

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

MARCH 18, 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 March 18, 2019 at 6:30 P.M.

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

Absent:	Innis O'Rourke III	Trustee
	Antje B. Dolido	Trustee

Also Present: Tracy L. Lynch, Clerk/Treasurer
Peter MacKinnon, Esq. of Humes & Wagner, LLP
Attorneys for the Village
Mr. Shawn Cullinane
New York Cooperative Liquid Assets Securities
System (NYCLASS)
Lawrence C. Schmidlapp
Mayor, Village of Centre Island

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 then called for approval of the minutes of the Trustee meeting held on February 21, 2019. On motion duly made and seconded, the minutes were unanimously approved. **(See Attached Exhibit A)**

PUBLIC COMMENT

A resident reported that the Village carter's truck may have caused damage to his steep driveway and requested the Board amend the code to allow for the use of smaller pickup trucks with raised sides. The Mayor noted that licensed Carters may be permitted, on a limited exception basis, to use a pickup truck in cases where conditions at the property make access difficult for the larger collection vehicles permitted under the Code. Pickup trucks must otherwise comply with the code. For example, they must be fully enclosed and watertight. Carters may seek an exception for any property by applying to the village and the village must concur with the exception, typically following an inspection by the Code Enforcement Officer. A problem with the pickup trucks is that the trash is not contained and ends up on the village roads. Litter diminishes the quality of life in the village and creates a cleanup job for our Roads Department.

FINANCIAL REPORT

Bills

The Clerk/Treasurer presented all claim forms listed on warrant No. 10, dated March 18, 2019, with supporting invoice details and /or purchase contracts. The warrant includes the Q4 police protection payment of \$470,595.50. 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. 10 in the total sum of \$528,793.73, dated March 18, 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 February 2019. **(See Attached Exhibit C) **

Tentative 2019/20 Budget

The Clerk presented the 2019/20 tentative budget. The tentative budget anticipates higher revenues from increased building permit activity, license fees and interest earnings. Expenses are anticipated to remain relatively flat with the exception of projected increases in police and fire protection costs.

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

RESOLVED, to approve the 2019/20 tentative budget as presented. A public hearing for final budget approval will be scheduled for Monday April 15, 2019.

(See Attached Exhibit D)

VILLAGE CLERK'S REPORT

Payroll

Based on recent budget inquiries from a resident, the Clerk reported that the Village spends \$6,600 annually on payroll services which includes the processing of a weekly payroll with direct deposit, deposits for all employer & employee tax liabilities, preparing and filing quarterly federal a state payroll tax returns and federal and state W-2's.

In the interest of checking the current market for such services, the Board requested the Clerk to obtain pricing from our existing payroll provider for bi-weekly and monthly payroll processing.

QuickBooks Training

In connection with the Village conversion to QuickBooks accounting software, the Clerk presented a proposal from Nawrocki Smith CPA to act as a consultant via telephone, e-mail, or in person and help the Village for any questions related to QuickBooks,

bookkeeping and accounting. The hourly rates that will be applied to the work performed are as follows: Manager \$175, Supervisor \$150 and Senior \$125.

The Board requested the Clerk and Thomas Mullen to attend a QuickBooks fundamentals training course first while engaging the services of a Nawrocki Smith CPA for follow up implementation assistance. The Clerk agreed to find a local course and provide pricing to the Board.

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

RESOLVED, for the Clerk and Thomas Mullen to attend a fundamental training course and to hire Nawrocki Smith to provide specific hourly follow up implementation assistance.

Cullen & Danowski Audit Proposal

The Mayor recommended that the Village Auditor provide bi-monthly remote on-line oversight to answer questions and, review the statements with the goal of limiting post-closing accounting adjustments. Cullen & Danowski's rate is \$180/hr. for working remotely to provide such services.

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

RESOLVED, to hire Cullen & Danowski to provide bi-monthly remote online oversight of the Village's financials at a rate of \$180/hr.

NYCLASS Presentation

The Mayor next invited Mr. Shawn Cullinane from New York Cooperative Liquid Assets Securities System (NYCLASS) to present their program. NYCLASS is a local government investment pool that allows municipal corporations, like the Village, to pool funds together to collectively earn interest on investments. Their philosophy is and has always been to provide competitive returns while adhering to all objectives of safety and liquidity. NYCLASS has been rated 'AAAm' by S&P Global Ratings.

The NYCLASS portfolio distribution strategy focuses on minimizing market risk and enhancing safety via diversified investments. Funds of the participants are investing in prime or high grade, short-term fixed income instruments, such as U.S. Treasury Securities, Collateralized Bank Deposits and Repurchase Agreements. Investment holding are collateralized as required by New York State General Municipal Law. NYCLASS would appear to be a good option for a municipality seeking a better yield than offered by commercial or savings banks for shorter term cash deposits.

To join the NYCLASS program, a village must approve the NYCLASS Municipal Cooperation Agreement by resolution of the Board.

After discussion, the Board requested Mr. Cullinane to follow up with fee schedules, describe their fraud and theft protection mechanisms and copies of their program information for the Trustees not in attendance. The Board will review the contract details prior to the April meeting.

ROAD COMMISSIONER/CODE INSPECTOR REPORT

No Report

BUILDING DEPARTMENT REPORT

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

MAYOR'S REPORT

Planning Board Appointment

The Mayor announced with regret that Mrs. Merle DeMott recently resigned from the Planning Board after six years of hardworking, exemplary and faithful service and has also served as one of the founding members of the Village's first Beautification Committee. The Committee was responsible for the plantings around Village signs and the 2018 Dogwood program. He noted that she made a strong contribution to the quality of life in the Village and will be missed.

The Mayor recommended appointing Parker B. Kelsey, a partner at the law firm Simpson Thacher & Bartlett LLP, to fill the unexpired term of Merle DeMott which ends in 2022. Mr. Kelsey comes highly recommended for this role.

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

RESOLVED to appoint Parker B. Kelsey as a member to the Planning Board, filling the unexpired term of Merle DeMott.

Terrace Lane

The Mayor reported that the Board previously approved the repaving of the section of Terrace Lane that falls within the Village's boundaries. The work was not completed at the time by the Lawn Lane contractor for scheduling and pricing reasons.

The Board requested the Road Commissioner to get three new bids and present them at the April meeting.

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

RESOLVED to approve the paving of Terrace Lane, pending review of bids from three contractors, providing the cost is less than \$35,000.

Friendly Road

The Mayor reported that a resident on Friendly Road has made progress in addressing health and safety matters around his property raised by the Code Enforcement Inspector. The Code Enforcement Inspector will continue to monitor the property.

Tree City Designation

The Mayor announced that the Village has been designated a Tree City. This increases the likelihood that the Village will receive a tree inventory grant at some time in the future.

The Mayor also asked the Board to approve another dogwood tree program. 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.

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

RESOLVED to approve another dogwood tree program in connection with resident Beautification contributions.

Short-Term Rentals

The Mayor reported that many nearby villages are discussing short-term rental issues and may require homeowners to first obtain a permit to rent their homes. The Village Attorney agreed to circulate a proposed law drafted intended to address short-term rental issues for introduction at the April meeting.

Foreclosure on Donna Drive property

The Village attorney is waiting for the results of the title company search and will report to the Board in April.

Building Permit

The Mayor is working on a procedure to address the backlog of open permits and will follow up with the Board at a future meeting.

Cannabis Position

The Mayor reported that the Village took a stand to oppose Governor Cuomo's proposed legislation to legalize the recreational use of cannabis in New York State and the Board concurred with this action. He reported that Nassau County planned to opt out of legalized recreational marijuana sales should the state approve the program.

Legis. Joshua Lafazan and Police Commissioner Patrick Ryder were co-chairs of a county task force studying marijuana legalization and recommend Nassau "opt out of all cannabis related commercial businesses" based on "numerous potential public safety and public health concerns that need to be addressed well before Nassau County could begin to participate in any cannabis related businesses."

Street Signs

The Mayor reported that both the Federal Highway Administration (FHWA) and the New York State Department of Transportation have mandated that Village street name signs must be changed to have horizontal, minimum sized, reflective letters, in an easy-to-read font with a contrasting background. The goal is to improve safety and mobility.

The Mayor recommended replacing all street name signs, including those on private roads, with signs that comply with the mandate. He said improving sign visibility should enhance health and safety in the Village, as the signs will aid police, fire, EMS and other first responders in quickly identifying resident home locations.

More visible signs have been shown to reduce traffic accidents as they can be seen at greater distances. The FHWA reported that improving sign retroreflectivity especially benefits older drivers, and all drivers, including younger drivers, will find that improved sign retroreflectivity benefits their nighttime driving experience. Drivers need legible signs in order to make important decisions at key locations, such as intersections.

He recommended using eligible NYS Consolidated Local Street and Highway Improvement Program (CHIPS), PAVE and EWR grant funds to pay for the signs.

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

RESOLVED to use the 2019/20 CHIPS, PAVE and EWR apportionment, totaling approximately \$60,000, to cover the cost of new street name signs on state, county, village, and private roads, pending an agreed design and color.

POLICE REPORT

No Report

FIRE & STORM WATER MANAGEMENT REPORT

The Clerk presented a proposal from the Village Engineer to provide the Village's annual Storm Water Management Report.

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

RESOLVED, to hire West Side Engineering to provide the annual Storm Water Management Report at a cost of \$1,600.

ARCHITECTURAL REVIEW REPORT

No Report

LEGAL REPORT

No Report

EXECUTIVE SESSION

The Mayor closed the meeting and on motion duly made and seconded, the Board unanimously resolved to enter into Executive Session to discuss the Oaks at Mill River development.

The Board came out of Executive Session and the Mayor requested the Board's approval to accept a land donation of the area proposed to be separate from the residential home development area on the Oaks at Mill River property, pending the land being offered to the Village. The Village Attorney mentioned that any such transfer will be subject to approval, following re-application, by the Planning Board.

On motion duly made and seconded, the Board unanimously

RESOLVED to accept the Oaks at Mill River contribution of this land pending the land being offered to the Village.

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

Signed by Tracy Lynch on April 15, 2019

Tracy Lynch
Village Clerk