

**VILLAGE OF UPPER BROOKVILLE
ANNUAL ORGANIZATION MEETING
AND
REGULAR BOARD OF TRUSTEES' MEETING
JULY 19, 2016**

The Annual Organization Meeting and regular meeting of the Board of Trustees 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 Tuesday, July 19, 2016, at 6:30 P.M.

Present:	Elliot S. Conway	Mayor
	William R. Campbell	Trustee
	Antje B. Dolido	Trustee
	Francis J. Russo	Trustee
	Michael F. Schwerin	Trustee

Also Present:	Lauri D'Ambra, Village Clerk/Treasurer
	Samuel Vergata, Street Commissioner
	Peter P. MacKinnon, Esq. of
	Humes & Wagner, LLP
	Attorneys for the Village

ANNUAL ORGANIZATION MEETING

The Mayor called the Annual Organization Meeting to order at 6:30 P.M. and announced that this was a meeting for the purpose of organization of the Village for the new official year commencing at noon on the first Monday in July, 2016. 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.

ELECTION RESULTS

It was announced that the following persons had been elected to the following offices in the June 21, 2016 election:

Mayor for a term of two years – Elliot S. Conway
Trustee for a term of two years – Antje B. Dolido
Trustee for a term of two years – Francis Russo

The Mayor and Board of Trustees is composed of the following persons whose terms will expire on the first Monday in July in the year indicated:

Elliot S. Conway	2018
Antje B. Dolido	2018
William R. Campbell	2017
Francis Russo	2018
Michael F. Schwerin	2017
John G. Pieper, Village Justice	2017

CLERK/TREASURER

Appointment of the Village Clerk/Treasurer was deferred.

ANNUAL APPOINTMENTS

Upon motion duly made and seconded, the following appointments were unanimously adopted:

Accountant	Barbara Valentino
Building Department Clerk	Laurie Dooney
Acting Village Justice	Edward Dolido, Esq.
Prosecuting Attorney	Joseph R. Carrieri
Deputy Prosecuting Attorneys	Peter M. Weiler
	Peter P. MacKinnon
	John Ritter, Jr.
	Christopher G. Wagner
	James Cortazzo, Jr.
	Dwight Kennedy
Engineer	Sidney B. Bowne & Son
Street Commissioner	Samuel Vergata
Court Clerk	Barbara C. Miller
Deputy Village Clerk/Treasurer	Vacant
Historian	Jeffrey Thielen
Code Investigator	Sam Vergata

ATTORNEYS FOR THE VILLAGE

Upon motion duly made and seconded, it was

RESOLVED, that Humes & Wagner, LLP be retained as Attorneys for the Village for the ensuing year.

DEPUTY MAYOR

The Mayor appointed William R. Campbell as Deputy Mayor for a one year term, which term expires in July 2017.

BANK DEPOSITORY AND SECURITY FOR DEPOSITS

Upon motion duly made and seconded, it was

RESOLVED, that First National Bank of Long Island and Valley National Bank be, and they hereby are, designated as depositories of this Village, and

FURTHER RESOLVED, that the Board hereby adopts and incorporates the provisions of First National Bank of L.I. and Valley National Bank resolutions concerning the deposit and disbursements of funds from said banks, and

FURTHER RESOLVED, that the Treasurer be, and she hereby is, authorized and directed to require from the above designated depositories appropriate security for the funds of the Village, deposited with said depositories.

OFFICIAL NEWSPAPERS

Upon motion duly made and seconded, it was

RESOLVED, that the Locust Valley Leader and the Oyster Bay Guardian be, and they hereby are, designated as the official newspapers of this Village, and

FURTHER RESOLVED, that the Upper Brookville Beacon be, and it is hereby, designated as the Village’s e-newspaper to be distributed periodically to residents by e-mail.

COMMITTEES AND OFFICERS

Upon motion duly made and seconded, it was

RESOLVED, that the following committee and officer designations be made:

- | | |
|---------------------------------------|---------------------|
| Budget/Finance, Chair | Michael Schwerin |
| Streets and Street Lighting, Chair | Francis J. Russo |
| Street and Street Lighting, Deputy | William R. Campbell |
| Fire, Chair | William R. Campbell |
| Storm Water Management, Chair | Francis Russo |
| Police Commissioner | Elliot S. Conway |
| Deputy Police Commissioner | Antje B. Dolido |
| Legal, Chair | Antje B. Dolido |
| Architectural Review/Site Plan, Chair | Antje B. Dolido |
| OBCSHC, Chair | Antje B. Dolido |

REAPPOINTMENT OF PLANNING BOARD MEMBER

Upon nomination by the Mayor and on motion duly made and seconded, it was

RESOLVED, that Peter Pappas be appointed as a member of the Planning Board for a five year term, which term shall expire on the first Monday in July, 2021.

APPOINTMENT OF ALTERNATE PLANNING BOARD MEMBERS

Defer appointment of alternate members to the Planning Board.

PLANNING BOARD MEMBERS

The Planning Board is composed of the following persons whose terms will expire on the first Monday in July in the year indicated:

William J. Quinn, Chairman	2018
Michael Levin	2020
Merle DeMott	2017
Frederic Kunken	2019
Peter Pappas	2021
Vacant (<i>Alternate Member</i>) (one year term)	2017
Vacant (<i>Alternate Member</i>) (one year term)	2017

The Mayor noted that David Helme has retired as Chairman of the Board of Zoning Appeals after ten years of work and wise counsel. Mr. Helme presided over many important zoning decisions during his tenure displaying sound judgment, fairness and foresight. Innis O'Rourke, III, a 13 year member of the Board of Zoning Appeals will succeed him.

APPOINTMENT OF BOARD OF ZONING APPEALS CHAIRMAN AND MEMBER

Upon nomination by the Mayor and on motion duly made and seconded, it was

RESOLVED, that Innis O'Rourke, III, M.D. be appointed as Chairman and member of the Board of Zoning Appeals for a five year term, which term shall expire on the first Monday in July, 2021.

REAPPOINTMENT OF ALTERNATE BOARD OF ZONING APPEALS MEMBER

Upon motion by the Mayor and on motion duly made and seconded, it was

RESOLVED, that Richard McCormick be appointed as an alternate member of the Board of Zoning Appeals for a one year term, which term shall expire on the first Monday in July, 2016; and

Defer appointment of an additional alternate members of the Board of Zoning Appeals.

BOARD OF ZONING APPEALS MEMBERS

The Board of Zoning Appeals is composed of the following persons whose terms will expire on the first Monday in July in the year indicated:

Innis O'Rourke, III, Chairman	2021
Tracy Kemper	2019
Philip Wachtler	2020
Bert Rowley	2017
Herman Hertweck	2018
Richard McCormick (<i>Alternate Member</i>) (one year term)	2016
Defer (<i>Alternate Member</i>) (one year term)	2017

APPOINTMENT OF BOARD OF ETHICS CHAIRPERSON

Upon nomination by the Mayor and on motion duly made and seconded, it was

RESOLVED, that Elliot S. Conway be appointed Chairman and member of the Board of Ethics for a one year term, which term shall expire on the first Monday in July, 2017. The Board deferred appointing two members.

BOARD OF ETHICS MEMBERS APPOINTMENT DEFERRED

The Board of Ethics members appointments were deferred.

INDEMNIFICATION OF OFFICERS AND EMPLOYEES

RESOLVED, that all Village Officials and employees of the Village, are hereby indemnified and covered under Chapter 12 of the Village Code entitled "*Indemnification of Village Officers and Employees,*" which was last amended by Local Law 10-2007.

The Board noted the following items or actions carried forward from previous resolutions of the Trustees of the Village:

(a) **FIRE CONTRACT**

The Village's contract for Fire Protection with the East Norwich Volunteer Fire Company No. 1, Inc. is for a present three year term, commencing January 1, 2013 and expiring December 31, 2016.

(b) **POLICE CONTRACT**

The police protection contract among the Villages of Old Brookville, Brookville, Cove Neck, Matinecock, Mill Neck and Upper Brookville is for the period June 1, 2012 to May 31, 2017.

(c) **DEPOSIT OF TAX RECEIPTS**

The Clerk/Treasurer or in her absence, Deputy Clerk/Treasurer either together or acting separately are authorized to deposit current tax receipts in the First National Bank of L.I. or Valley National Bank and invest same in obligations legal for investment by Incorporated Villages in the State of New York as from time to time the Finance Officers shall recommend and the Board of Trustees shall approve.

(d) **STREET LIGHTING**

The Village contract for the maintenance of street lighting with Anker Electric is for the period September 1, 2011 thru August 31, 2016.

(e) **BUILDING DEPARTMENT CONSULTANTS**

The Village contract for Building Department Consultant services with the Core Group is for the period August 1, 2016 thru July 31, 2017.

(f) **ASSESSMENT/VILLAGE PROPERTY TAXES**

Village property taxes shall be levied on the Nassau County Assessment Roll pursuant to Local Law 3-2011 as adopted by the Board of Trustees.

(g) **REGISTRAR OF VITAL STATISTICS**

Board of Trustees appoints James Altadonna, Jr., Town of Oyster Bay Clerk, as Registrar of Vital Statistics, whose two year term will expire on December 31, 2017.

(g) **PROCUREMENT POLICIES AND PROCEDURES**

The regulations relating to the policies and procedures for the procurement of goods, services and public works contracts adopted by this Board on December 9, 1991, pursuant to General Municipal Law, Section 104-b, were reviewed and revised and last amended on July 17, 2012, pursuant to General Municipal Law, Section 104-b, were reviewed and reaffirmed as required by paragraph (6) thereof.

(h) **ELECTRICAL INSPECTORS**

Reappoint Electrical Inspectors, Inc. of East Meadow; Certified Electrical Inspectors, Inc. of Amityville; Electrical Inspection Services, Inc., of East Patchogue; Suffolk Bureau of Electrical Inspectors of Middle Island; Long Island Electrical Inspectors of Bayshore, Alliance Electrical Inspectors Ltd., of West Islip, NYS Electrical Inspections Inc., of Kings Park, as certified electrical inspectors approved to conduct electrical inspections within the Village pursuant the Rules & Regulations established by this Board October 17, 2006 and last amended on April 20, 2010.

REGULAR TRUSTEES MEETING

The Mayor then called to order the regular meeting of the Board of Trustees.

MINUTES

The Mayor called for approval of the minutes of the Trustees' meeting held on June 21, 2016, which were unanimously approved.

BILLS

The bills listed on General Fund Warrant No. 002 in the total sum of \$341,278.44 dated July 19, 2016 and Trust and Agency Warrant No. 002 in the total sum of \$11,024.56 dated July 19, 2016, copies 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 June 30, 2016, was presented, examined, approved and ordered filed.

BUDGET TRANSFERS

The Village Clerk/Treasurer reported that budget transfers were required to be made at the end of the Village's 2015/16 fiscal year. The Board reviewed the budget accounts, noting the overage and underage for individual accounts. After discussion, and on motion duly made and seconded, it was unanimously

RESOLVED, that the budget transfers made by the Clerk/Treasurer in the 2015/16 budget of the Incorporated Village of Upper Brookville attached to the Treasurer's Report which is annexed to these minutes for the fiscal year ended May 31, 2016, are hereby ratified and approved.

APPROVAL OF TAG SALE

The Village Clerk noted that a tag sale permit request had been received. Thereafter, the Board, on motion duly made and seconded, unanimously approved a tag sale to be held at 377 Juniper Drive, on Sunday, September 25, 2016, subject to the usual requirements to ensure that there is appropriate traffic control at the premises.

VILLAGE CLERK'S REPORT

The Village Clerk requested the Board approve an expenditure up to \$1,000 for attendance by the Village Clerk at the Fall NYCOM Training Session. After discussion, and on motion duly made and seconded, it was unanimously approved.

STREET COMMISSIONER'S REPORT

Street Commissioner Vergata reported on tree pruning on Linden Lane for a cost of \$2,800 and line striping on Village roads at a cost of \$2,350. After discussion, the Board approved these expenditures.

The Board discussed and authorized new signage throughout the village. East Norwich Fire Company requested additional road signs for safety reasons so they can locate homes and lower response times. In connection with this initiative, the Board also approved an official logo with a pheasant, a species long time abundant in the Village.

Upon nomination by the Mayor and on motion duly made and seconded, it was

RESOLVED, that (a) a "Welcome to the Village of Upper Brookville sign" to be placed at the junction of Northern Boulevard (25A) and Wolver Hollow Road along with two other similar signs stating the "Village of Upper Brookville" and (b) eight additional road signs to be placed at roads that are either unmarked or with signs in disrepair.

Upon nomination by the Mayor and on motion duly made and seconded, it was

RESOLVED, that a new Village logo would be adopted for use on signage and other village communications containing the image of a pheasant.

BOND FINANCING

The Board discussed the financing of road improvements to Chapel Gate Lane and Friendly Road, and other road improvements to various roads in the Village, at the estimated maximum cost up to \$3,000,000 and to appropriate said amount and authorize the issuance of bonds in the principal amount not to exceed \$3,000,000 to finance said appropriation. The Village Attorney noted that Robert Smith, of Hawkins, Delafield & Wood, LLP, submitted a retainer letter dated July 8, 2016, copy annexed, to represent the Village in connection with the bond financing and requested the Board authorize Mr. Smith's firm to proceed as bond counsel in this matter. After discussion, and on motion duly made and seconded, it was unanimously

RESOLVED, that Mr. Robert Smith of the firm of Hawkins, Delafield & Wood, LLP, be, and he hereby is, retained as bond counsel in connection with the Village's bond financing pursuant to the July 8, 2016 retainer letter.

REPAVING OF FRIENDLY ROAD AND CHAPEL GATE LANE

The Board discussed the re-paving of Friendly Road and Chapel Gate Lane in the Village. After discussion, and on motion duly made and seconded, it was unanimously

RESOLVED, that the Village Attorneys be, and they hereby are, authorized to coordinate with the Village Engineer on the specifications and advertise for public bids for the Contract to resurface Friendly Road and Chapel Gate Lane.

The Mayor noted that additional road repaving in the near future, subject to an engineering study to be completed. A preliminary review by the Village Engineer cited condition issues on Cedar Ridge, Hillcrest, Lawn, part of Linden, Locust, Pine Valley, Planting Fields, Ripley, Terrace and The Knolls. The Mayor also noted he would discuss with the contractor who is awarded the lowest bid for the resurfacing of Friendly Road and Chapel Gate Lane the possibility of offering residents the same the municipal rate.

The Board discussed with the Village Attorney the feasibility of creating a Special District for snow removal and road repaving on private roads. After discussion, the Board authorized the Village Attorney to research this matter.

The Mayor noted that representatives from the Department of Environmental Conservation will attend a fall Trustee meeting to discuss the growing deer population in the Village and related health and safety issues. Concerns include lyme disease, auto accidents as well as tree and foliage destruction.

The Mayor noted that preliminary work designed to move the Village Hall to the Carriage House at Planting Fields Arboretum has commenced.

The Board agreed to waive the permit fees for removal of naturally dead or dangerous trees. Residents are encouraged to remove such trees. An inspection by the Tree Inspector or Code Enforcement Officer and permit will continue to be required. In connection with this action, the Village Attorney will undertake to draft amendment to the Village Code to eliminate conflicts.

Lastly, the Mayor noted he is in the process of organizing a "Meet the Neighbors and Village Officials" event to be held in the near future. The purpose is to permit neighbors to meet one another as well as the village officials. The proposed location is the Hay Barn at Planting Fields.

Upon nomination by the Mayor and on motion duly made and seconded, it was

RESOLVED, that a “Meet the Neighbors and Village Officials” event to be held in the near future at the Planting Fields on a date and location to be agreed for an amount not to exceed \$2,500.

FIRE REPORT

The East Norwich Fire Company requested additional road signs so they can locate homes and lower response times. The Board deferred installing the additional road signs because most of the roads are private.

MAYOR REPORT

The Mayor noted that proposals for Village auditors were received from Skinnon & Faber, Cullen & Danowski and Satty, Levine and Ciacco, LPAs, PC. After discussion, the Board agreed that based upon the past experience with the firm of Cullen & Danowski that the firm be retained as Village Auditor at the annual retainer of \$10,000. On motion duly made and seconded, it was unanimously

RESOLVED, that the accounting firm of Cullen & Danowski be, and they hereby are, appointed as Village Auditors for the annual fee of \$10,000.

The Mayor noted that he would like to have the Village collect e-mail addresses of Village residents in order that Village information would be disseminated to them in a timely and cost effective manner. In addition, the Mayor also requested authorization and funding to improve the Village’s website and web-hosting.

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

RESOLVED, that the Mayor be, and he hereby is, authorized for the following projects to expend up to \$750 for the collection of e-mail addresses of Village residents and for the redesign of the Village website up to \$3,500, this amount to include (a) retaining a consultant to assist in the upgrading of the Village internet services, (b) various web hosting services and (c) the purchase of a website template.

The Mayor also reported he is working with the Village Attorney to draft legislation to create a Special Solid Waste District to collect Village-wide trash. Residents who elect not to participate in the district will have the option to opt out. Village residents who want the option to participate in the district are cautioned to avoid signing long-term trash collection contracts with individual carters, which may force you to opt out of the district until your contract has expired.

The Mayor noted that a Natural Gas information session will be presented with National Grid in September. Natural Gas will become more accessible to many Residents. This will be the first of two information sessions at 6:30 p.m. on Wednesday, September 28 at the Village Hall at Planting Fields. Complete installation pricing, benefits and timing will be discussed for every Village road. Residents are encouraged to villageclerk@upperbrookville.org to confirm how many people will attend. Subject to demand, the meeting may be moved to quarters.

TERRY L. THIELEN

The Board recognized former Mayor Terry L. Thielen's dedicated community service and her contributions to the Village of Upper Brookville during her tenure with the following Proclamation:

WHEREAS, over the past twenty-five years, Terry L. Thielen faithfully served the Village of Upper Brookville providing good judgment and skilled guidance as a member of the Zoning Board of Appeals and later Chairman of that Board, Village Trustee, Fire Commissioner, Deputy Police Commissioner, Police Commissioner and Deputy Mayor; and

WHEREAS, in 2008 Mrs. Thielen was appointed Mayor and subsequently elected to three consecutive two year terms and during her tenure, she protected the public trust, performed with dedication and good judgment the duties of Mayor, oversaw the affairs of the Village with a genuine understanding of the needs, rights and desires of all Village residents while ensuring the well being of the Village through her leadership and steadfastness; and

WHEREAS, during her tenure as Deputy Mayor and Mayor she demonstrated a passion for conservation and the property development of land for the purpose of preserving the country atmosphere and open spaces of much of the Village while allowing for development; and

WHEREAS, through her generous contribution of time and talent she earned the respect and gratitude of the community as a states woman;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Board of Trustees of the Village of Upper Brookville hereby records its lasting appreciation and gratitude to Terry L. Thielen for her dedication, hard work, invaluable contribution, ideals and principles which she has given willingly to the Village; and

FURTHER RESOLVED, that her wise counsel, leadership and tireless service as a Village official will always be appreciated and remembered by all the residents of the Village who she served so unselfishly.

There being no further business, the meeting was adjourned.

Filed with me this 14th day
of NOVEMBER, 2016

Signed by the Village Clerk