

**VILLAGE OF MATINECOCK
PUBLIC HEARING ON CABLEVISION FRANCHISE RENEWAL AGREEMENT,
ANNUAL ORGANIZATION
AND
REGULAR BOARD OF TRUSTEES' MEETING
JULY 20, 2022**

A public hearing on the Cablevision Franchise Renewal Agreement, Annual Organization and regular meeting of the Board of Trustees of the Incorporated Village of Matinecock, Nassau County, New York, was held at the Portledge School on Duck Pond Road in the Village, on Tuesday, July 19, 2022, at 6:30 P.M.

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

Absent:	William R. Denslow, Jr.	Trustee
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Also Present:	Mr. & Mrs. Charles Scolaro - Village Residents
	Samantha Pardal-Jerez - Altice, Manager, Government Affairs
	Jennifer A. Zoufaly, Village Clerk/Treasurer
	James F. Wellington, Commissioner of Public Works
	Elisa Santoro, Esq., Attorney for Mr. Finn
	Peter P. MacKinnon, Esq., of
	Humes & Wagner, LLP
	Attorneys for the Village

The Mayor called the meeting to order at 6:30. 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. He stated that the Board would first consider matters involving members of the public.

40 LAUREL LANE FLOODING

Charles and Antoinette Scolaro addressed the Board in connection with the storm water runoff from their neighbor's property located at 345 Duck Pond Road. The Scolaros thanked the Mayor, Board of Trustees and Village Building Department in their efforts to have the drainage issues rectified. Thereafter, Mr. and Mrs. Scolaro left the meeting.

CABLEVISION FRANCHISE RENEWAL AGREEMENT

The Mayor called the hearing on the Cablevision Franchise Renewal Agreement to order. The affidavit of publication of the notice of the hearing was presented and ordered annexed to the minutes of the hearing. Samantha Pardal-Jerez addressed the Board on behalf of Cablevision and discussed the terms of the proposed renewal agreement. The Village Attorney noted the renewal is a ten (10) year term and has a 5% franchise fee. The Village Attorney further noted that he has

reviewed the amended agreement and as presented was found to be in accordance with both Federal and State law. After discussion, and on motion duly made and seconded, it was unanimously

RESOLVED, that the renewal of the nonexclusive Cablevision Franchise Agreement with Cablevision Systems Long Island Corp. to maintain a communication system providing cable service within the boundaries of the Incorporated Village of Matinecock be, and it hereby is, approved; and

FURTHER RESOLVED, that the Mayor be, and he hereby is, authorized to execute the renewal of the Franchise Agreement on behalf of the Incorporated Village of Matinecock.

ANNUAL ORGANIZATION MEETING

The Mayor called the Annual Organization Meeting to order at 7:00 p.m. and announced that the purpose was to organize the Village for the new official year of the Village commencing July 5, 2022.

The Mayor and Board of Trustees is composed of the following persons whose terms will expire on the first Monday in July in the year indicated:

Kenneth J. Goodman	2025
Albert Kalimian	2023
Carol E. Large	2025
William R. Denslow	2025
Robert Marmorale	2023
Linda Berke	2023
William I. Hollingsworth, III	
Robert S. Rubine, Jr. - Village Justice	2025

CLERK/TREASURER

RESOLVED, that the Village Clerk/Treasurer, Jennifer A. Zoufaly be, and she hereby is, appointed for a two year term expiring the first Monday in July, 2024.

ANNUAL APPOINTMENTS

RESOLVED, that the following appointments be, and they hereby are, made for a term of one year:

Budget Officer	Albert Kalimian
Street Commissioner	James F. Wellington
Deputy Street Commissioner	<i>Vacant</i>
Commissioner of Public Works	James F. Wellington
Acting Village Justice	<i>Vacant</i>
Court Clerk	Susan Egan
Accountants	Schulman & Glaves
Independent Auditors	Skinnon & Faber
Historian	Herbert Schierhorst, LV Historical Society

Prosecuting Attorney
Deputy Prosecuting Attorney

Special Prosecuting Attorney
Police Commissioner
Deputy Police Commissioner
Environmental Committee
Fixed Assets Manager
Record Access Officer
Notice of Claim Designee

Dwight Kennedy
James Cortazzo, Jr.
Christopher G. Wagner
Peter M. Weiler
Peter P. MacKinnon
John P. Della Ratta
Kenneth J. Goodman
Albert Kalimian
James F. Wellington
Village Clerk (*Jennifer A. Zoufaly*)
Village Clerk (*Jennifer A. Zoufaly*)
Village Clerk (*Jennifer A. Zoufaly*)

DEPUTY MAYOR

Pursuant to Sec. 4-400 of the Village Law, the Mayor appointed Albert Kalimian as Deputy Mayor for a term of one year. During the absence or inability of the Mayor, he is vested with all the powers, and may perform all the duties, of the Mayor.

After discussion on the noted topics, and upon motion duly made and seconded, the following resolutions were unanimously adopted:

VILLAGE PROSECUTORS

RESOLVED, that Dwight Kennedy, as Prosecutor and James Cortazzo, Peter P. MacKinnon, Peter M. Weiler, and Christopher G. Wagner as Deputy Prosecutors be, and they hereby are, authorized to prosecute in the Village Court violators of Village ordinances or local laws, or persons accused of committing any offense, infraction or criminal act within the Village Court in the name of the People of the State of New York.

ATTORNEYS FOR THE VILLAGE

RESOLVED, that Humes & Wagner, LLP be retained as Attorneys for the Village for the ensuing fiscal year with compensation authorized pursuant to retainer letter dated February 2021.

SURETY BONDS

RESOLVED, that the Clerk be, and she hereby is, authorized to renew any surety bonds covering Village personnel which may have expired.

MONTHLY MEETINGS

RESOLVED, that the regular monthly meetings of the Board of Trustees shall be held on the third Tuesday of the month at 6:30 p.m. at the Portledge School with the exception of August, or via teleconference when legally permitted.

OFFICIAL NEWSPAPER

RESOLVED, that the Glen Cove Oyster Bay Enterprise Pilot be, and it hereby is, designated as the official newspaper of this Village, there being no other newspaper published in the Village.

BANK DEPOSITORIES

RESOLVED, that First National Bank of L.I., (*Locust Valley Branch*), Bank of America (*Glen Cove Branch*), Chase (*Greenvale Branch*) and Citibank (*Glen Head Branch*), be, and they hereby are, designated as bank depositories of this Village, and

FURTHER RESOLVED, that the Clerk/Treasurer be, and she hereby is, authorized to purchase and redeem certificates of deposit of said banks and U.S. Government or other legal securities with the funds of this Village, and

FURTHER RESOLVED, that Village funds deposited with said banks be subject to withdrawal in an amount of \$2,000 or less, upon check or withdrawal slip, when signed by the Village Treasurer, or in her absence or inability the Mayor, and

FURTHER RESOLVED, that the Clerk/Treasurer, or in her absence or inability the Mayor, be and they hereby are, authorized to sign checks not to exceed \$2,000.00. If said amount exceeds \$2,000.00, the Mayor and the Clerk/Treasurer, the Mayor and one Trustee, or in the absence or inability of the Mayor, any two Trustees, those presently being:

Kenneth J. Goodman
Albert Kalimian
Linda Berke
William R. Denslow, Jr.
Carol E. Large
William I. Hollingsworth, III
Robert Marmorale

be, and they hereby are, authorized to sign and countersign checks or savings withdrawal slips on the funds of the Village in amounts exceeding \$2,000.00, or to purchase and redeem certificates of deposit of said banks and U.S. Government or other legal securities purchased with the funds of this Village, and

FURTHER RESOLVED, that the Cler/Treasurer be, and she hereby is, authorized and directed to require from the above designated depositories such securities as are authorized by the Village Law of the State of New York as security for the funds of the Village deposited with said depositories and as security for Certificates of Deposit of said banks purchased with the funds of the Village, and

FURTHER RESOLVED, that a certified copy of the foregoing resolutions be filed with the above named bank depositories.

VILLAGE ENGINEER

RESOLVED, that D & B Engineers and Architects (Roger Cocchi), be, and it hereby is, appointed as engineer for the Village, with compensation authorized pursuant to retainer letter dated October 23, 2017.

BUILDING INSPECTOR

RESOLVED, that Harbor’s Edge Consultants (*Karl F. Bicknese*) be, and it hereby is, appointed as Building Inspector for the Village with compensation authorized pursuant to retainer letter dated March 2022.

ACCOUNTANTS

RESOLVED, that Schulman & Glaves be, and they hereby are, appointed as accountants for the Village with compensation authorized pursuant to retainer letter.

INDEPENDENT AUDITORS

RESOLVED, that Skinnon & Faber be, and they hereby are, appointed as independent auditors for the Village with compensation authorized pursuant to retainer letter.

REAPPOINTMENT OF BOARD OF ZONING APPEALS CHAIR

RESOLVED, that Linda S. Gardiner, as Chair be, and she hereby is, reappointed to the Board of Zoning Appeals for a five year term expiring on the 1st Monday of July, 2027.

APPOINTMENT OF MEMBER TO THE BOARD OF ZONING APPEALS

RESOLVED, that Susan Foley as a member of the Zoning Board of Appeals whose term expires on the 1st Monday of July 2025.

DEFER APPOINTMENT OF AN ALTERNATE BOARD OF ZONING APPEALS

RESOLVED, that the appointment of an alternate member be deferred.

It was noted that the Board of Zoning Appeals is composed of the following persons whose terms will expire on the 1st Monday in July in the year indicated:

	Term Expires 1st <u>Monday in July:</u>
Linda S. Gardiner, (<i>Chairman</i>)	2027
Susan Foley	2025
Catherine O’Kane	2026
Jonathan Green	2024
Hugh J. Weidinger, IV (“Jack”)	2023
Vacant (<i>Alternate</i>)	2023

REAPPOINTMENT OF PLANNING BOARD MEMBER

RESOLVED, that Will Dick be, and he hereby is reappointed as a member of the Planning Board for a 5 year term expiring on the 1st Monday of July 2027.

REAPPOINTMENT OF ALTERNATE PLANNING BOARD MEMBER

RESOLVED, that Greg Minutoli be, and he hereby is reappointed as an alternate member of the Planning Board for a one year term expiring on the 1st Monday of July 2026.

PLANNING BOARD

It was noted that the Planning Board is composed of the following persons whose terms will expire on the 1st Monday in July in the year indicated:

	<u>Term Expires 1st Monday in July:</u>
Benjamin Stokes (<i>Chairman</i>)	2023
Will Dick	2022
Julia Vaughn	2025
Tracy Kem	2024
Greg Minutoli	2026
Edith Seligson, Alternate	2023

ETHICS COMMITTEE

Mayor, Kenneth J. Goodman
Norman Turowski
Simon Owen-Williams

REGISTRAR OF VITAL STATISTICS

Noted that Richard LaMarca is appointed as Registrar of Vital Statistics for a two year term which will expire on December 31, 2022.

The Board noted or reaffirmed the following items or actions carried forward from previous resolutions of the Trustees of the Village:

(a) FIRE CONTRACT

The Village's contract for fire protection with the Locust Valley Fire Department is for a present one year term expiring December 31, 2022.

(b) ASSESSMENT ROLL

The Trustees are the assessors of the Village and the Board of Trustees has authorized the use of the assessment roll of Nassau County of the current year as the basis for assessment so far as practicable.

(c) INVESTMENT

The Investment Policy adopted by this Board on December 4, 1993, pursuant to General Municipal Law, Section 39, was reviewed and reaffirmed.

(d) POLICE PROTECTION CONTRACT

The Police Protection contract among the Villages of Brookville, Cove Neck, Mill Neck, and this Village is for the period June 1, 2022 to May 31, 2027.

(e) GARBAGE COLLECTION

The Village's contract for garbage collection with Emmi Industries d/b/a State wide Property Solutions, Inc., is for a five (5) year term commencing on the 1st day of March 2020 and ending the 31st day of February 28, 2025.

(f) PROCUREMENT POLICIES AND PROCEDURES

The regulations relating to the policies and procedures for the procurement of goods, services and public works contracts adopted by this Board on December 14, 1991 and last amended on July 19, 2011, pursuant to General Municipal Law, Section 104-b, were reviewed and reaffirmed as required by paragraph (6) thereof.

(g) SPECIAL ACCOUNTS

All special accounts of the Village were reaffirmed and carried forward from previous resolutions of the Trustees.

(e) INDEMNIFICATION OF VILLAGE OFFICERS AND EMPLOYEES

Reaffirm resolution to cover Building Inspector, Village Engineer, Street Commissioner, Code Enforcement Officer and Village Attorneys as independent contractors under Local Law 1-1979 entitled "*Indemnification of Village Officers and Employees*".

(h) LOCAL LAWS

Reaffirms Rules of Procedure for local laws adopted July 1, 1993.

(i) FIXED ASSETS

Reconfirm policy statement for fixed assets adopted on July 1, 1993 and amended on July 20, 2010. Note appointment of Village Clerk as Fixed Assets Records Coordinator. The minimum standard for determination of significant value for fixed assets is \$1,000.

(j) PAYMENT IN ADVANCE OF AUDIT OF CLAIMS

As permitted by Section 5-524(6) of the Village Law of the State of New York, the Clerk/Treasurer be authorized to make payment in advance of audit of claims for

compensation of services of employees or officers regularly engaged by the Village at agreed wages by the hour, day, week, month or year, employee benefit contributions, insurance premiums, public utility services, postage freight and express charges. Village checks in excess of \$2,000 require two signatures by any of the following: the Village Clerk/Treasurer, Mayor or any one or two Trustees. All such claims shall be presented at the next regular meeting for audit, and the claimant and the officer incurring or approving the same shall be jointly and severally liable for any amount disallowed by the Board of Trustees.

(k) ELECTRICAL INSPECTORS

Reappoint Electrical Inspectors, Inc. of East Meadow, Certified Electrical Inspectors, Inc. of Amityville, Electrical Inspection Services, Inc., of East Patchogue, Alliance Electrical Inspections Limited of West Islip, Suffolk Bureau of Electrical Inspectors of Miller Place; NYS Electrical Inspections, Inc., of Kings Park, and Long Island Electrical Inspectors of Bay Shore, as certified electrical inspectors approved to conduct electrical inspections within the Village pursuant the Rules & Regulations established by this Board May 11, 1999.

(l) SEXUAL HARASSMENT POLICY

Reaffirm the policy adopted on October 16, 2018.

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 June 21, 2022, which, on motion duly made and seconded, were unanimously approved.

COMMISSIONER OF PUBLIC WORKS

Commissioner of Public Works, Jim Wellington, reported that he has been working closely with Rick Testa during the past month to address general Village projects. Mr. Testa has completed the monthly roadside pickup of garbage and debris, replaced missing traffic sign at the rail road tracks, replaced the Village signs at the east end of Duck Pond Road triangle and has cleared and removed the overgrown vegetation in the drainage way at the intersection of Underhill Road and Piping Rock Road.

Mr. Wellington also reported that he had solicited bids from 3 contractors for the repair and patching of Planting Fields Road. In response, he received two proposals for the road work. John McGowan and Sons' proposal for \$14,500 (bid proposal is attached) was the lowest proposal received for the project. After discussion, and on motion duly made and seconded, it was

RESOLVED, that John McGowan & Sons be, and it is hereby awarded a contract for the repair and patching of the Planting Fields Road not to exceed \$14,500 in accordance with the terms of its bid proposal and the Street Commissioner specifications.

The Board then directed Mr. Wellington to oversee this work and have it completed as soon as possible.

CLERK/TREASURER'S REPORT

BILLS

The bills listed on Warrant No. 697, dated June 1-30, 2022, check Nos. 4525 thru 4550 for a total of \$400,543.77, which is annexed to these minutes, were, on motion duly made and seconded, ratified and approved for payment.

TREASURER'S REPORT

The Treasurer's Report for the month ending May 31, 2022, with Budget Transfers, was presented, examined, approved and ordered filed, subject to audit. The Village Clerk/Treasurer requested approval to transfer \$180,000 from the General Savings to the Checking Account to maintain the Collateral Balance of \$600,000. After discussion, on motion duly made and seconded, the Board approved the requested transfer.

CLERKS REPORT

Mandala Buddhists voluntary contribution, in lieu of taxes- The Village Clerk/Treasurer reported that she received a check in the amount of \$2,500 from the Mandala Buddhists as a voluntary payment in lieu of taxes, for the Village's 2022/23 tax year. The Mayor noted that, on behalf of the Trustees and residents of the Village, he would send a letter thanking the Mandala Buddhists for their donation.

July and August Invoices - The Village Clerk/Treasurer requested Board authorization to pay invoices throughout the months of July and August, because the Board of Trustees will not be meeting in August. After discussion, and on motion duly made and seconded, the Board unanimously authorized the Village Clerk/Treasurer to pay reoccurring invoices and those invoices that are due under contractual obligations that are received in the months of July and August, which payments would then be subject to Board review and ratification at the Trustees September meeting.

2022-2023 Village Tax Receipts - The Village Clerk/Treasurer updated the Board on the status of the receipt of Village 2022 real estate tax payments. She indicated that as of the date of this meeting, the Village has collected \$1,533,175.91. There are currently 22 tax bills outstanding and unpaid.

PSE&G Property Tax Bill - The Village Clerk/Treasurer reported that PSEGLI had given formal notice to the Village of Matinecock that its annual payment of taxes was subject to a 2% cap under New York State law, copy attached. The Clerk/Treasurer noted that the PSEGLI original tax bill was for \$10,826.22, while the payment received from PSEGLI of \$4,439.33, represented the allowable amount to be billed under the NYS 2% cap. After discussion, the Board authorized the Village Clerk/Treasurer to accept the \$4,439.33 PSEGLI check as payment in full and to adjust the Village tax roll to reflect this reduced amount.

American Rescue Plan Act (ARPA) Update - The Village Clerk/Treasurer advised the Board that she had received a letter in connection with the balance of ARPA funds due the Village. It was noted that the Village will be receiving the balance of the ARPA funds of \$42,717.81 in the coming weeks.

Extension to File Annual Financial Report - The Village Clerk reported that the Village's Annual Financial Report must be filed with the New York State Comptroller's Office by July 30, 2022. The Village Clerk requested authority to obtain an extension on this filing date. After discussion, and on motion duly made and seconded, it was unanimously

RESOLVED, that the Village Clerk be, and she hereby is, authorized to obtain a 60 day extension from the New York State Comptroller's Office in order to file the Village's 2021/22 Annual Financial Report.

VILLAGE JUSTICE COURT ASSISTANCE PROGRAM GRANT (JCAP)

The Village Clerk/Treasurer requested authorization for the Matinecock Court Clerk to apply for the Justice Court Assistance Program grant. This will allow the Village of Matinecock to apply for a NYS Grant to assist in the operation of its Justice Court. The Mayor recommended, and the Board agreed, that the Village should apply for this NYS grant. Accordingly, on motion duly made and seconded, the Board unanimously

RESOLVED, that the Incorporated Village of Matinecock authorizes the Matinecock Village Court to apply for a JCAP grant in the 2022-23 grant cycle up to \$30,000 with the filing of an application to the Chief Administrative Judge of the State of New York for all available funding under the Justice Court Assistance Program to be used for any purpose which will enhance the ability of the Village of Matinecock Justice Court to provide suitable and sufficient services to the community. These purposes may include, but shall not be limited to, automation of Court operations; improvement or expansion of Court facilities; records management; provision of appropriate means for the recording of Court proceedings; provision of law books, treatises and related material; and provision of appropriate training for Justices and for non-judicial Court staff, and

FURTHER RESOLVED, that the Village Attorneys, Mayor, Deputy Mayor, Village Clerk, Village Court Clerk and Village Justice be, and they hereby are, authorized to execute any and all documents necessary to make application which shall be signed and filed by October 1, 2022.

FIREWORKS DISPLAY AT PIPING ROCK CLUB

The Village Clerk/Treasurer reported that the Village had received two requests from Piping Rock Club for fireworks display permits for two private events, (pursuant to NYS Penal Law, Section 405). The displays are scheduled to take place on Saturday, August 20, 2022 and Saturday, September 17, 2022, both on the Piping Rock Club grounds at the Polo Field North. Each fireworks displays would be approximately 30 minutes in length. After discussion, and on motion duly made and seconded, it was

RESOLVED, that two permits be granted to the Piping Rock Club and Santore's World Famous Fireworks, (pursuant to Penal Law, Section 405), to allow the firm of Santore's World Famous Fireworks to discharge fireworks on Saturday, August 20, 2022 and Saturday, September 17, 2022 on the Polo Field, north of the Piping Rock Club's main clubhouse, at 150 Piping Rock Road, in the Village, in accordance with and subject to the conditions contained in its letter applications, and further subject to the provisions of Section 405 of the Penal Law and the following Village Conditions:

1. Approval by and in full compliance with all restrictions and requirements of the Brookville Police Department, Nassau County Police Department, and the Nassau County Bomb Squad.
2. All activities occurring for these events are to be coordinated with the Brookville Police Department. If the Brookville Police Department requires additional personnel to provide adequate protection or traffic control, Piping Rock Club shall be responsible for payment for all

cost and charges, including, but not limited to, overtime payment for all police officers used.

3. Piping Rock Club and Santore's World Famous Fireworks shall indemnify and hold the Village harmless from any and all claims and liabilities which arise in connection with the issuance of this permit by any participants, workers, volunteers, motorists and spectators.
4. There shall filed with the Village an original certificate of liability insurance naming the Village as an additional insured in the minimum amount of \$5,000,000. This certificate shall be delivered to the Village Clerk/Treasurer at least five (5) days in advance of the date of the display.
5. At least one week in advance. Piping Rock Club shall notify, in writing, all Village residents of the day and time of the event.
6. **Parking is prohibited on Piping Rock Road, Duck Pond Road and Wellington Road. Traffic control at the site shall be under the supervision of the Brookville Police Department ("BPD") and Applicant shall be required to contact the BPD to coordinate security for the event.**
7. Payment to the Village of a permit fee of \$1,500 for each event, for a total fee of \$3,000.

REQUEST FOR CHANGE OF ADDRESS - 3A TO 4 HIGH RIDGE LANE

The Village Clerk/Treasurer circulated a letter dated June 10, 2022 addressed to the Board from Village Resident, Mr. Min Zhang, copy annexed. Mr. Zhang requested that his house number of 3A High Ridge Lane, be returned to 4 High Ridge Lane. This property is designated as Section 24, Block 24, Lot 4. Several years ago Mr. Min Zhang previously requested that his address be changed from 4 High Ridge Lane to 3A. The property is currently for sale and the buyers are finding that the house number of 3A is confusing as being out of sequence with the neighboring properties. After discussion and on motion duly made and seconded, the Board unanimously

RESOLVED, that the property address for Section 24, Block 24, Lot 4 be now recognized and designated as 4 High Ridge Lane, and

FURTHER RESOLVED, the Village Clerk shall record the address change on the Village tax roll and all other Village records and notify the Oyster Bay Post Office, Brookville Police Department and Locust Valley Fire Department of this change.

BUILDING DEPARTMENT

The Building Inspector's Report on the status of current building permits and projects in the Village was reviewed and discussed.

214 OYSTER BAY ROAD/FINN

The Board discussed a request received from Elisa Santoro, Esq., on behalf of Mr. Finn, for an extension of his temporary certificate of occupancy due to delays in complying with the landscaping requirements of the Village, copy attached. Ms. Santoro attended the meeting by teleconference and explained the reasons for her Client's request for the extension. Various Trustees expressed their concerns on Mr. Finn's reasons for being unable to have complied with the landscaping conditions and whether a further extension to comply was warranted. The Board and Ms. Santoro discussed various conditions that the Village may want to consider to impose if the Village was inclined to consider an extension of time to comply. Ms. Santoro called Mr. Finn and advised him of her discussions with the Mayor and Trustees on certain terms and conditions

that the Village would imposed if an extension was granted . Ms. Santoro subsequently advised the Trustees that Mr. Finn has agreed to the below conditions in consideration of the issuance of a further extension of time to September 20, 2022 to obtain a permit Certificate of Occupancy for 214 Oyster Bay Rd. After further discussion and on motion duly made and seconded, the Board unanimously

RESOLVED, that the temporary C of O, previously issued by the Village Building Inspector and now expired, be and it hereby is extended to midnight of September 20, 2022 subject to full compliance with the following terms and conditions:

1. The payment of a renewal fee of \$750 by July 29, 2022, and
2. On or by September 20, 2022, the completion of all planting as shown on the landscaping plan (referenced in the recorded C&R executed by Mr. Finn) with all required plant material. Subject to prior approval approved by the Village prior to planting, substitute plant material may be used if equivalent in screening (size to match the approved plans) and;
3. Certification by the Village of full compliance with the approved planting plan, and;

FURTHER RESOLVED, that failure to comply with the above requirements will result in the Village revocation of the temporary C of O for 214 Oyster Bay Road, Locust Valley, NY 11560 and the entry, on consent by Mr. Finn, of a Confession of Judgement which will allow, without further notice, for the removal of all occupants at 214 Oyster Bay Road, Locust Valley, NY until such time that a permanent C of O is issued for 214 Oyster Bay Road. The Confession of Judgement to be executed and delivered to and held in escrow with Humes & Wagner, LLP until the entry of Judgment is allowed pursuant to its terms.

BRUDERMAN REQUEST FOR LICENSE - 10 HIGH RIDGE LANE

The Village Attorney re-circulated a June 20, 2022 letter from Matthew Bruderman, owner of 10 High Ridge Lane, copy attached. Mr. Bruderman requested that the Village allow the encroachment of a small portion of his existing koi pond and bridge to remain in the Village's ROW. The Village Attorney discussed the site inspection in which the Board conducted of the property in early July. The Board agreed that based upon the site inspection that the encroachment was minor, being only in the shoulder of the road, and did not create any danger to motorists on Planting Fields Road if these minor encroachments were permitted to remain.

After discussion, the Board agreed that the Village would consider issuing a license to the property owner to allow the encroachment of a small portion of the existing pond and bridge to remain in the Village's ROW. The license agreement would require the property owner, and all subsequent owners, to indemnify the Village against all claims and expenses incurred attributed to these encroachments and to name the Village as an additional insured on their homeowners insurance policy. The Board instructed the Village Attorney to convey to Mr. Bruderman the Village's conditions if a license was to be issued.

In addition, the Village Attorney reported that Mr. Bruderman requested a refund from the Village's Building Department on two pending building permits issued for 10 High Ridge Lane that he has withdrawn. The total refund Mr. Bruderman is requesting is \$16,850 for the permit for additions and alterations to an existing residence and \$1,150 for a permit for a proposed new driveway and entry gates. After discussion, the Board deferred considering a refund until all other open permits are closed with the Building Department.

OPEN BUILDING PERMITS

The Board discussed the open building permits list recently prepared by the Building Department. It was agreed that each open building permit be reviewed on a case by case basis.

POLICE

The Mayor reported that Village police protection from the Brookville Police Department has been running smoothly since the June 1st change over. Many Village residents have expressed positive feedback on their interaction with the Brookville Officers and the frequent presence of the police car in the Village. He noted key fobs are still being left in cars that had been recently stolen in the surrounding Villages.

The Village Attorney noted that he has finalized and forwarded to the attorneys for Old Brookville the Post Obligation agreement with the Village of Old Brookville and the 4 Villages. This agreement is for future payments for retirees health insurance that is owed as a termination obligation under the expired 6 Village Protection Agreement.

LOCUST VALLEY WATER DISTRICT PUMP STATION UPGRADE

The Village Attorney reported that he received an update on the status of the revised proposed design for the new District pump building at the LVWD site on Wellington Road. Mr. Hogan advised that the LV WD's engineers were amending the building design to incorporate the architectural modifications suggested by John Collins and would provide the Village with the final design and site plan once it is finalized by the District Engineers.

THORNE LANE DRAINAGE IMPROVEMENTS-REVISED RFP FOR 2 PHASES

The Village Attorney reported that the Village's Engineer, Roger Cocchi circulated a revised draft of Request for Proposals for survey and engineering services for the Thorne Lane Drainage Improvements projects. The proposal is for 2 phases of work. Phase I is to include all of the described work from Chicken Valley Road down to the old Valley Road, which is located approximately 1,300' to the north of the Thorne Lane Cul-de-Sac. Phase II is to include all of the described work pertaining to the area along Beaver Brooke from the old Valley Road down to Oyster Bay Road. After discussion, the Board authorized the Village Attorney to coordinate with Roger Cocchi on finalizing the request for proposals for both phases for the Thorne Lane project.

NEXT MEETING

The next meeting of the Board of Trustees is scheduled for September 20, 2022.

There being no further business, the meeting was adjourned.


Village Clerk