

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

NOVEMBER 25, 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 November 25, 2019 at 5:00 p.m.

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

Absent:	Innis O'Rourke	Trustee
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Also Present: Tracy L. Lynch, Clerk/Treasurer
Peter MacKinnon, Esq. of Humes & Wagner, LLP
Attorneys for the Village
Sam Vergata, Road Commissioner
Doug Schneider, Architect

The Mayor called the meeting to order at 5:00 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 Mayor called for approval of the minutes of the Trustee meeting held on October 21, 2019. On motion duly made and seconded, the minutes were unanimously approved. (*See Attached Exhibit A*)

PUBLIC COMMENT

No Comment

FINANCIAL REPORT

Bills

The Clerk/Treasurer presented all claim forms listed on the Check Detail dated November 26, 2019 with supporting invoice details and/or purchase contracts in the amount of \$241,744.92.

After inspection and review by the Trustees and on motion duly made and seconded, the Trustees unanimously

RESOLVED, to approve and ratify the bills listed on the Check Detail dated November 26, 2019 in the total sum of \$241,744.92 which is 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 October 2019. *(See Attached Exhibit C)*

VILLAGE CLERK'S REPORT

New York State Deferred Compensation Plan

The Clerk requested that the Board consider adopting the New York State Deferred Compensation Plan for participation by Village employees. The purpose of the plan is to provide employees with a convenient way to save for retirement. The plan has a semi-annual administrative fee that is paid by the participant, based on a combination of a fixed fee and an asset-based fee, with no costs to the Village.

After discussion and review by the Trustees and on motion duly made and seconded, the Trustees unanimously

RESOLVED that the Village adopts the Plan for voluntary participation of all eligible employees and

FURTHER RESOLVED that the Clerk is hereby authorized to take such actions and enter such agreements as are required or necessary for the adoption, implementation, and maintenance of the Plan and

FURTHER RESOLVED that the Administrative Services Agency is hereby authorized to file copies of these resolutions and other required documents with the President of the State of New York Civil Service Commission.

The Board noted that they are not opining upon the program itself or the various elements of it, but authorizing it to allow Village employees to participate.

Claims Processing & Cash Disbursement

The Clerk distributed copies of the audit for year end 5/31/2019 and reported that the auditor noted a deficiency in internal controls.

She explained that Village Law requires a board to audit all claims against a village before approving them for payment. The Board may, by resolution, authorize payments for utility services, postage, and freight and express charges in advance of audit. The claims for such advanced payment must be presented at the next regular board meeting for audit.

The auditor noted:

- The Village has not approved a resolution to authorize such advance payments for utility services, postage, and freight and express charges in advance of audit
- At times, invoices in the listed categories were paid during the period between Board Meetings, prior to audit by the Board as a whole.
- Invoices approved by the Mayor or Deputy Mayor along with the Village Clerk/Treasurer needed to be added to the abstract reviewed and approved by the Board at the next meeting.

The auditor recommended the following:

- The Board resolve to authorize the payment for utility services, postage, freight and express charges in advance of audit, annually at the organization meeting.
- When an instance arises for advance payment between Board Meetings, the claim should be added to the abstract for the next board meeting with the payment ratified or approved by the Board.

The Clerk reported that each month there are other time sensitive bills, not as described in the Village Law, that require payment before the Board meeting, such as VISA, WEX, Staples and the cost of temporary labor. She agreed to discuss with the auditor how to handle payment of these bills and would report their recommendations to the Board in December.

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

RESOLVED to authorize the Clerk to make payments for utility services, postage, and freight and express charges in advance of audit. The claims for such advanced payments will then be presented at the next regular board meeting for audit.

2020 Oyster Bay Water District Hydrant Rental Contract and TOBAY Salt/Sand Contract

The Clerk presented the Water District contract to the Board for their approval. The contract covers the rental of 16 hydrants located on Centre View Drive, Canon Lane, Glen Cove Road, Pond View Drive and West View Drive, at \$90 per hydrant for a total of \$1,440.

The Clerk then presented the TOBAY Sand and Salt contract that would permit the Village to purchase these materials from TOBAY on an as-needed basis, at the same rate at which the Town purchased the sand and salt, at a per yard fee.

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

RESOLVED, to authorize the Mayor to (a) sign the contract to rent 16 hydrants from the Water District at an annual rate of \$90 per hydrant and, (b) to sign the contract to permit the Village purchase salt and sand from TOBAY at the same rate at which the town purchases the material.

(See Attached Exhibit D)

SCAR Assessment Reduction/Village Tax Refunds

The Clerk reported that a resident was awarded an assessment reduction in a Small Claims Proceeding for the 2019/20 tax year against Nassau County. She noted that the Village was served a copy of the Petition and recommended that the Board authorize the reduction and refund on the Village assessment roll as required by law. After discussion and on motion duly made and seconded, it was

RESOLVED, that the Village Clerk/Treasurer be, and she is hereby authorized to reduce the assessed value for the premises owned by the following resident, and to refund the appropriate Village tax to the respective owner or representative based on the reduction, provided the Village taxes have been paid in full, and copies of applications were submitted to the Village as follows:

Mehta – Sec. 24, Blk. 26, Lot 10, assessed value of \$2561, reduced to \$2301 for a total refund of \$375.44. (*See Attached Exhibit E*)

Justice Court Grant

The Clerk/Treasurer reported that the Court Clerk requested the Board's approval to apply to the Justice Court Assistance Program for a court grant to purchase a new printer/copier and 50 courtroom chairs. The new printer/copier would have scanning and faxing capabilities and would replace the one she is no longer able to purchase toner for, which was obtained with a grant about 8 years ago. The chairs would replace the ones used by the general public which have become worn & dangerous to sit on and were last purchased with a similar grant over 10 years ago.

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

RESOLVED, to approve the grant application to the Justice Court Assistance Program to apply for funding to purchase a new printer/copier with faxing and scanning capabilities and 50 courtroom chairs.

ROAD COMMISSIONER/CODE INSPECTOR REPORT

The Road Commissioner reported they were busy cleaning up the Village due to the nor'easter at the beginning of the month.

He also scheduled for a large, dangerous ash tree to be removed from Mill River Road on December 4th, weather permitting. PSEG will remove the upper portion of the tree to below the power lines and a tree contractor, hired by the Village, will remove & dispose of the debris as well as the remaining portion of the tree. The job is expected to take two days and from time to time, portions of Mill River may be shutdown. Traffic control will be provided by the Village. He was quoted a daily rate of between \$2,500 - \$3,000 per day from two contractors and will obtain a third bid before awarding the job.

The Mayor requested the Clerk to send out a Village wide email alerting residents to the dangerous tree and the possible road closure as the date approaches.

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

RESOLVED to authorize the Road Commissioner to hire a tree removal company to work with PSEG to remove the dangerous tree on Mill River Road.

BUILDING DEPARTMENT REPORT

The Clerk/Treasurer referred to the report submitted by the Building Department Clerk for October 2019 activity. (*See Attached Exhibit F*).

MAYOR'S REPORT

New Village Hall

The Mayor introduced Doug Schneider from Schneider Architectural Works who presented preliminary drawings for a new Village Hall.

Portions of the plans are based on the original plans designed for the Village by Innocenti & Webel in 1990. It has been designed to appear as a residential structure, styled in colonial Georgian architecture to keep with the look of structures in the area of the Village property at the intersection of Chicken Valley & Wolver Hollow Road.

The Board thanked the Architect for his efforts and looked forward to more detailed drawings that meet the needs of the Village. The Mayor noted that the Village has yet to hear a proposal from a second Architect working on the project.

Appointment of Deputy Police Commissioner

Next, the Mayor thanked Deputy Police Commissioner Dolido for her exemplary contribution over many years of dedicated service to the Village and the Old Brookville Police Department. She served as both Commissioner and Deputy since March 2016. The Mayor recommended the Board appoint Trustee Madden as Deputy Commissioner to fill her unexpired term until July 2020.

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

RESOLVED to appoint Trustee Madden as Deputy Police Commissioner to fill the unexpired term of Trustee Dolido.

Parking Area for Old Brookville Police Vehicles

The Mayor reported that the Police have requested a parking area for their vehicles on the Nassau County easement along Wolver Hollow Road to help with congestion of police department parking. This would require an amendment to Village Code as it does not currently permit parking on roads in the Village and a 239F permit from Nassau

County. The Mayor recommended that the Village hire the Village Engineer to design a parking area to be submitted with the Nassau County permit application. Assuming there is sufficient space to park up to 10 police-related vehicles diagonally and the permit is issued, the Village will work on the law change.

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

RESOLVED to work with the Village Engineer to develop a parking plan for submission to the County.

POLICE REPORT

Deputy Police Commissioner Dolido reported that the Board of Commissioners, at the most recent Board Meeting, amended the 2019-2020 OBPD budget reducing the next two police protection contract payments for 2019/20. This is projected to result in an increase in the Village of Upper Brookville General Fund of approximately \$970,749. The Board also adopted a Fund Balance Policy for the Old Brookville Police Department going forward.

FIRE & STORM WATER MANAGEMENT REPORT

No Report

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 police matters.

The Board came out of Executive Session and no action was taken.

The next meeting of the Board of Trustees is scheduled for Monday December 16, 2019. The meeting was adjourned at 6:15 p.m.

Signed by Tracy Lynch on November 25, 2019

Tracy Lynch
Village Clerk