 2017/18 Village Taxes

The Clerk presented the Board with a list of unpaid taxes that she recommended go to tax lien sale. The interest rate applicable to late property tax payments is currently one percent (1%) per month. Based on the relatively high interest rate the village can earn and the legal fees involved in the lien sale, the Board asked the Clerk to review the outstanding liens and recommend which liens should be retained by the Village and which should go up for sale. She will prepare an abbreviated list for the February meeting.

(See Attached Exhibit H)

Film Permit Applications

The Clerk reported she received film permit applications for 38 Chestnut Hill Drive & 8 Chestnut Hill Court. The Mayor asked the Board if they preferred the current practice of having all Trustees weigh in on individual film permits. The Board agreed that the Clerk should continue notifying the Board members of this type of activity, and unless she hears an objection from someone within 24 hours, the Mayor could grant permission, and if he is unavailable, two Trustees. After discussion, and on motion duly made and seconded, the Board unanimously

RESOLVED to approve the noted film permit applications and permit the Mayor or two Trustees to authorize film permits if there is no objection from the board within 24 hours of being notified of the proposed activity.

Tree Removal Permit Fee

The Mayor presented the new fee schedule and application form for tree removals incorporating the revised rates previously discussed. After discussion, and on motion duly made and seconded, the Board unanimously

RESOLVED to approve the new tree removal fee schedule as follows:

- \$75 for up to five trees
- Six to ten trees is \$35 per tree
- Eleven to twenty trees is \$50 per tree for every tree to be removed beyond 5
- 21 trees or more is \$75 per tree for every tree to be removed beyond 5.

MAYOR'S REPORT

Arborist/Landscape Licensing

The Mayor discussed licensing arborists in the Village for a nominal fee, describing three benefits: First, residents will have a list of licensed operators to choose from on the website with contact information. Second, tree removal bids can vary significantly from one company to another, depending on both the time of year and landscapers' individual workloads. Third, an arborist/landscaper who illegally takes down trees could be subject to license cancellation, effectively banning them from working in the village. The Board agreed with the concept. The Mayor agreed to research licensing both arborists and landscapers and come back to the Board with a proposed code amendment.

Property Tax Prepayments Prior to Year End

The Mayor reported that after a significant effort including a letter to Governor Cuomo, the Village was unable to accept prepayment of 2018/19 property taxes due to various process reasons. The Village will continue to seek opportunities to improve the quality of life in the Village and to help lower the costs whenever possible and appropriate.

Donations in Lieu of Property Taxes

The Board discussed further options to obtain tax deductibility for payment of 2018/19 village property taxes. The Mayor asked the Board for their approval to research the ability of the Village to accept charitable donations, which are fully tax deductible, in lieu of paying property taxes. According to news reports, municipalities in other states are considering allowing residents to make charitable donations in an amount equivalent to, say, 105% of their total tax. If deductible, the proposal could help residents and the Village would earn some additional charitable income for beautification purposes. After discussion, and on motion duly made and seconded, the Board unanimously

RESOLVED to have the Mayor work with the Village Attorney and various New York public officials to research and potentially implement either this or a similar proposal for tax year 2018/19 Village property tax payments.

Trustee Badges

The Board approved the issuance of Trustee badges for Trustees who had not served as Police Commissioner.

Village Officials' Dinner

The Mayor will circulate dates for the Village Annual Officials' Dinner.

NYCOM Winter Meeting

The Board discussed the agenda for the NYCOM Winter Legislative Meeting scheduled for February 11th – 13th in Albany, NY. There will be topical presentations and the opportunity to meet with New York State legislators and staff. On motion duly made and seconded, the Board unanimously

RESOLVED to have the Village cover the registration cost and related hotel, travel and attendance expense for the Mayor and any available Trustees.

BUILDING DEPARTMENT REPORT

The Clerk/Treasurer referred to the reports submitted by the Building Department Clerk for December 2017 activity.

POLICE REPORT

No Report

FIRE & STORM WATER MANAGEMENT REPORT

No Report

ARCHITECTURAL REVIEW REPORT

No Report

LEGAL REPORT

No Report

EXECUTIVE SESSION

The Mayor closed the regular meeting to enter Executive Session to discuss the Muttontown police lawsuit and the appointment of a Village Engineer. At the conclusion of the Executive Session, the Board reopened the regular meeting and upon motion duly made and seconded, it was

RESOLVED, that the Board appoint both LiRo and James Antonelli as Village Engineers until the Annual Organization Meeting in July 2018. The Board designated Paul Stevens to work with matters before the Planning Board.

The next meeting of the Board of Trustees is scheduled for Thursday, February 22, 2018.

X

Tracy Lynch
Village Clerk

VILLAGE OF UPPER BROOKVILLE

LOCAL LAW 1-2018

CHAPTER 78

“Burglar Alarm Systems”

**Article I
Burglar Alarm Systems**

§ 78-1 Purpose and objectives.

The purpose of this article is to provide regulations and standards applicable to alarm systems and alarm users so as to reduce the incidence of false burglar and fire alarms, maximize the efficient use of police personnel and resources and provide efficient police protection to Village residents.

§ 78-2 Definitions.

For the purpose of this article, the following definitions shall apply:

ALARM SYSTEM

Any combination of components which is used to transmit a signal directly or indirectly by a third party to the Police Department. Any alarm device which, when activated, causes a response by the Police Department shall be deemed to be an alarm system.

ALARM SYSTEM INSTALLATION

The installation, replacement or significant modification of an alarm system. An expenditure of over \$500 for modification of an existing alarm system shall be deemed to be a significant modification of said system.

ALARM USER

Any person, or entity that owns, operates, uses or maintains or permits to be used or maintained an alarm system.

APPROVED ALARM INSTALLER

A person or firm that has been approved by the Old Brookville Police Department as meeting the adopted minimum qualifications and experience to be an approved Alarm Installer.

ALARM USER PERMIT

A permit issued by the Old Brookville Police Department to operate and maintain an Approved Alarm System.

APPROVED ALARM SYSTEM

An alarm system that has been certified by an Approved Alarm Installer to comply with the current standards and regulations established by the Old Brookville Police Department and for which an alarm user permit was issued and currently in force.

BOARD OF POLICE COMMISSIONERS

The Old Brookville Board of Police Commissioners

BOARD OF TRUSTEES

The Board of Trustees of the Village of Upper Brookville.

FALSE ALARM

Any message or signal which is transmitted directly or indirectly to the Police Department to which the Police Department responds and which signal or message is not the result of a criminal offense, fire or other emergency. The transmitting of a message or signal due to an equipment malfunction shall be deemed to be a false alarm and not an emergency.

POLICE DEPARTMENT

The Old Brookville Police Department.

VILLAGE

The Village of Upper Brookville.

VILLAGE JUSTICE COURT

The Village Justice Court of the Village of Upper Brookville.

§ 78-3 Violations.

It shall be a violation of this article:

- A. For any alarm user to permit, allow or undertake the installation of an alarm system in the Village which is not an approved alarm system.
- B. For any alarm user to operate or permit or allow the operation of an alarm system in the Village which is not an approved alarm system, or one for which an alarm user permit has not been issued.
- C. For any Alarm User to fail to pay a false alarm charge within 30 days after receiving notice from the Village to pay such charge.
- D. For any Alarm User to fail to obtain certification or recertification of their alarm system as required pursuant to this Chapter within 30 days.

§ 78-4 Permits.

A. Alarm user permit. After the required alarm user permit application and fee has been paid and the Police Department is satisfied that the alarm system complies with the requirements of this article and the current Police Department rules and regulations for Alarm Systems, the Police Department shall issue an alarm user permit. An alarm system shall not be operated until an alarm user permit has been issued for the alarm system.

B. Permit period.

(1) Commencing 2018, an alarm user permit shall be issued for a (5) five-year term covering each calendar year during the five year term. All new alarm user permits shall initially expire on December 31, 2023 and thereafter expire on December 31st every five (5) years from there on. Any new alarm user permit issued after 2018, shall be pro-rated as to fee and permit term. If an alarm user replaces an alarm system, or significantly modifies an existing system, a new alarm user permit must be applied for and issued, which permit fee and term shall be pro-rated.

A duly issued and currently valid alarm user permit may be transferred without charge to a new property owner on written notice to the Village.

C. Renewal of permits. Alarm user permits may be renewed upon filing a renewal application with the Police Department, payment of the appropriate permit fee to the Police Department and compliance with the following:

- (1) All fines and charges for violating any provision of this article have been paid;
- (2) There is full compliance with all rules, regulations and provisions of this article;
- (3) There are no existing unremedied violations of this article, or of the rules and regulations.
- (4) Certification from an Approved Alarm Installer that the Alarm System complies with all current requirements as an operating approved system in accordance with §78-12(B).
- (5) Payment of the renewal fee as set by the Board of Trustees. For every prior year for which there were no false alarms recorded, a 20% credit for each false alarm free year shall be given towards the renewal fee.

§ 78-5 Fees.

- A. The Police Department shall charge, collect and retain the permit fee.
- B. No refunds of permit fees shall be made. A new permit fee must be paid to reinstate any revoked Alarm User Permit.
- C. If an alarm user permit is issued after a false alarm the permit fee shall be doubled.

§ 78-6 Inspections.

- A. After an Alarm user receives notice from the Village or Police Department of having three (3) false burglar alarms at the premises in any calendar year, the Alarm User shall have the Alarm System inspected and tested within 30 days of notification and thereafter submit to the Village certification from an approved alarm installer that the Alarm System is fully operational and is in compliance with the approved alarm system requirements.
- B. If the alarm user fails to have the alarm system certified to be in full compliance within the 30 day period, it shall be grounds for revocation of the alarm user's permit. The alarm user may, upon good cause, be granted a reasonable extension of time by the Mayor or Chief of Police to correct or remedy such violation.

§ 78-7 Response to activated alarm system.

- A. If a burglar alarm is transmitted from premises for which no alarm user permit is currently in effect, the Police Department shall not be required to respond to said alarm signal, and the occupant(s) and owner(s) of the premises shall be in violation of this article.

B. If an alarm system is activated and the premises are unoccupied, the police shall be authorized to enter the premises to investigate the alarm and make any adjustments to the alarm system, including disconnection of the audible alarm signal to terminate a nuisance condition. The Police Department shall notify the alarm user as soon thereafter as practical to indicate the adjustments made to the alarm system.

C. An alarm user shall designate a person living within 15 miles of the premises containing the alarm system so as to provide access to the premises to investigate the alarm system and facilitate the prompt termination of any nuisance caused by the alarm system.

§ 78-8 Denial, suspension or revocation of permit.

A. The Chief of Police, in compliance with the requirements of Subsection C, may deny, suspend or revoke a permit on any of the following grounds:

- (1) False statement or willful and knowing misrepresentation made in a permit application;
- (2) Failure to comply with any lawful order or notice issued by the Chief of Police or Village;
- (3) Repetitive or flagrant violation of the provisions of this article, or the rules and regulations;
- (4) Failure to correct any deficiencies in equipment, procedures or operations within 30 days of receipt of notice; or
- (5) The activation of more than 6 false alarms within a calendar year period.

B. Any Alarm User permit issued hereunder shall be surrendered to the Police Department or Fire Department upon the revocation, suspension or expiration of such permit.

C. Denial, suspension or revocation by the Chief of Police shall become effective 30 days after written notice thereof is mailed to the Burglar Alarm User by certified mail, return receipt requested. Within the thirty-day period, the Burglar Alarm User may appeal the Police Chief's action to the Old Brookville Board of Police Commissioners, which shall have the power to stay, affirm, reverse or modify the action of the Chief of Police.

§ 78-9 False alarm charges.

A. Alarm user charge. An alarm user shall pay to the Village the following fines for each and every false alarm recorded in each calendar year as follows:

- (1) For each of the first two false alarms: no charge.
- (2) For the third false alarm: The Alarm System must be inspected and certified as an operating approved system in accordance with §78-12(B).

(3) For the fourth and fifth false alarms: \$250 each.

(4) The sixth and all additional false alarms: \$500 each.

B. New alarm system installations will be permitted two non-chargeable false alarms during a ninety-day period after the initial installation of the alarm system.

C. False alarm charge notification procedure. Whenever an alarm user has a chargeable false alarm in any calendar year, the Village Clerk shall mail a notice requesting payment by certified mail, return receipt requested. If payment is not received by the Village within 30 days from the date of mailing or from the date of refusal (if the alarm user refuses delivery of the notice), it shall be deemed a violation of this article.

D. The full monetary charge shall become the property of the Village 30 days after its payment to the Village, unless, before the end of the thirty-day period, the alarm user submits a written request to the Chief of Police for review of the charge. If the Chief of Police sustains the charge, the alarm user may appeal such action to the Board of Police Commissioners within 15 days after receiving written notice of the same. The Board of Police Commissioners shall have the power to affirm, reverse or modify the actions of the Chief of Police.

E. Unpaid false alarm fees will bear interest at the Village financing rate, to be determined from time to time by resolution of the Board of Trustees. The Village will have the right to treat any unpaid amounts due the same as the property Tax Assessment.

§ 78-10 Rules and regulations.

The Board of Trustees, may by resolution, promulgate rules, regulations and standards and increase or modify fees and monetary fines, in its sole discretion, to ensure the quality, efficiency and effectiveness of the enforcement, interpretation and implementation of this article.

§ 78-11 Disclaimer and liability.

A. Notwithstanding the payment of any permit fee, the issuance of any permit or involvement by the Police Department pertaining to an alarm system, the Police Department and the Village, including its agents and employees, make no representation and shall be under no obligation whatsoever concerning the adequacy, operation or maintenance of an alarm system installation, nor do they assume any liability whatsoever for any failure of any such alarm system or for failure to respond to any such alarm system or for any act of omission or commission involving an alarm system.

B. The foregoing subsection shall be printed conspicuously on all permits issued pursuant to this article.

§ 78-12 Existing alarm user permits.

A. An alarm user maintaining and operating an existing alarm system pursuant to a valid alarm user permit immediately prior to the effective date of this article shall be subject to all provisions of this article, except that such alarm user shall not be required to obtain or be required to renew an alarm user permit or pay an alarm user permit fee, provided that there is compliance with the regulations in force immediately prior to the effective date of this article.

B. If an existing alarm user has three chargeable false alarms within any twelve-month period, or if he replaces or significantly modifies his alarm system, said alarm user shall be required to provide the Village with written certification from an Approved Alarm Installer that the Alarm System is fully operational and complies with the current standards for any approved Alarm System.

C. An alarm user who has been charged with violating the provisions of the Village's burglar alarm regulations in force prior to the effective date of this article shall be governed by the provisions of said burglar alarm regulations and pay any false burglar alarm charges in accordance with such regulations.

§ 78-13 Penalties for offenses.

Any person who violates or fails to comply with § 78-3 or 78-7 of this article shall commit a violation as defined in the New York State Penal Law which shall be punishable as provided in Chapter 1, General Provisions, Article II.

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