

**VILLAGE OF UPPER BROOKVILLE
BOARD OF TRUSTEES' MEETING
OCTOBER 19, 2020
BY ZOOM**

A regular meeting of the Board of Trustees of the Incorporated Village of Upper Brookville, Nassau County, New York, was held by Zoom on Monday October 19, 2020 at 5:30 P.M.

Present:	Elliot S. Conway	Mayor
	Carl A. Friedrich	Trustee
	Edward J. Madden	Trustee
	Innis O'Rourke III	Trustee
	Antje B. Dolido	Trustee

Also Present: Tracy L. Lynch, Clerk/Treasurer
Sam Vergata, Road Commissioner
Peter MacKinnon, Esq. of Humes & Wagner, LLP
Attorneys for the Village
Marsha Greenman, Resident

The Mayor called the meeting to order at 5:30 P.M. and stated that the Village meeting is being held by Zoom which is now legally permitted by Executive Order 202.1 of the New York Governor. Call in information for the Zoom conference has been provided to the official paper and posted on the Village website and at Village Hall. 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 PLEDGE OF ALLEGIANCE

MINUTES

The Mayor then called for approval of the regular minutes of the Trustee meeting held on September 21, 2020 and special minutes of the Trustee meetings held on September 23, 2020 and September 30, 2020.

On motion duly made and seconded, the minutes were unanimously approved.
(See Attached Exhibit A, B & C)

FINANCIAL REPORT

Bills

The Clerk/Treasurer discussed all claim forms listed on the Check Detail dated October 19, 2020 in the total sum of \$9,666.40 and November 2, 2020 totaling \$51,043.17 and reported that she reviewed the supporting invoice details and/or purchase contracts with a Trustee prior to the meeting.

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

RESOLVED, to ratify the bills listed on the Check Detail dated October 19, 2020 in the total sum of \$9,666.40 and approve the bills listed on the Check Detail dated November 2, 2020 totaling \$51,043.17 which are annexed to these minutes.
(*See Attached Exhibit D & E*)

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 September 2020. (*See Attached Exhibit F*)

VILLAGE CLERK'S REPORT

SCAR Assessment Reduction/Village & Tax Refund

The Clerk reported that a resident was awarded an assessment reduction in Small Claims Proceeding for the 2020/21 tax years 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 premise 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 application were submitted to the Village as follows:

Hochberg – Sec. 24, Blk. 18, Lot 10 2020/21 assessed value of \$1437 reduced to \$1307 for a total refund of \$301.02.

Film Permit

The Clerk reported that the Board previously approved a film permit application at 1327 Wolver Hollow Road for November 10, 12 & 13. It is for a Netflix production titled 'Halston'. She confirmed receipt of all insurances and a permit fee of \$7,500.

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

RESOLVED to ratify the film permit application for 1327 Wolver Hollow Road.

Street Light Replacement

The Clerk reported that one of the new LED fixtures installed on Piping Rock Road went missing after Tropical Storm Isaias. The estimated cost for a new fixture, shipping

and installation is around \$2,000 and she submitted a claim to the insurance company and was expecting to be reimbursed for a portion of the replacement cost.

She recommended that the Village purchase two additional spare fixtures since the lead time is six weeks.

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

RESOLVED to purchase a total of three LED light fixtures at a cost not to exceed \$6,000.

(See Attached Exhibit G)

ROAD COMMISSIONER/CODE INSPECTOR REPORT

The Road Commissioner reported that his crew has been busy with maintenance throughout the Village. He reported that two catch basins on Ripley Lane were clogged with sand and he would get pricing to clean them out and present the estimate to the Board in November.

He also noted that the line striping on Mill River Road, Planting Fields Road and Ripley Lane would be commencing later this week, weather permitting.

Mill River Road Speed Humps

A resident expressed her concerns about the amount of traffic, heavy trucks and speeding on Mill River Road. She has a unique prospective of the problem because her home sits very close to the road. She believes that the road is used as a cut through for vehicles when traveling North or South and recommended that the Village install moveable speed humps along the road to reduce the speed of vehicles and divert traffic to other roads.

The Mayor recommended that the Village Engineer conduct a traffic study to both review the appropriateness of speed humps to calm traffic and make recommendations as to the best way to reduce traffic, heavy trucks and speeding vehicles on the road.

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

RESOLVED to have the Village Engineer conduct a traffic study not to exceed \$5,000.

BUILDING DEPARTMENT REPORT

The Clerk/Treasurer referred to the reports submitted by the Building Department Clerk for September 2020 activity. *(See Attached Exhibit H)*

MAYOR'S REPORT

Proposed Local Law B-2020

The Mayor introduced proposed Local Law B-2020 which amends Chapter 205 "Zoning" definitions for Accessory Building and Family Swimming Pool.
(See Attached Exhibit I)

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

RESOLVED to hold a public hearing on proposed Local Law B-2020 at the November Board meeting.

Generator Bulk Purchasing

The Mayor reported that he was still working with companies to offer residents a volume discount on the purchase and installation of generators and underground fuel tanks.

Lawn Lane Cul-De-Sac Transfer

The Mayor reported that he attended the Nassau County Legislator Meeting and they voted to transfer the cul-de-sac at the end of Lawn Lane to the Village. Once the property is formally transferred, the Village will reimburse the resident who paid for the reconstruction of the portion of the cul-de-sac fronting her property.

POLICE REPORT

No Report

FIRE & STORM WATER MANAGEMENT REPORT

No Report

ARCHITECTURAL REVIEW REPORT

No Report

LEGAL REPORT

The Village Attorney discussed two pending litigation matters which have been delayed or postponed due to the pandemic.

PUBLIC COMMENT

No Comment

EXECUTIVE SESSION

The Mayor closed the meeting at 6:30 p.m. to enter into Executive Session to discuss a potential Village Hall site and building code matters.

At 6:50 p.m. the Board came out of Executive Session and on motion duly made and seconded, the Trustees unanimously

RESOLVED that, on behalf of the Village of Upper Brookville, the Mayor be and he is hereby authorized to negotiate the terms and conditions of a real estate transaction to purchase property within the Village for municipal purposes with a purchase price not to exceed \$1,675,000, with a closing not later than December 15, 2020, time being of the essence, and

FURTHER RESOLVED, on behalf of the Village of Upper Brookville, the Mayor, upon confirming the terms and condition of the real estate transaction with the Village Trustees by email, be and he is hereby authorized to sign a contract of purchase on the terms and conditions provided to and approved by the Village Trustees, and

FURTHER RESOLVED that the Village Clerk is authorized at the request of the Mayor and Trustees to issue a down payment check for the purchase in the amount of 10% of the accepted purchase price, to be payable to the attorney for the Seller and to be held in escrow until closing of title, or refunded to the Village if the transaction does not close by December 26, 2020.

The meeting was adjourned at 6:55 p.m. The next regular meeting of the Board of Trustees is scheduled for Monday November 16, 2020.

Signed by TL Lynch on 11/16/20

Tracy Lynch
Village Clerk