

**VILLAGE OF UPPER BROOKVILLE
REGULAR BOARD OF TRUSTEES
COTTAGE AT 24 WOLVER HOLLOW ROAD
September 15, 2025 at 5:30 p.m.**

The Regular Board Meeting of the Board of Trustees of the Incorporated Village of Upper Brookville was held on Monday September 15, 2025, at 5:30 p.m.

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| Present: | Elliot S. Conway | Mayor |
| | Helen Solomon | Trustee |
| | Joseph Burns | Trustee |
| | Innis O'Rourke III | Trustee |

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| Also Present: | Tracy L. Lynch, Clerk/Treasurer |
| | Peter MacKinnon, Esq. of Humes & Wagner, LLP |
| | Attorneys for the Village |
| | Linda Scherer, Deputy Clerk/Treasurer |
| | Sam Vergata, Road Commissioner |
| | Garth Wallace, Officer MUBPD |

The Mayor called the meeting to order at 5:35 p.m.

THE PLEDGE OF ALLEGIANCE

MUBPD REPORT

Officer Wallace presented the August 2025 Police Report:

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|----|-------------------------|
| 3 | Motor vehicle accidents |
| 0 | Arrests |
| 32 | Traffic tickets |
| 2 | Vacant premise checks |

He reported that the department had some enforcement OT in August that resulted in an increase in moving violations and receipt of a state grant this month for enforcement of aggressive driving and seatbelt laws.

He also reported a vehicle had been stolen from a property near the intersection of Ripley Lane and Wolver Hollow Road. The homeowner left the key fob in the car.

PUBLIC COMMENT

No Comment

ROAD COMMISSIONER/CODE INSPECTOR REPORT

The Road Commissioner reported that the crew has been busy picking up trash, watering flowers and mowing.

The Mayor also asked for an update on the earthmoving violation at 16 Clews Drive. The Village Attorney reported that the contractor had not paid their fine. (The fine was subsequently paid.)

MAYOR'S REPORT

Shred-A-Thon and Medicine Take Back Day

The Mayor requested that the Clerk coordinate with the MUBPD and schedule a Shred-A-Thon and Medicine Take Back Day for the village residents and Muttontown residents. The MUBPD will staff the collection of medicine.

After discussion by the Trustees and on motion duly made and seconded, the Board unanimously

RESOLVED to approve the hiring of Data-Struction for a 3 hour on-site shredding event and medicine take back day at Village Hall, for residents of the Village and Muttontown.

Mill River Road Paving Project

The Mayor reported that the Village was able to piggyback off the Nassau County Road Contract with Pratt Brothers for the repaving of Mill River Road. Pratt has just repaved the village portions of Piping Rock, Wheatley and Wolver Hollow Roads. The total proposal is for \$350,000 and would not require the competitive bidding process. He also presented a proposal from L.K. McLean Associates, the Nassau County Engineer, for observation services only at a cost of \$1,200/day. Since this is a straightforward mill and pave project, no design is required. The job is expected to take 4 - 5 days and would be entirely paid for with NYS grant (CHIPs) funding.

NEW VILLAGE HALL PROJECT

The Clerk reported that the following change orders were approved since the August Board meeting:

| | | |
|----------|--------------------------------------|-----------------|
| #7B | Labor to install additional windows | \$12,675 |
| Proposal | 4 Electric Vehicle Charging Stations | <u>\$38,099</u> |
| Total | | \$50,774 |

She also requested that the Board ratify a deposit payment of \$11,429.70 made to JGM for the charging stations.

The Mayor explained that four charging stations could potentially generate annual revenue of approximately \$24,000 from the estimated 25,000 cars traveling daily on Northern Boulevard and Wheatley/Wolver Hollow Roads, and be an important amenity for residents and police vehicles, especially when power is out following a storm.

He also reported that he requested \$50,000 from Legislature Goetz to cover fitness equipment for the MUBPD.

After discussion by the Trustees and on motion duly made and seconded, the Board unanimously

RESOLVED to ratify approval of JGM's change orders detailed above totaling \$50,774 and the deposit payment to JGM for the electric vehicle charging stations of \$11,429.70.

Fund Balance Adjustment

The Clerk reported that she received payment requisition #5 from JGM totaling \$160,371.24 which brings the total paid to date to \$952,851.83.

She explained that the Assigned Fund Balance includes \$290,000 of reserved funds for the new Village Hall. She recommended that the Board approve a Fund Balance adjustment of \$161,000 from the Assigned to Unassigned Fund Balance, reducing the Assigned Fund Balance for the new Village Hall to \$129,000. These funds will then be transferred from the General Fund to the Capital account for payment to JGM.

After discussion by the Trustees and on motion duly made and seconded, the Board unanimously

RESOLVED to approve a Fund Balance adjustment of \$161,000 from the Assigned to Unassigned Fund Balance and payment to JGM for requisition #5 totaling \$160,371.24.

MINUTES

The Mayor then called for approval of the Regular Minutes of the Trustee meeting held on August 4, 2025. *(See Attached Exhibit A)*

On motion duly made and seconded, the minutes were approved.

FINANCIAL REPORT

Bills

The Clerk/Treasurer discussed all claim forms listed on the General Fund Check Detail dated September 11, 2025, totaling \$146,148.02 and October 1, 2025 totaling \$55,013.74 and reported that she reviewed the supporting invoice details and/or purchase contracts with a Trustee prior to the meeting.

After reviewing the invoices and backup documentation and discussion by the Trustees, on motion duly made and seconded, the Trustees

RESOLVED, to ratify and approve the bills listed on the General Fund Check Details dated September 11, 2025, totaling \$146,148.02 and October 1, 2025 totaling \$55,013.74. *(See Attached Exhibit B & C)*

Treasurer's Report

Next, the Clerk presented the July & August 2025 financials.

After discussion by the Trustees and on motion duly made and seconded, the Board unanimously

RESOLVED, to approve the July & August 2025 Treasurer's Reports and Balance Sheets. *(See Attached Exhibits D & E)*

CLERKS REPORT

Tree Removal

The Clerk presented a proposal from Woody Tree Service for \$3,800 to remove two trees behind the Village Hall that were dead/dying. One of the Trustees pointed out that one of the trees is a black walnut tree and he would investigate to see if anyone is interested in removing the tree at their expense for use of the valuable wood.

Film Permits

The Clerk requested that the Board ratify approval of three Film Use permits at Planting Fields Arboretum issued in June, July & September totaling \$4,000 and a Commercial Film permit at 55 Mill River Road issued in August totaling \$27,500.

After discussion by the Trustees and on motion duly made and seconded, the Board unanimously

RESOLVED to ratify approval of the film permits.

BUILDING DEPARTMENT REPORT

The Clerk referred to the report submitted by the Building Department Clerk for August 2025 activity. *(See Attached Exhibit F)*

BEAUTIFICATION COMMITTEE

Trustee Solomon presented a tree planting plan for the Tree City application.

She also recommended that we plant tulip bulbs this fall at the new Village Hall sign bed which will bloom in the Spring and that the Village install underground sprinklers at the new Village Hall and another to the bed at the corner of Wolver Hollow Road and Northern Boulevard.

She also requested that the Board think about what to do about the poor condition of the former police booth at the corner of Wolver Hollow and Chicken Valley Roads and perhaps remove or relocate it.

After discussion by the Trustees and on motion duly made and seconded, the Board unanimously

RESOLVED to approve the planting of bulbs at the new Village Hall.

FIRE & STORM WATER MANAGEMENT REPORT

The Clerk presented the interim Storm Water Management Report prepared by West Side Engineering which is due October 1. The report certifies that the Village has reviewed the compliance items due in the next 5 years. For example, next year, the Village must provide GIS mapping of outflow water shed areas and in year 5, must train all highway personnel

After discussion by the Trustees and on motion duly made and seconded, the Board unanimously

RESOLVED to approve the interim Storm Water Management Report and authorize the Mayor to sign the certification form. *(See Attached Exhibit G)*

LEGAL REPORT

The Village Attorney commented on a recent decision made by the Nassau County Supreme Court Justice related to the Iacono/Mill River Club claim. The court denied the Village's request to get access to the drainage pipe on the club's property that is connected to the sump/re-charge basin nearest to Donna Drive. This decision comes after the judge initially endorsed giving the Village access for the purpose of inspecting and testing the pipe and to determine the endpoint of the overflow pipe.

The matter is set to appear on the calendar later this month for a trial scheduling conference.

At 6:53 p.m., the Mayor requested that the Board enter Executive Session to discuss various village matters.

At 7:14 p.m. the Board came out of Executive Session where the Board discussed official and employee appointments, health issues and staffing.

On motion duly made and seconded, the Board unanimously

RESOLVED to authorize the Mayor to Appoint Andrew Belfer as a Member of the Planning Board to fill the unexpired term of Frederic Kunken which expires in July 2029, subject to a discussion between Mr. Belfer and the Chairman of the Board (Andrew Belfer subsequently accepted the appointment to the position) and

FURTHER RESOLVED to approve the purchase of a device to be installed in the new Village Hall that would prevent cell phone user calls from being dropped along Northern Boulevard and Wheatley/Wolver Hollow Road as long as its economical and

FURTHER RESOLVED to approve the purchase of a memento to be gifted to public officials, not to exceed a cost of \$50 each, at the grand opening of the new Village Hall.

The meeting was adjourned at 7:23 p.m.

The next regular meeting is scheduled for Monday October 20, 2025 @ 5:30 p.m.

Signed by TL Lynch 10/20/25

Tracy Lynch
Village Clerk