

**VILLAGE OF MATINECOCK  
REGULAR BOARD OF TRUSTEES' MEETING  
JANUARY 17, 2023**

A regular Trustees' meeting was held by the Board of Trustees of the Incorporated Village of Matinecock, Nassau County, New York, at Portledge School on Duck Pond Road in the Village, on Tuesday, January 17, 2023 at 6:30 P.M.

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

|               |   |
|---------------|---|
| Also present: | Chad Brisbane, Village Fire Dept. Liaison           |
|               | James F. Wellington, Commissioner of Public Works   |
|               | Jennifer A. Zoufaly, Village Clerk/Treasurer        |
|               | Peter P. MacKinnon, Esq., of<br>Humes & Wagner, LLP |

The Mayor called to order the regular meeting of the Board of Trustees. He requested that the affidavits of mailing and posting of the Public Information Notice in compliance with the Open Meetings Law, which were presented, be annexed to the minutes of this meeting.

#### **MINUTES**

The Mayor called for approval of the minutes of the Trustees' meeting held on December 20, 2022, which, on motion duly made and seconded, was unanimously approved as presented.

#### **BILLS/ABSTRACT OF CLAIMS**

The Village Clerk presented Warrant No. 704 dated January 17, 2023, in the amount of \$340,596.79 and amended Warrant No 703 dated December 31, 2022, in the amount \$109,219.27. The Village Clerk also presented for the Trustees review, all vouchers with supporting documentation for said claims which are listed on Warrants 703 and 704. After discussion and an opportunity to review all claims presented on Warrants 703 and 704, the Board on duly motion made and seconded, approved all claims on Warrants 703 and 704 and directed the Village Clerk/Treasurer to make payment.

#### **TREASURER'S REPORT**

The Financial Reports for the month ending December 2022 were presented and examined, approved and ordered filed, subject to audit. The Village Clerk/Treasurer requested approval to transfer \$350,000 from the General Savings to the Checking Account to maintain the Collateral Balance of \$600,000 as required by FNBLI. After discussion, on motion duly made and seconded, the Board approved the requested transfer. The Clerk also circulated a copy of the current balances in all of the Village's accounts as of January 17, 2023, copy attached.

## **VERIFICATION OF TENTATIVE ASSESSMENT ROLL**

The Board of Trustees considered the tentative assessment roll of the Village for the fiscal year 2023/2024. The Village Clerk requested that the Mayor and Trustees place their signatures on it to indicate that the tentative assessment roll was completed. On motion duly made and seconded, the Board unanimously

**RESOLVED**, that the tentative assessment roll of the Village of Matinecock for the fiscal year 2023/2024 be, and the same hereby is, completed as filed and notice of completion of the tentative assessment roll and hearings of complaints on assessment is hereby ordered to be published as required by law.

## **UNPAID TAXES**

The Village Clerk presented to the Board a list of property owners whose 2022/23 Village taxes are unpaid. Thereafter, on motion duly made and seconded, the Board adopted the following preambles and resolutions:

**WHEREAS**, the Village Treasurer has delivered to the Board of Trustees an account of unpaid taxes with a verified statement that the taxes set forth in said account remain unpaid, and

**WHEREAS**, the Village Treasurer has been unable to collect the same, and

**WHEREAS**, the Village has adopted Local Law 1-1994 which provides that the Village may continue to enforce the collection of Village property taxes pursuant to Title 3 of Article 14 of the Real Property Tax Law as in effect on December 31, 1994, the effect of which has been extended for Village taxes which become liens until December 31, 2024;

### **NOW, THEREFORE, BE IT**

**RESOLVED**, that the Board of Trustees, having compared the account of unpaid taxes in the total amount of \$30,284.36 with the original roll, hereby certifies the same to be a true transcript and directs each Trustee to certify that the account and the total amount of the taxes unpaid has been compared and found to be correct, and

**FURTHER RESOLVED**, that within fifteen (15) days after the tax roll and warrant has been returned by the Treasurer, said document shall be filed in the Office of the Official Village Clerk and a copy of said roll shall be permanently retained as a public record, and

**FURTHER RESOLVED**, that the Village Treasurer be, and she hereby is, authorized and directed to collect the unpaid Village taxes by appropriate action under the Real Property Tax Law, including a tax sale. Such tax sale, if held, shall be scheduled no later than March 31, 2023, as per the NYS Governor, provided by Article 14, Title 3, Section 1452 of the Real Property Tax Law of the State of New York.

## **GRIEVANCE DAY**

The Village Clerk noted that February 21, 2023 has been designated as Grievance Day for real property assessment review of Village assessments.

## ANNUAL VILLAGE ELECTION

The Board considered proposed resolutions pertaining to the registration of all persons eligible to vote and the offices to be filled at the annual Village election to be held on June 20, 2023. Accordingly, on motion duly made and seconded, it was unanimously

**RESOLVED**, that, in accordance with a resolution adopted on January 27, 1993, there shall be no Village registration day for Village elections pursuant to Subdivision 3 of Section 15-118 of the Election Law, and

**FURTHER RESOLVED**, that only those persons registered to vote with the Board of Elections of Nassau County on the tenth day before Village elections shall be eligible to vote, and

**FURTHER RESOLVED**, that the Inspectors of Election shall meet on June 16, 2023 at 7:30 p.m. to adopt, use or copy from the registration list, certified and supplied by the Nassau County Board of Elections, the names appearing thereon of all persons, residing in the Village and qualified to vote at such forthcoming general Village election, and

**FURTHER RESOLVED**, that the next general election for the Incorporated Village of Matinecock, Nassau County, New York, shall be held at the Portledge School on Duck Pond Road in said Village on June 20, 2023 that the hours of opening and closing the polls thereof shall be 12:00 noon and 9:00 P.M. respectively and that during such period of nine consecutive hours the polls shall be kept open for the purpose of choosing and electing the following officers:

Trustee for a term of four years

Trustee for a term of four years

Trustee for a term of four years

It was noted that either two or four Inspectors of Election must be appointed before the forthcoming election. Accordingly, on motion duly made and seconded, the Board unanimously

**RESOLVED**, that the following be, and they are hereby, designated and appointed to act as Inspectors of Election, with Allen Lindberg presiding as Chairperson thereof:

Allen Lindberg, Chairperson

Lois Lindberg

Tom Hornosky

and

**FURTHER RESOLVED**, that the Clerk of the Village be, and he hereby is, directed to prepare a proper notice for the annual election pursuant to Sections 15-104 of the Election Law and to cause the said notice to be published in the official newspaper of the Village, namely, the Glen Cove Oyster Bay Record Pilot in its issue of February 8, 2023, specifying the time and place of holding the election; the hours of opening and closing of the polls and the office and term to be filled, and

**FURTHER RESOLVED**, that the Clerk of the Village be, and she hereby is, directed to prepare a proper notice of said annual election pursuant to Section 15-104 of the Election Law and to cause said notice to be published in said Glen Cove Oyster Bay Record Pilot in its issue of June 7, 2023, containing the date of the election and the polling place; the hours during which the polls shall be open; the names and addresses of all those who have been duly nominated whose certificate of petition of nomination has been duly filed with said Village Clerk and the term of

such office for which they have been so nominated, an abstract of any proposition to be voted upon, if any, and to cause a printed copy thereof to be posted conspicuously in at least six (6) public places in the Village at least one (1) day before said election and at each polling place, and

**FURTHER RESOLVED**, that a ballot box shall be used at this election.

### **INDEPENDENT ANNUAL AUDIT FOR 2021/22**

The Village Clerk circulated the audit and management letter from Skinnon & Faber, which reported its findings following an examination of the books and records of the Village for the fiscal period June 1, 2021, through May 31, 2022. After discussion, the Board tabled accepting the audit and requested that the Village Attorneys draft a letter in connection with their audit reservations.

### **BUILDING DEPARTMENT**

The Building Inspector's Report on the status of current building permits and projects in the Village was reviewed and discussed. The Clerk/Treasurer also referred to the revenue report submitted by the Building Department Clerk for the month of December 2022 activity, annexed.

### **POLICE REPORT**

Mayor Goodman reported that police activity in the Village over the past month has been quiet. However, burglaries in the surrounding Village of Muttontown continue to be reported. The Brookville Police Department and other North Shore Departments are working with Legislator Anna Kaplan to secure a grant to equip those North Shore Villages with license plate readers that would allow for greater and more effective traffic enforcement. The Mayor also reported on a fatal car accident in the Village of Old Brookville on Chicken Valley Road. The accident involved a 16 year old female driver from Seaford. The Mayor sadly reported on a recent suicide of a young male resident, discovered on Underhill Road in the Village.

### **COMMISSIONER OF PUBLIC WORKS**

Commissioner of Public Works, Jim Wellington reported that for the past month he approved and issued 2 tree removal permits. He also reported that Rick Testa did a Village wide litter pickup on all roads in the Village. Mr. Wellington stated that he received a resident's complaint about a pot hole on Piping Rock Road (a Nassau County Road) at the intersection with Linden Farms Road. Nassau County DPW did the repair, but Mr. Wellington requested that Nassau County redo the repair, which Nassau County has agreed to. Mr. Wellington reported that he will be removing and disposing of all advertising signs that have been posted without a permit on the shoulder of all public roads in the Village. The Board then discussed the amount of NYS CHIPS funds that are currently available for Village projects. The Board agreed that current and future CHIPS funds should be reserved for the future repair of Planting Fields Road.

### **ARTICLE 7 SETTLEMENT - BRENDA T. ESSEX CALLAWAY - TAX REFUND**

The Village Attorney reported that on behalf of the Village, he and the representative for Brenda T. Essex Callaway have negotiated a settlement of the pending tax certiorari cases against the Village for the tax year 2015/16 thru 2022/23 for the Village's approval. After discussion, and on motion duly made and seconded, it was unanimously

**RESOLVED**, that the settlement with Brenda T. Essex Callaway, Section 23, Block B4, Lot 427, 457 for the pending tax certiorari cases for the Village tax years January 1, 2015 through January 1, 2022 as set forth in the attached Stipulation of Settlement,

attached, be the same is hereby approved, and the Village Attorney is authorized to execute said Stipulation on behalf of the Village, and it is

**FURTHER RESOLVED**, that for all year involved, the total lump sum refund shall be \$2,839, and there shall be no interest or penalties due the property owners for the settlement tax year; and

**FURTHER RESOLVED**, the Village Clerk/Treasurer is hereby directed to issue a refund in the amount of \$2,839 to the property owner's representative upon the submission of the appropriate claim form.

### **FILMING REQUEST - 11 HIGH RIDGE LANE**

The Village Attorney noted his office received a request to film at 11 High Ridge Lane on Thursday, January 19 and Friday, January 20<sup>th</sup>. The Village Attorney advised the location scout that the filming permit must be approved by the Board of Trustees and would be considered at the January Trustees meeting. The production scout noted that the approval time frame did not work for his production and withdrew the permit application.

### **PROPOSED LOCAL LAW A-2023 - NEW CHAPTER 65, "FILMING"**

The Mayor noted that the Attorneys for the Village had circulated proposed Local Law A-2023, addition of new Chapter 65, "Filming." The proposed local law will set forth regulations pertaining to commercial filming in the Village. These regulations will establish a permit and permit procedures pertaining to commercial filming the Village. After further discussion, and upon motion duly made and seconded, it was unanimously

**FURTHER RESOLVED**, that the Village Attorneys be, and they hereby are, directed to schedule a public hearing for the February 21, 2023 Trustees meeting to consider Proposed Local Law A-2023.

### **PENDING LITIGATION**

The Village Attorney reported on the Soref v. Village of Matinecock litigation noting they have withdrawn their claim against the Village.

### **LOCUST VALLEY WATER DISTRICT PUMP STATION UPGRADE**

The Mayor reported that new renderings from the Locust Valley Water District have been provided to the Village. The Village is awaiting from the Water District the final building design plans and the site plan showing all proposed site improvements.

### **NEXT MEETING**

The next meeting of the Board of Trustees is scheduled for February 21, 2023.

There being no further business, the meeting was adjourned.

  
Village Clerk