

**VILLAGE OF MATINECOCK
PUBLIC HEARING ON PROPOSED LOCAL LAW C-2023,
PUBLIC HEARING ON 2023 FIRE PROTECTION CONTRACT,
AND
REGULAR BOARD OF TRUSTEES' MEETING
December 19, 2023**

A public hearing on Proposed Local Law C-2023, public hearing on the 2024 Fire Protection Contract and a regular Trustees meeting were held by the Board of Trustees of the Incorporated Village of Matinecock, Nassau County, was held at the Portledge School on Duck Pond Road in the Village, on Tuesday, December 19, 2023, at 6:30 P.M.

Present:	Kenneth J. Goodman, MD	Mayor
	Linda Berke	Trustee
	Carol E. Large	Trustee
	William R. Denslow, Jr.	Trustee
	William I. Hollingsworth	Trustee
	Robert Marmorale	Trustee

Absent:	Albert Kalimian	Trustee
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Also Present:	James Wellington - Public Works Commissioner
	Jennifer A. Zoufaly, Village Clerk/Treasurer
	Peter P. MacKinnon, Esq., of
	Humes & Wagner, LLP
	Attorneys for the Village

HEARING ON PROPOSED LOCAL LAW B-2023

The Mayor called the hearing on proposed Local Law C-2023, amendment to Chapter 185, "*Vehicles and Traffic*," of the Code of the Village of Matinecock. The proposed local law will amend Section 185-2, "*Though highways and stop intersections*," by adding the following to the Code: (5) Planting Fields Road is hereby designated as a through highway, except for commercial traffic, which is prohibited unless such commercial traffic is making a delivery or pickup of merchandise or other property to any resident that is located on any portion of Planting Fields Road, including those residences located in the Village of Upper Brookville. The affidavits of publication of the notice of hearing and mailing of the local law and notice were presented.

The Mayor then called for comments in favor of, or in opposition to, the proposed local law. There being no further comments, the Mayor closed the hearing.

2024 FIRE PROTECTION CONTRACT HEARING

The Mayor then opened the public hearing on proposed 2024 fire contract between the Village of Matinecock and the Locust Valley Fire District. The affidavit of publication of the notice of the hearing was presented and ordered annexed to the minutes. The proposed 2024 fire protection contract will require the Village to pay \$108,128, for fire protection and emergency ambulance service for that part of the Village outside of the Locust Valley Fire District for the 2024 calendar year.

After discussion, there being no further comments or questions, the Mayor closed the fire contract hearing.

The Mayor 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 November 19, 2023, which, on motion duly made and seconded, were unanimously approved, with Trustee Berke abstaining as having not been present.

PUBLIC WORKS REPORT

Commissioner of Public Works Wellington reported that he issued one tree permit and has another tree application pending receipt by the Village of payment. Commissioner Wellington also reported that the accident claim asserted against the Village for damage to a vehicle at 250 Yard Drive and Piping Rock Road by a falling tree limb has been investigated. It was determined that the tree was located in the Village of Old Brookville and not in the Village of Matinecock. Lastly, Commissioner Wellington reported that he is in the process of replacing a stop sign and Village sign at the triangle at Smithers Pond which was recently destroyed by a commercial truck.

COMMERCIAL LANDSCAPING NOISE COMPLAINT

The Mayor discussed with the Board the recent letter received from Village resident Mr. Rodes Ponzer, copy attached, regarding excessive commercial landscaping noise in the Village. The Mayor noted that the Village currently regulates the times that commercial landscapers are prohibited from working in the Village. Those time frames are: Before 8:00 a.m. and after 5:00 p.m. Monday through Friday; Before 8:00 a.m. and after 1:00 p.m. on Saturday, and ll Sundays and legal holidays.

The Board concurred that recently there appears to be excessive commercial landscaping noise in the Village. The Mayor noted that the current noise ordinance was adopted in 2012. The original proposal in 2012 would have prohibited commercial landscaping work on Saturday and Sunday. Multiple landscapers and homeowners pointed out that if there was inclement weather during the weekday, those residents would not have their properties serviced for a week. It was finally resolved with a compromise of permitting commercial landscaping work to be done on Saturday only between the hours of 8:00 am and 1:00 pm and no Sunday work.

The Mayor noted he will send a reminder notice to all Village residents on the weekend time restrictions on commercial landscaping work. He also agreed to respond directly to Mr. Ponzer's letter.

CLERK/TREASURER'S REPORT

BILLS

The Village Clerk presented revised Warrant No.714 dated November 1-30, 2023, in the amount \$320,695.39; and Warrant No. 715 dated December 1-19, 2023 in the amount of \$370,785.16. The Village Clerk also presented for the Trustees review, all vouchers with supporting documentation for said claims which are listed on Warrants 714 and 715. After discussion and an opportunity to review all claims, the Board on duly motion made and seconded, approved all claims on Warrants 714 and 715 and directed the Village Clerk/Treasurer to make payment.

TREASURER'S REPORT

The Treasurer's Report for the month ending November 30, 2023, with Budget Transfers, were presented, examined, approved and ordered filed, subject to audit. The Village Clerk/Treasurer requested approval to transfer \$305,000 to cover the third payment to the Brookville Police Department and second payment to the Locust Valley Fire Department to maintain the Collateral Balance of \$600,000 from the General Savings Account to the Checking Account as required by FNBLI. After discussion, on motion duly made and seconded, the Board approved the requested

transfer. Lastly, the Village Clerk reported that the savings accounts at FNBLI received an interest rate of 5.12% for the month of November for a total of \$16,188.52.

BUILDING DEPARTMENT

The Building Inspector's November Report on the status of current building permits and projects in the Village, along with the revenue report for the month of November was reviewed and discussed, copies are annexed.

MAYOR'S REPORT

The Mayor reported that the Locust Valley Water District has started construction of the District's new pumping station. The Water District recently installed a split rail fence on the shoulder of Wellington Road to prevent the workers servicing the cellular tower facilities from parking on the private road. As requested, the District recently delivered for Village approval architectural samples of the brick and stone that will be used on the building exterior.

POLICE

The Mayor reported that crime continued to be light. The Mayor did note that unfortunately a horse was recently killed during the recent rain/wind storm at a barn on Crabapple Lane. He also reported that the Chief of Police has prepared a memo to be sent out to all Village residents on guidelines on how to protect your home from burglars. The Chief's memo will be included in the Village's resident mailing in January 2024.

ADOPTION OF LOCAL LAW 3-2023

The Board considered the adoption of Local Law 3-2023, amendment to Chapter 185, "*Vehicles and Traffic*," of the Code of the Village of Matinecock. The proposed local law will amend Section 185-2, "*Though highways and stop intersections*," by adding the following to the Code: (5) Planting Fields Road is hereby designated as a through highway, except for commercial traffic, which is prohibited unless such commercial traffic is making a delivery or pickup of merchandise or other property to any resident that is located on any portion of Planting Fields Road, including those residences located in the Village of Upper Brookville. After discussion, and on motion duly made and seconded, the Board unanimously

RESOLVED, that in accordance with Article 8 of the State Environmental Quality Review Act, the adoption of Local Law 3-2023 amendment to Chapter 185, "*Vehicles and Traffic*," of the Code of the Village of Matinecock. The proposed local law will amend Section 185-2, "*Though highways and stop intersections*," by adding the following to the Code: (5) Planting Fields Road is hereby designated as a through highway, except for commercial traffic, which is prohibited unless such commercial traffic is making a delivery or pickup of merchandise or other property to any resident that is located on any portion of Planting Fields Road, including those residences located in the Village of Upper Brookville," shall be classified as a Type II Action and shall require no further environmental review, and further

RESOLVED that Local Law 3-2023 amendment to Chapter 185, "*Vehicles and Traffic*," of the Code of the Village of Matinecock, be, and the same hereby is, enacted by the Board of Trustees of the Incorporated Village of Matinecock as follows:

**PROPOSED LOCAL LAW C-2023
AMENDMENT TO CHAPTER 185
VEHICLES AND TRAFFIC
CODE OF THE VILLAGE OF MATINECOCK**

A local law to amend Chapter 185, "*Vehicles and Traffic*," Section 185-2, "*Through highways and stop intersections*," to the Code of the Village of Matinecock. The Code was adopted by Local Law 2-2000 by the Board of Trustees on February 16, 2000 and last amended by Local Law 1-2023 adopted by the Board on February 21, 2023.

BE IT ENACTED by the Board of Trustees of the Incorporated Village of Matinecock as follows:

SECTION I. Amend Chapter 185-2, "*Through highways and stop intersections*", to read as follows:

§ 185-2. Through highways and stop intersections.

A. The following highways are hereby designated through highways, and all vehicles approaching said through highways as below specified shall come to a full stop in accordance with the stop signs posted at these locations:

(1) Chicken Valley Road is hereby designated a through highway, and stop signs shall be erected on the following entrances thereto:

- (a) Thorne Lane from the north.
- (b) Valley Road from the west.
- (c) Planting Fields Road from the east.
- (d) Wolver Hollow Road from the south.
- (e) Locust Lane from the south.
- (f) Crabapple Lane from the west.

(2) Piping Rock Road is hereby designated a through highway, and stop signs shall be erected on the following entrances thereto:

- (a) Frost Pond Road from the west.
- (b) Pink Woods Lane from the west.
- (c) Linden Farms Road from the east.
- (d) Underhill Road from the west.
- (e) 250 Yard Drive from the east.

(3) Birch Hill Road is hereby designated a through highway, and stop signs shall be erected on the following entrances thereto:

- (a) Town Cocks Lane from the north.

(b) Underhill Road from the west.

(4) Locust Valley - Oyster Bay Road is hereby designated a through highway, and stop signs shall be erected on the following entrances thereto:

(a) Laurel Lane from the west.

(5) Planting Fields Road is hereby designated as a through highway, except for commercial traffic, which is prohibited unless such commercial traffic is making a delivery or pickup of merchandise or other property to any resident that is located on any portion of Planting Fields Road, including those residences located in the Village of Upper Brookville.

SECTION II. This local law shall take effect upon filing with the Department of State.

NOTE: New words are double underlined. Deletions are ~~struck out~~. Dotted . . . lines set off that portion of a Section or Subsection which is amended.

Votes in favor of adoption:	Kenneth J. Goodman	Aye
	Linda Berke	Aye
	William R. Denslow, Jr.	Aye
	Carol E. Large	Aye
	William I. Hollingsworth III	Aye
	Robert Marmorale	Aye

Not voting as being absent: Albert Kalimian

Votes against adoption: None

APPROVAL OF FIRE PROTECTION CONTRACT

The Mayor then asked the Board to consider the proposed fire contract for 2024. After discussion, and on motion duly made and seconded, the Board unanimously

RESOLVED, that the Fire Protection Contract between the Incorporated Village of Matinecock and the Locust Valley Fire District for the 2024 calendar year for fire protection and emergency ambulance service at a total cost of \$108,128, be, and the same hereby is, approved, and

FURTHER RESOLVED, that the Mayor, or in his absence the Deputy Mayor, be, and they hereby are, authorized to execute the Fire Protection Contract.

EXTENT REQUEST FOR EXEMPTION FROM MORATORIUM

The Village Attorney reported that Extent is requesting that the Trustees exempt its application to the Village Building Department from the Village's moratorium based upon its building permit application filing date. The Trustees agreed to take the request under consideration, subject to confirming the exact location of the 4 proposed equipment installation site, that Extent is proposing to be located in the Village.

NORTH SHORE LAND ALLIANCE - CONTINUED TAX EXEMPT REQUEST- 23/K/535

The Village Attorney circulated a letter from Lisa Ott, President of the North Shore Land Alliance in connection with the continued tax exemption for the Cushman Woods Preserve, designated as Section 23 Block B Lots 491 & 492 for the upcoming 2024 Village Assessment Roll. After discussion, the Board agreed that the property continues to be used for conservation purposes, and therefore its tax exemption status should be continued for the 2024/25 Village Final Assessment roll.

NORTH SHORE LAND ALLIANCE - TAX EXEMPT REQUEST- 23/B/491 & 492

The Village Attorney circulated a letter from Lisa Ott, President of the North Shore Land Alliance in connection with the assessment classification of the property, designated as Section 23 Block B, Lot 535. Mrs. Ott notes that the property was acquired by the North Shore Land Alliance on June 2022 and was designated as tax-exempt for the 2023/24 School and 2024 General Assessment roll. Unfortunately, the North Shore Land Alliance was not aware that the Village of Matinecock was a separate assessing unit and omitted to file for tax-exempt status for the Village's 2023 Assessment Roll on or before December 31, 2022.

The North Shore Land Alliance has now filed with the Village the appropriate tax-exempt petition seeking to tax exemption on the Village's final 2024/25 Assessment Roll. The Village Clerk reported that Lot 535 has been apportioned by the Nassau County Department of Assessment and will appear on the 2024 Village Assessment Roll as Lot 721 and 722. After discussion and on motion duly made and seconded, the Trustees unanimously resolved that the property, formerly designated as Section 23 Block K Lot 535 and now designated as Lots 721 and 722, currently owned by the North Shore Land Alliance, and used for conservation purposes, be deemed exempt for Village tax purposes on the 2024/25 Village final Assessment Roll.

BOT MEETING DATES FOR 2024

The Village Clerk presented the schedule for the 2024 Board of Trustees meeting dates. The meetings shall be held the 3rd Tuesday of each month commencing at 6:30 PM, excluding the month of August. After discussion and on motion duly made and seconded the Board unanimously

RESOLVED to approve the Board of Trustee meeting dates. Said dates which are annexed to these minutes and shall be published in the Oyster Bay/Glen Cove Record Pilot.

NEXT MEETING

The next meeting of the Board of Trustees is scheduled for January 16, 2024.

There being no further business, the meeting was closed.


Village Clerk