

**VILLAGE OF MATINECOCK
REGULAR BOARD OF TRUSTEES' MEETING
SEPTEMBER 20, 2022**

A 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, September 20, 2022, at 5:30 P.M.

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

Absent: William R. Denslow, Jr. Trustee
Albert Kalimian Trustee

Also Present: Pat Callan, Village Resident
Elisa Santoro, Esq., Attorney for Mr. Finn
James F. Wellington, Commissioner of Public Works
Jennifer A. Zoufaly, Village Clerk/Treasurer
Peter P. MacKinnon, Esq., of
Humes & Wagner, LLP
Attorneys for the Village

The Mayor called the meeting to order at 5:30 p.m. 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.

JOHN F. JOHNSTON II

Mayor Goodman announced the recent passing of former Mayor and past Trustee John F. Johnston II. The Board members expressed their condolences on his passing. The Mayor noted that John had a successful career as an attorney and was devoted to his family. John served our Village for 39 years, first as Village Justice, then Trustee and finally as Mayor for 10 years. John's leadership and guidance served to leave our Village a better community for all. The Mayor then requested a moment of silence in memory of Mayor Johnston.

214 OYSTER BAY ROAD/FINN

Elisa Santoro, Esq., addressed the Board in connection with her client's Mr. Finn, request for an extensions of his temporary certificate of occupancy. Ms. Santoro stated due to delays in being able to complete the landscaping requirements of the Village, Mr. Finn requested an additional 30 day extension from the Village. Ms. Santoro explained that her client has completed 95% of the

work. Commissioner of Public Works, James Wellington, confirmed that the newly installed landscaping greatly improved the appearance of the property, however there were no plantings in the rear yard as required. The Mayor noted that he and other Board members drove by the property and agreed that significant landscaping was installed. Based upon the good faith efforts of Mr. Finn to comply, the Board agreed to a further extension to the October 18th Trustees meeting to comply with the Board's conditions as set forth at the July 19, 2022 Trustees meeting.

Mr. Wellington was requested to coordinate with Ms. Santoro on Mr. Finn completing the final plantings. Ms. Santoro thanked the Board for their time and departed from the meeting.

DRAINAGE AT UNDERHILL ROAD

Mr. Callan of 12 Eyre Lane, Village Resident, addressed the Board and circulated pictures regarding a drainage issue on Eyre Lane and Underhill Road, adjacent to his home. Commissioner Wellington explained to the Board that he was familiar with the situation and noted that about 15 years ago the Village installed a single drywell at the northerly section of Underhill Road and the southerly section of Underhill Road. After discussion, the Board agreed to have Mr. Wellington and the Village Engineer review the road drainage and submit a report of the existing conditions and his recommendation at the next Trustees meeting.

FILMING PERMIT FOR 28 UNDERHILL ROAD

Mr. Callan's also addressed the Board in connection with the recent request by Columbia Pictures for a 5 day filming permit for a movie shoot at the Scanlon residence at 28 Underhill Road. Mr. Callan stated that in 2019, he and his family were disrupted by the production company that was filming then at the Scanlon residence. Mr. Callan requested that the Village not issue the requested permit. The Mayor noted that the Village is cognizant of the neighbors' concern and also the rights of the property owner. The Mayor noted that to the extent possible, the Village regulates filming activity on the property to minimize the disturbance to the neighbors. Examples of these permit conditions include regulating the start and finish times of filming, prohibiting trucks idling on the public road, and if deemed appropriate and necessary to have a police officer present at the property at all times during filming. The Board thanked Mr. Callan's for his comments. After discussion, and on motion duly made and seconded, it was unanimously

RESOLVED, that the request by Columbia Pictures Industries, Inc., ("*Applicant*") request to temporarily use the Scanlon residence, 28 Underhill Road, for a film shoot for the movie "*No Hard Feelings*," ("*Event*") on October 3, 4, 5, 6, 7 and 10, 2022(excluding weekends) from 7:00 am to 8:00 pm., be subject to the following conditions:

1. All parking on Underhill Road is prohibited or any street located within the Village. Traffic control at the site shall be under the constant supervision of the Brookville Police Department ("*OBPD*"). Applicant will be required to contact Chief Lack (phone 516-440- 2300) to coordinate security for the event. All activities occurring at or near the premises in connection with the shoot are to be coordinated with the

Brookville Police. Applicant shall pay for all cost and charges, including, but not limited to, overtime payment for all police officers used.

2. There shall be no closing of any street in the Village;
3. Applicant will be responsible for providing appropriate supervision and adequate protection for all participants, workers, volunteers motorists and spectators, and for protection of all neighboring properties;
4. Applicant shall provide to the Village a Certificate of Liability Insurance for the event naming the Village of Matinecock as an additional insured in the minimum amount of \$2,000,000 which certificate shall be delivered to this office in advance of the use of the premises for event activity;
5. Applicant shall provide to the Village an Indemnification and Hold Harmless Agreement from any and all claims and liabilities which might arise in connection with the event;
6. Applicant shall ensure that all activities conducted in connection with the event does not create an unreasonable inconvenience or annoyance to adjacent property owners;
7. Applicant shall provide to the Village the name and telephone number of an individual who will be supervising the event in order for the Village and Police Department to discuss any concerns during the shoot;
8. The hours of operation for all activities shall be limited to the hours of 7 a.m. to 8 p.m. No activity or personnel shall be allowed on the property or adjacent road outside of this time frame;
9. After conclusion of the event the applicant shall promptly repair and restore any damage to roadways or shoulder areas and remove any debris relating to the event;
10. The applicant shall pay to the Village a permit fee in the sum of \$12,000; and
11. Any breach of the foregoing conditions or any violation of applicable law shall be in and of itself grounds for the Village to immediately revoke this permit.

MINUTES

The Mayor called for approval of the minutes of the Trustees' meeting held on July 19, 2022 and September 6, 2022, which, on motion duly made and seconded, were unanimously approved.

COMMISSIONER OF PUBLIC WORKS

Commissioner of Public Works, Jim Wellington, reported that John McGowan & Sons completed the repair and patching of Planting Fields Road. He noted that the residents on Planting Fields Road were pleased with the resurfacing. Several of the Norway Maple trees on Underhill Road that were in poor condition were removed by LaMay Tree Service. The Contractor also grinded the stumps. The convex mirror and a blind driveway sign will be installed near the entrance of Coffin Woods in the coming weeks. Mr. Wellington also reported that he will reach out to the Nassau County Department of Public Works and investigate the Underhill Road drainage issues.

The Mayor noted that in connection with the installation of a Stop Sign at the intersection of Town Cock's Lane and Oyster Bay, he and Chief Lack met with Harold Lutz, Nassau County Director of traffic engineering . Mr. Lutz agreed to have Nassau County prepare a one month traffic study for the need for a stop sign at that intersection in connection with the Village's request.

CLERK/TREASURER'S REPORT BILLS

The bills listed on Warrant No. 698, dated July 1-31, 2022, check Nos. 4549 thru 4575 for a total of \$61,571.49; Warrant No. 699, dated August 1-31, 2022, check Nos. 4576 thru 4592, for a total of \$42,792.32 and Warrant No. 700, dated September 1 -September 20, 2022, for a total of \$372,598.07, which are 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 months ending June 30, 2022, July 31, 2022 and August 31, 2022, with Budget Transfers, was presented, examined, approved and ordered filed, subject to audit. The Village Clerk/Treasurer requested approval to transfer \$282,259 from the General Savings to the Checking Account to cover the second payment to the Brookville Police Department; and transfer \$14,500 from the Street Maintenance Reserve Fund to the Checking Account to cover the repair/patching of Planting Fields Road, which will maintain the Collateral Balance of \$600,000 as required by FNBLI. After discussion, on motion duly made and seconded, the Board approved the requested transfers.

VILLAGE JUSTICE COURT AUDIT

The Village Clerk circulated to the Board the audit and management letter from Skinnon & Faber, CPA, dated August 24, 2022, which reported its findings on the Village's Justice Court financial affairs for the fiscal period July 1, 2021, through June 30, 2022. After discussion, and on motion duly made and seconded, the Board unanimously

RESOLVED, that the Village's Justice Court audit prepared by Skinnon & Faber for the period June 1, 2021, through May 31, 2022, be, and it hereby is, accepted, and ordered filed; and

FURTHER RESOLVED, that the Village Clerk be, and she hereby is, directed to file the audit report and publish a notice of its availability for inspection in the Village's official newspaper as required by law.

Piping Rock Club voluntary contribution, in lieu of taxes- The Village Clerk/Treasurer reported that she received a check in the amount of \$6,500 from the Piping Rock Club 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 Piping Rock Club for their donation.

American Rescue Plan Act (ARPA) Update - The Village Clerk/Treasurer advised the Board that the Village had received the balance of ARPA funds due to the Village in the amount \$42,717.81.

BUILDING DEPARTMENT

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

POLICE

The Mayor reported that Village police protection by the Brookville Police Department has been running smoothly. 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. The Mayor also reported that the Village of Old Brookville has not signed the Post Obligations Agreement with the 4 protected Villages. The Mayors of the 4 protected Villages have advise the Village of Old Brookville that until this agreement is signed, no reimbursement for retiree health insurance for Old Brookville police officers will be made to the Village of Old Brookville. Chief Lack is requesting approval to hire an administrative assistant that would also serve as a Code Enforcement officer for all 4 Villages, including Matinecock. At the Brookville Police Station, Brookville Mayor Dan Serota recently hosted a welcome party/meet and greet for the residents that was well attended.

Finally, the Mayor commented that there have been reports of recent home invasions in the neighboring Village of Muttontown with entry to the homes through the sliding glass doors. Even though no such invasion have occurred in the Village, residents should be aware and take precautionary measures.

NEXT MEETING

The next meeting of the Board of Trustees is scheduled for October 18, 2022.

There being no further business, the meeting was adjourned.


Village Clerk