

**VILLAGE OF UPPER BROOKVILLE
REGULAR BOARD OF TRUSTEES
COTTAGE AT 24 WOLVER HOLLOW ROAD
October 20, 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 October 20, 2025, at 5:30 p.m.

Present:	Elliot S. Conway	Mayor
	Peter P. Pappas	Deputy Mayor
	Helen Solomon	Trustee
	Joseph Burns	Trustee
	Innis O'Rourke III	Trustee

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 5:31 p.m.

THE PLEDGE OF ALLEGIANCE

MUBPD REPORT

Officer Wallace presented the September 2025 Police Report:

4	Motor vehicle accidents
0	Arrests
21	Traffic tickets
1	Vacant premise checks

He reported that vehicle deer strikes are on the rise. In the last three weeks, there have been 5 deer strikes in Upper Brookville and Muttontown resulting in vehicles having to be towed due to the damage. The Department was also busy with downed trees from the recent Nor'easter that came through the area. Last week there was a crime spree in Muttontown from a New Jersey gang that stole one vehicle (later recovered) and property from others.

PUBLIC COMMENT

No Comment

SALERNO BROKERAGE CORP INSURANCE UPDATE

Nicole Morton from Salerno presented the insurance renewal report for the 11/22/2025 – 2026. She reported that the Village's current insurance carrier would not be renewing coverage due to past loss experience. She reported that the insurance market continues to be extremely challenging.

She received a preliminary quote from the New York Municipal Insurance Reciprocal (NYMIR) for \$92,000 which includes an Excess Liability Limit of \$15,000,000 and Cyber Security coverage, equivalent to the Village's current coverage. The NYMIR program lacks fraudulent impersonation coverage.

NYMIR was established to help cities, towns, villages, counties, and other local public entities obtain liability and property insurance coverage, especially when commercial insurance markets are unstable or expensive. They rely heavily on reinsurance (insurance for the carrier). The program is an assessable one which means that members share in the benefits and risks. Surplus funds can be used to stabilize rates or enhance member services while subscribers could be assessed additional funds in extreme financial situations, though this is rare. Nicole noted that NYMIR has not levied assessments on subscribers since its inception.

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

RESOLVED to approve the insurance proposal from NYMIR totaling approximately \$92,000/year.

ROAD COMMISSIONER/CODE INSPECTOR REPORT

The Road Commissioner reported that the crew was busy cleaning up the Village after the recent Nor'easter. The crew removed downed trees, cleared drains and picked up debris.

The Mayor also reported that the County recently cleared drains on Wolver Hollow Road which seems to have minimized flooding during this last storm.

MAYOR'S REPORT

Mill River Road/Ripley Paving Project

The Mayor reported that the Mill River Road mill and paving project is scheduled for the first week of November. He noted that the entire project, estimated at a cost of approximately \$350,000, will be paid for entirely with NYS grant (CHIPS) funding.

He also asked Pratt Brothers for a proposal to mill and pave the upper half of Ripley Lane that ends at Remsens Lane and they came back with a proposal of \$50,000. He also requested that they inspect the lower half that ends at Wolver Hollow Road. Either project would NOT require the competitive bidding process or engineering design and would also entirely be paid for with NYS grant (CHIPS) funding.

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

RESOLVED to ratify the Mill River Road Bids from Pratt Brothers Inc. totaling approximately \$350,000 and L.K. McLean Engineering totaling \$1,200/day for observation services only and

FURTHER RESOLVED to approve the proposal from Pratt Brothers Inc. to mill and pave half or all of Ripley Lane in the Spring 2026, pending inspection by Pratt, at a total cost of approximately \$50,000 for half the road and \$100,000 for the entire road and from L.K. McLean Engineering totaling \$1,200/day for observation services only.

(The next day, Pratt inspected the road and recommended the entire length be done. The lower half of the road ending at Wolver Hollow Road, which was repaved in 2017, has developed a longitudinal joint down the centerline that's opened 2"-3" and there is some additional road cracking.)

Village Attorney Rate Increase

The Mayor reported that Stephen Limmer of McLaughlin & Stern, LLP requested a 2.8% hourly rate increase for his legal services. This will increase his hourly rate to \$326 from \$317.

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

RESOLVED, to ratify the approval of McLaughlin & Sterns request for a 2.8% rate increase starting October 1, 2025.

Cell Tower Survey

The Mayor has revised the cell tower survey to residents to include a response date, a map of zones including who will benefit from the tower, which zone the resident resides in and who their carrier is. He expects to send out to the residents in the next few weeks.

Village Hall Sheds

The Mayor reported that the sheds at the new Village Hall are on the cemetery property and the cemetery has asked the Village to remove them. The sheds were placed in their current location years ago by the Old Brookville Police Department. The Mayor recommended that we either ask JGM to pick them up and place them in a conforming location, or offer them for residents to remove and take away. He also mentioned that the existing generator will be removed and could also be offered to interested residents.

(Upon inspection, JGM said it would be difficult to move the sheds intact, and recommended the Village empty the contents and JGM will demolish and discard of both.)

NEW VILLAGE HALL PROJECT

The Deputy Mayor reported that the windows and siding are expected to be installed in the next two weeks. HVAC, plumbing, electrical and site work is well under way.

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

#9R3	Exterior Doors/Hardware	\$6,235
#10R3	Interior Doors/Hardware	\$6,457
#13A	150KW Generator - Generac	\$80,496
#13B	150KW Generator Feeders	<u>\$40,088</u>
	Total	\$133,276

She also requested that the Board approve proposals from North Shore Technology Systems (NSTS) totaling around \$35,000 for all equipment and labor to provide all the village's phone, computer, internet, audio and security needs and from Able Locksmith totaling around \$45,000 for the material and labor to install all electronic access control devices.

She also presented a communication package from Motorola for use by the MUBPD. The unit is used by the police to communicate with Nassau County PD. The Board agreed to hold off on this installation and see if either alternate equipment could be used or we can get it covered with grant funding.

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 \$133,276 and

FURTHER RESOLVED to approve NSTS proposal totaling approximately \$35,000 and

FURTHER RESOLVED to approve Able Locksmiths proposal totaling approximately \$45,000.

MINUTES

The Mayor then called for approval of the Regular Minutes of the Trustee meeting held on September 15, 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 October 20, 2025, totaling \$8,804.81 and November 3, 2025 totaling \$518,003.29 and reported that she reviewed the supporting invoice details and/or purchase contracts with a Trustee prior to the meeting. The bills include a payment of \$472,399.75 to the Village of Muttontown for the 2025/26 Q2 Police Protection contract.

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 October 20, 2025, totaling \$8,804.81 and November 3, 2025 totaling \$518,003.29. (*See Attached Exhibit B & C*)

Treasurer's Report

Next, the Clerk presented the September 2025 financials.

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

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

Annual Financial Report

The Clerk circulated copies of the Village's Annual Financial Report for fiscal period 6/1/2024 – 5/31/2025 and reported it had been submitted to the Office of the New York State Comptroller. *(See Attached Exhibit E)*

CLERKS REPORT

Shred-A-Thon and Medicine Take Back Day

The Clerk reported that the Shred-A-Thon and Medicine Take Back Day is scheduled for Saturday, October 25, 2025 from 9am – 12pm. As in previous years, the MUBPD will be onsite to collect medications. This year, we have invited residents of Muttontown to take advantage of the opportunity, because our joint police department is staffing the event.

Tree Removal

The Clerk reported there was no interest in the dead black walnut tree at Village Hall, she asked for approval of the proposal from Woody Tree Service totaling \$3,800 to remove this tree and one additional diseased tree that presents a danger to the building.

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

RESOLVED, to approve the proposal from Woody Tree Service totaling \$3,800 to remove two dead or dangerous trees on the Village Hall property.

Canon Lease

The Clerk reported that she renewed the Canon copier lease and added an additional copier for use at the new Village Hall. The new lease for the two copiers is for a 5-year term at \$95/month (including toner). The prior lease agreement rate was \$85/month.

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

RESOLVED, to ratify the approval of the Canon copier lease for a 5-year period for two machines at a rate of \$95 per copier, effective January 1, 2026.

BUILDING DEPARTMENT REPORT

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

The Clerk also reported on a resident's request for a Building Permit extension. The property at 228 Linden Lane had a fire about 5 years ago and was sold to the current owner. They applied and received an Interior Alteration Permit, which has been extended twice since it expired in 2022, bringing the current expiration date to October 2024. For financial reasons over the last few years the project completion date was delayed. The owner is now prepared to complete all the work and submit the final documentation to receive a CO.

Based on similar situations in the past, the Clerk recommended that the Board approve a 50% permit renewal fee of \$1,279 to extend the project to October 2025 and an additional 50% permit renewal fee of \$1,279 which would be reimbursed if the project is completed by January 30, 2026.

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

RESOLVED, to approve the Building Permit Renewal fees as described above for 228 Linden Lane pending review of the project by the Building Inspector.

BEAUTIFICATION COMMITTEE

Trustee Solomon presented the proposal from Joseph Iadevaia Landscape Corp. to plant spring tulip bulbs at the new Village Hall totaling \$1,328, which was previously approved by the Board. The proposal was well received.

FIRE & STORM WATER MANAGEMENT REPORT

No Report

LEGAL REPORT

No Report

At 7:02 p.m., the Mayor requested that the Board enter Executive Session to discuss various village matters.

At 7:24 p.m. the Board came out of Executive Session.

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

RESOLVED, to approve the Mayor's attendance by phone at our next Board meeting scheduled for November 17, 2025. He cannot be counted in the meeting quorum and is not permitted to vote on any matters.

The meeting was adjourned at 7:26 p.m.

The next regular meeting is scheduled for Monday November 17, 2025 @ 5:30 p.m.

Signed by TL Lynch 11/17/2025

Tracy Lynch
Village Clerk