

**VILLAGE OF MATINECOCK  
REGULAR BOARD OF TRUSTEES' MEETING  
JANUARY 23, 2024**

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 23, 2024 at 6:30 P.M.

Present:	Kenneth J. Goodman, MD	Mayor
	Linda Berke	Trustee
	William I. Hollingsworth, III	Trustee
	Carol E. Large	Trustee
	Robert Marmorale	Trustee
Absent:	William R. Denslow, Jr.	Trustee
	Albert Kalimian	Trustee
Also present:	James F. Wellington, Commissioner of Public Works	
	Jennifer A. Zoufaly, Village Clerk/Treasurer	
	Peter P. MacKinnon, Esq., of	
	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 19, 2023, which, on motion duly made and seconded, was unanimously approved as presented.

#### **PUBLIC WORKS REPORT**

Commissioner of Public Works Wellington reported that Village's snow removal contractor, Brian Paris, of Unlimited Maintenance, did an excellent job clearing the roads and deicing them during the last snow storm. Commissioner Wellington noted that he had received an inquiry from a resident questioning if there should be a separate bin for recyclables that are picked up by the Village Carter. Joe Emmi, of Emmi Industries, the Village's garbage carter responded that all material picked up in the Village is commingled with household garbage and the recyclables are then later sorted out at the transfer station. Lastly, Commissioner Wellington reported that he is in the process of replacing the Village signs at the triangle at Smithers Pond, which were recently damaged by a commercial truck.

The Village Clerk reported that she has completed the paperwork under the NYS Department of Transportation CHIPS program for reimbursement for Planting Fields Road repaving in the amount of \$55,474 and under the PAVE NY program for reimbursement for the installation of a new drywell and cleaning of the existing drywell on Underhill Road in the amount of \$13,896.

## TREASURER'S REPORT

The Treasurer's Report for the month ending December 31, 2023, with Budget Transfers, were presented, examined, approved and ordered filed, subject to audit. The Village Clerk/Treasurer requested approval to transfer \$50,000 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 Village received an interest rate of 5.12% for the month of December for a total of \$16,252.84. She also reported that the Village received a total of \$120,074.22 in interest for all the Village accounts with FNBLI for the 2023 calendar year.

## UNPAID TAXES

The Village Clerk presented to the Board a list of property owners whose 2023/24 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 \$27,291.71 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 29, 2024, 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.

## VERIFICATION OF TENTATIVE ASSESSMENT ROLL

The Board of Trustees considered the tentative assessment roll of the Village for the fiscal year 2024/2025. 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 2024/2025 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.

## **GRIEVANCE DAY**

The Village Clerk noted that February 20, 2024 has been designated as Grievance Day for real property assessment review of Village assessments.

## **BUILDING DEPARTMENT**

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

## **POLICE REPORT**

Mayor Goodman reported that police activity in the Village over the past month has been quiet. There appears to be more crime occurring in those communities near the Long Island Expressway. The Mayor noted that the license plate readers, that were recently purchased, have been installed throughout the surrounding Villages. As part of upgrading the Department, he also noted that all Brookville Police Officers are now equipped with body cameras.

The Mayor stated that he recently mailed to all Village Residents his annual report for 2023 that included the Chief of Police's tips on crime prevention, copy annexed.

## **EXTENT APPLICATION**

The Village Attorney reported that Extent, a national telecommunication infrastructure provider, is requesting that the Trustees exempt its application to the Village Building Department to install small cell wireless nodes at 4 locations in the Village. The requested exemption from the Village's moratorium is based upon Extent's building permit application filing date with the Village Building Department. The Village Attorney noted that Extent has provided the Village with the 4 proposed equipment sites and have marked those locations sites for the Trustees to inspect. After discussion, and on motion duly made and seconded, it was unanimously,

**RESOLVED**, that the application filed by Extent to install small cell wireless nodes at 4 locations in the Village, that was filed with the Village's Building Department on November 9, 2023, is hereby deemed exempt from Local Law 2-2023, "*Moratorium on Approval and Construction of Telecommunication Facilities*", having been filed prior to the effective date of the moratorium.

## **ARTICLE 7 SETTLEMENT - 4C WOODS HOLDINGS - TAX REFUND**

The Village Attorney reported that the representative for 4C Woods Holdings (McCurdy) proposed a settlement of the pending tax certiorari cases for the tax years 2017/18 thru 2023/24. The Property Owner's representative had initially requested a total settlement for all years of \$45,000. After negotiations, a final settlement of \$14,800 was agreed to for the Village tax years 2017/18 thru 2023/24, based on their settlement with Nassau County. After discussion, and on motion duly made and seconded, it was unanimously

**RESOLVED**, that the settlement for the pending tax certiorari cases with 4C Woods Holdings for Section 23, Block B, Lots 530, 531 and 532 for the Village tax years January 1, 2017 through January 1, 2023 as set forth in the attached Stipulation of Settlement, be and 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 the total settlement for the pending tax certiorari cases for Village tax years January 1, 2017 through January 1, 2023, is \$14,800, with no additional interest or penalties due the property owners for the settlement tax years; and

**FURTHER RESOLVED**, the Village Clerk/Treasurer is hereby directed to issue a refund in the amount of \$14,800 to the property owner's representative upon the submission of the appropriate claim form.

### **11 HIGH RIDGE LANE/ LITIGATION**

The Village Attorney reported on the status of the 11 High Ridge Supreme Court litigation, He noted that the Court rendered its decision dismissing Dr. Modulín's motion to reargue his adverse decision.

### **NEXT MEETING**

The next meeting of the Board of Trustees is scheduled for February 20, 2024.

There being no further business, the meeting was adjourned.

  
Village Clerk