

**VILLAGE OF UPPER BROOKVILLE
BOARD OF TRUSTEES' MEETING
JUNE 19, 2017**

A regular meeting of the Board of Trustees of the Incorporated Village of Upper Brookville, Nassau County, New York, was held at the office of the Village Attorney, Humes & Wagner, 147 Forest Ave. Locust Valley, NY 11560, on Monday June 19, 2017 at 6:30 P.M.

Present:	Elliot S. Conway	Mayor
	Francis J. Russo	Trustee
	Edward J. Madden	Trustee
	Antje Dolido	Trustee

Not Present:	William Campbell	Trustee
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Also Present:	Tracy L. Lynch, Village Clerk/Treasurer
	Samuel Vergata, Street Commissioner
	Mr. Brodie, Village Resident
	Mr. Werther, Village Resident
	Mr. Lambrakis, Village Resident
	Peter P. MacKinnon, Esq. of Humes & Wagner, LLP
	Attorneys for the Village

The Mayor called the meeting to order at 6:30 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. The Mayor noted that the meeting had to be moved to Humes & Wagner, from Planting Fields Arboretum due to no electricity.

MINUTES

Approval of the minutes of the Trustees' meeting held on May 15, 2017 & June 5, 2017 were deferred to the July meeting.

PUBLIC COMMENT

A resident asked whether, in connection with the repaving of Lawn Lane, the Village could find a way to limit the road damage from resident snow plowing when leaving steep driveways. The Mayor encouraged the resident to follow up with suggestions and agreed to discuss the matter with the Village Engineer.

FINANCIAL REPORT

Bills

The bills listed on Warrant No. 012 in the total sum of \$267,788.92 dated May 15, 2017, & Warrant No. 001 in the total sum of \$51,129.81 dated June 19, 2017 copies which are annexed to these minutes, were, on motion duly made and seconded, ratified and approved for payment.

Treasurer's Report

The preliminary final Treasurer's Report for the month ending May 31, 2017, was presented, examined, approved and ordered filed.

VILLAGE CLERK'S REPORT

Mill River Club Fireworks

The Clerk noted that the Mill River Club made its usual request for the approval of a fireworks display at the Club premises on July 2nd with a rain date of July 3, 2017. 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 Penal Law section 405, to allow this year's July 2 fireworks, with a rain date of July 3, 2017, 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.

TOBAY Triathlon

The Clerk also mentioned that the Village has received a request for the holding of the Town of Oyster Bay Triathlon, to be held on August 27, 2017. After discussion, the Board agreed that a permit may be issued for this event, subject to the usual requirements of having the activity coordinated with the Police Department.

RESOLVED, that the application of the TOBAY Triathlon to route a portion of the run through the Village on Sunday, August 27, 2017, be, and it hereby is, approved, subject to the following conditions:

1. All race activities shall occur between the hours of 9:00a.m. and 11:00a.m.;
2. There shall be no parking along any street within the Village;
3. The race sponsor/applicant shall be responsible for providing appropriate supervision and adequate protection for all participants, workers, volunteers, motorists and spectators;
4. The race/sponsor shall provide to the Village a Certificate of Liability Insurance for the event naming the Village as an additional insured in the minimum amount of \$5,000,000 which certificate shall be delivered to the

Village Clerk at least two (2) days in advance of the use of the premises for event activity.

5. The race sponsor/applicant shall complete the Village's Indemnification and Hold Harmless Agreement releasing the Village from any and all claims and liabilities, which arise in connection with the event by any participants, workers, volunteers, motorist and spectators;
6. All roads in the Village used in connection with this event are to be used by each participants, workers, volunteers, motorist and spectators at his or her own risk. The race sponsor/applicant shall be responsible for obtaining releases from all participants stating that all Village roads are to be used at the risk of each participant;
7. All activities occurring within the Village are to be coordinated with the Old Brookville Police Department (OBPD). If the OBPD requires additional personnel to provide adequate protection, the sponsor shall pay for all cost and charges, including, but not limited to, overtime payment for all police officers used;
8. 8.The applicant shall deposit \$300 with the Village as security to ensure that after the conclusion of the event, the race sponsor/applicant shall promptly remove from the Village all of it signs and street markings and collect and removed all debris generated by race participants, workers, volunteers, motorist and spectators;
9. 9.Any breach of the foregoing conditions, or any violation thereof of the local laws of the Village, shall be in and of itself grounds for the Village to immediately revoke Village approval and

FURTHER RESOLVED, that the certificate of insurance and evidence that liability coverage remains in force and effect from preparation until the race is concluded and all equipment removed from the Village, and

FURTHER RESOLVED, that failure to comply with any of the above requirements shall result in immediate revocation of this permit.

Annual Audit

The Clerk reported that she received a proposal from Cullen & Danowski, LLP to conduct an annual audit of the Villages financial statements of each fund and account group of the Village, including the related notes to the financial statements, which collectively comprise the basic financial statement of the Village as of and for the year ended May 31, 2017. The audit will also include the Village's Justice Court funds. After discussion, the Board agreed that based upon the past experience with Cullen & Danowksi that they be retained as Village Auditors at the annual retainer of \$10,000. On motion duly made and seconded, it was unanimously

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

Grant Update

The Mayor noted the Village's Clean Energy Community designation, and its eligibility for a grant in the amount of \$100,000 to fund additional energy efficient projects. He proposed the following projects and estimated costs:

- (a) Convert 100 percent of Village streetlights to LED's - \$60,000;
- (b) Energy efficient air conditioning condenser units for the new Village Hall - \$14,000;
- (c) 5 new Village signs and a Village Hall plaque, all with the CEC designation - \$10,000; and
- (d) Encourage homeowners to convert to LED lights by making 8 LED light bulbs available to them - \$16,000.

In connection with this initiative, the Mayor suggested that the Village start with an LED bulb pilot program to introduce residents to the benefits of LED bulbs so they can see that the bulbs are now virtually indistinguishable from traditional incandescent – a warm, traditional glow, they are dimmable, operate cool, last 20 times longer and save huge amounts of electricity.

The Village will, at its expense, send 1 LED bulb to each homeowner. This one bulb plus the 8 obtained through the grant money will save homeowners \$250 per year in electricity and related costs. If the bulbs are all installed, the cumulative savings for residents over 8 years could exceed \$1 million. The Mayor proposed that the bulbs be purchased from Greenvale Electric at a cost of \$1.89 per bulb, which includes a bulk purchase discount from Philips (the manufacturer) and a \$2/bulb PSEG rebate. DF Allen, the Village's garbage carter, offered to deliver the bulbs to the residents in the GDD.

The Mayor read a few of the many received many emails from residents pleased with the newly installed Village signs including one that read "The signs are beautiful. Really makes you feel proud passing them on the way home. Excellent job and long overdue". He proposed that the Village match the grant request and purchase an additional 5 Village signs with the CEC designation at a cost of \$10,000.

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

RESOLVED, to purchase 560 bulbs from Greenvale Electric at a cost of \$1,580 for distribution to every homeowner in the Village and purchase an additional 5 Village signs with the CEC designation at a cost of \$10,000.

Microphone System

The Mayor presented a proposal from Pro Acoustics for the purchase of a new microphone system so members of the Village Boards can better communicate with their audience. At a recent joint Planning Board and Zoning Board meeting, where there were no microphones, the attendees could not hear the comments over the ambient noise level in the room. The many speakers in the 3-hour hearing had to stand close to the stenographer's table so she could accurately record their comments.

The system would be used by the Village Court where sessions often attract over 50 people.

The proposed system, which would facilitate video conferencing, consists of 1 ceiling speaker array, stationary microphones, a power amplifier, a wireless handheld microphone, a control unit recorder and audio interface at a cost of approximately \$6,500.

After discussion, the Board agreed that it would be beneficial for the Village to invest in an audio system and on motion duly made and seconded, it was unanimously

RESOLVED, to purchase a microphone system not to exceed \$6,500.

Emergency Procedures

The Mayor noted he had attended both a Nassau County Office of Emergency meeting and the Annual NY Conference of Mayors where they discussed the importance of municipalities to adopt emergency procedures that, for example, allow the Village to declare a state of emergency so they could quickly resolve

problems in the Village such as downed trees. He contacted NYCOM who will be sending him the recommended code provisions to be circulated to the Board in July.

Officials & GDD

The Mayor requested that all Village officials support and join the GDD. He pointed out that DF Allen invested in a new 10-yard dump truck for Upper Brookville and by reducing the average garbage truck miles has the potential to significantly extend the life of the Village's roads, including private roads and driveways. He pointed out that longer lasting roads make the Village more attractive and help to reduce the rise in Village taxes over time. Better roads and lower taxes should improve property values.

Russian Mission

The Mayor reported that the Senate just passed a bill to keep the Russian owned property in the Village vacant while sanctions are in place. It was unclear if the House would pass a similar bill and whether, if passed, the President would sign it. For now, the Russian Mission remains padlocked and under State Department control. The Mayor noted he expects the Village to be notified if the status changes.

ROAD COMMISSIONER/CODE INSPECTOR REPORT

Sam Vergata, Road Commissioner, reported that his crew was busy with general summer maintenance such as grass cutting & pruning of shrubs & trees in the Village ROW.

He is also obtaining estimates to clear the NE corner of Wolver Hollow Road & Northern Blvd. to accommodate a new Village Welcome sign. The Commissioner requested that the Village purchase new reflective shirts for himself & crew so they would be highly visible while working on the roads as well as an auger to assist with digging holes for signposts, not to exceed \$1,000. The Board approved both requests.

BUILDING DEPARTMENT REPORT

The Clerk/Treasurer referred to the report submitted by the Building Department Clerk for May 2017 activity.

POLICE REPORT

The Mayor reported that the Village of Brookville was chairing the Board of Police Commissioners.

FIRE & STORM WATER REPORT

No Report

ARCHITECTURAL REVIEW BOARD REPORT

Trustee Dolido would propose revisions to the Village Code for fencing along historical roads and have it introduced at the July meeting.

LEGAL REPORT

No report.

EXECUTIVE SESSION

The Mayor closed the regular meeting to enter Executive Session to discuss several matters. At the conclusion of the Executive Session, the Board reopened the regular meeting. No action was taken following the Session.

There being no further business, the meeting was adjourned.

The next meeting of the Board of Trustees is scheduled for Monday, July 17, 2017.

Signed by the Village Clerk