

**VILLAGE OF UPPER BROOKVILLE
BOARD OF TRUSTEES MEETING
COTTAGE AT 24 WOLVER HOLLOW ROAD
JUNE 15, 2023 at 5:30 p.m.**

A regular meeting of the Board of Trustees of the Incorporated Village of Upper Brookville, Nassau County, New York, was held on Thursday June 15, 2023, at 5:30 p.m.

Present: Elliot S. Conway Mayor
Innis O'Rourke III Trustee
Peter Pappas Trustee
Helen Solomon 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
Eric Irizarry, Chief MUBPD
Chris Starr, NYCLASS
Joel Friedman, NYCLASS

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

THE PLEDGE OF ALLEGIANCE

MUBPD REPORT

Chief Irizarry presented the May 2023 police report. He reported that the officers were participating in active shooter training at LI POST. He also reported that the license plate readers recently had a hit on a stolen license plate that traveled through the Village but was not caught by the police. In the past two weeks, the three readers in Upper Brookville have had 115,000 reads.

He also stressed how important it is for streets to be named with street name signs and house numbers to be visible and clearly displayed so they can easily be identified by public safety and emergency services.

VILLAGE HALL UPDATE

Trustee Pappas reported that he has been working with the Building Inspector on the new Village Hall project.

He recommended that the Village apply to Nassau County for use of the easement along Wolver Hollow Road to pick up an additional 25 - 30 parking spaces by cutting into the hill and constructing a small retaining wall. The architect also determined that the new hall does not require separate fire protection or a sprinkler system in the multipurpose room which will save

the village at least \$100,000.

Trustee Pappas reported that Island Engineering has agreed to include the civil portion of the front bump out of the building in their original engineering proposal.

After discussion, the Board unanimously

RESOLVED to approve Island Engineering's engineering proposal for the new Village Hall totaling \$35,000. (*See Attached Exhibit A*)

FINANCIAL REPORT

Bills

The Clerk/Treasurer discussed all claim forms listed on the General Fund Check Details dated June 16, 2023, in the total sum of \$94,580.68 and June 16, 2023 in the total sum of \$61,073.21 and reported that she reviewed the supporting invoice details and/or purchase contracts with a Trustee prior to the meeting.

After review of 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 June 16, 2023, in the total sum of \$94,580.68 and June 16, 2023, in the total sum of \$61,073.21 annexed to these minutes. (*See Attached Exhibit B & C*)

Treasurer's Report

After presentation by the Clerk and examination, on motion duly made and seconded, the Board unanimously

RESOLVED, to approve and file the preliminary Treasurer's Report for the month ending May 31, 2023. (*See Attached Exhibit D*)

MAYORS REPORT

NCS Lease Update

The Mayor reported that he was working on the evaluation of the NCS equipment to be included in the proposed new lease and since the Village review was delaying the completion of the lease he recommended that the Board approve the June payment to NCS totaling \$7,140. Peter MacKinnon also reported that he spoke to Salerno Insurance, and they feel the Village is more than adequately protected based upon the insurance provided by NCS, where the Village is named as additionally insured.

After discussion, the Board unanimously

RESOLVED to approve the NCS June equipment lease totaling \$7,140.

2022/23 Budget

The Mayor highlighted that the Village ended fiscal year May 31, 2023 \$500,000 *under budget* and accordingly, the Board approved the appropriation of \$260,000 of the surplus towards lowering the tax levy for 2023/24 and assigning \$40,000 to the Mill River Road project and \$200,000 for legacy OBPD liabilities.

He also proposed the following Fund Balance (FB) adjustments:

- Reassign \$200,000 in the Assigned FB reserved for the Planting Fields Road repaving project to the new Village Hall as the road was repaved completely from NYS DOT grant funds.
- Adding our NYS Dormitory Authority grant (\$250,000), the American Rescue Plan grant (\$178,000), the existing Capital Reserve Fund (\$375,000) brings the total funding for the new Village Hall and Police Substation to \$1,508,000.
- Assign \$40,000 to the Mill River Road project increasing the total funding to \$640,000.
- Assign \$200,000 for legacy OBPD-related liabilities.

Furniture Donation

The Mayor thanked Remy Trafellet for his generous donation of household furniture, road maintenance machinery and hardware to the Village which was moved today from his home on Piping Rock Road to the main dwelling at 24 Wolver Hollow Road at a cost of \$3,000.

After discussion, the Board unanimously

RESOLVED to ratify the cost to move the of household furniture, road maintenance machines and hardware from a Piping Rock home to 24 Wolver Hollow Road at a cost of \$3,000.

Upper Brookville License Plates

The Mayor circulated a sample design for a NYS custom license plate with the Upper Brookville pheasant logo and designation. He stated that, if our design is approved, the Village could be the first municipality in the state to offer custom plates. In connection with the program, the DMV will require the Village to post a \$6,000 performance bond, which may be drawn upon in whole or in part, subject to the number of plates sold in the first 24 months after the plates are available.



After discussion, the Board unanimously

RESOLVED to authorize the Clerk to apply to the Department of Motor Vehicle for the development of Upper Brookville custom plates which will require a \$6,000 performance bond.

Capital Asset Report

The Mayor presented the Capital Asset Depreciation Report as of May 31, 2023 which includes the addition of street name signs with a net cost of \$50,000 and the Planting Fields Road project with a repaving cost of \$225,595 and engineering cost of \$56,751.

Mayor Conway departed the meeting at 6pm and requested that Trustee O'Rourke preside.

Trustee O'Rourke introduced Joel Friedman and Chris Starr of NYCLASS, New York Cooperative Liquid Assets Securities System. The Mayor invited them to discuss their investment strategy with the new Trustees on the Board. The Board approved NYCLASS as an eligible depository of Village funds several years ago.

PUBLIC COMMENT

No Comment

MINUTES

The Mayor then called for approval of the Regular Meeting Minutes of the Trustee meeting held on May 15, 2023. (*See Attached Exhibit E*)

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

CLERK'S REPORT

Firework and Triathlon Permit

The Clerk reported that she received applications from the Mill River Club for a fireworks permit and from Northwell Health for the TOBAY Triathlon Bike Ride which runs through the Village.

After presentation by the Clerk and examination, on motion duly made and seconded, the Board unanimously

RESOLVED to approve the Mill River Club fireworks permit which will take place on July 1, 2023, rain date July 3, 2023, and the TOBAY Triathlon scheduled for August 27, 2023 pending submission of the required insurance documents, hold harmless agreement and refundable \$500 road deposit for the removal of signage or road markings by the applicant.

2023 Oyster Bay Water District Hydrant Rental Contract

The Clerk presented the Water District contract to the Board for their approval. The contract covers the rental of 16 hydrants located on Centre View Drive, Canon Lane, Glen Cove Road, Pond View Drive and West View Drive, at \$90 per hydrant for a total of \$1,440.

After discussion and on motion duly made and seconded, it was

RESOLVED to authorize the Mayor to sign the contract to rent 16 hydrants from the Water District at an annual rate of \$90.00 per hydrant. (*See Attached Exhibit F*)

Building Department Computer

The Clerk presented a new estimate from North Shore Technology Systems for the purchase of a computer for the Building Inspector. The total includes the computer, monitor, accessories and setup costs.

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

RESOLVED to approve the purchase of a new computer for the Building Inspector at a cost not to exceed \$2,400.

Special Permit

The Clerk requested that the Board ratify their approval of a Special Permit that was granted to the resident at 33 Stirrup Drive. This is required as the resident brought more than 15 cubic yards of fill to his property for new buffer plantings and to level out an existing berm. The Building Inspector required the applicant to submit a landscape plan with drainage, which he approved.

She also agreed to work with the Village Attorney and draft an amendment to the code which would require a Special Permit from the Board when a greater amount of fill is brought onto a property.

After discussion and on motion duly made and seconded, it was

RESOLVED to ratify the approval of a Special Permit for the resident at 33 Stirrup Drive and to have the Clerk work with the Village Attorney to draft a new code with greater fill limits for a Special Permit.

SCAR Assessment Reduction & Tax Refund

The Clerk reported that residents were awarded assessment reductions in Small Claims Court Proceedings for the 2021/22 tax year against Nassau County. She noted that the Village was served a copy of the Petitions and recommended that the Board authorize the reduction and refund on the Village assessment roll as required by law.

After discussion and on motion duly made and seconded, it was

RESOLVED, that the Village Clerk/Treasurer be, and she is hereby authorized to reduce the assessed value for the premises owned by the residents listed in the **attached Schedule G**, and to refund the appropriate Village taxes to the respective owners or representatives, provided the Village taxes have been paid in full and copies of

applications were submitted to the Village.

New Village Hall Signs

The Clerk recommended that the Village replace the entry signs at the Village Hall property with a new sign clearly identifying Village Hall. She reported that the Village can use funding from the Clean Energy Community grant as long as the sign includes the 'Clean Energy Community' designation.

The Board requested that the Clerk work with Trustee Solomon and A+ Signs on a design that compliments the signs already in the Village and present it to the Board at the next meeting.

ROAD COMMISSIONER/CODE INSPECTOR REPORT

The Road Commissioner reported that his crew was busy filling potholes on Mill River Road. He also mentioned that the new water tank purchased for the flowers recently planted around the Village is working out very well.

The Mayor returned to the meeting at 6:40pm

BEAUTIFICATION COMMITTEE

Trustee Solomon reported that deer have been eating some of the flowers recently planted around the Village and will have the road crew plant cat mint, a plant that looks like lavender and is a natural deer repellent.

She also presented a quote from Walt Whitman Fence to replace the gate at the entrance to the Village Hall. The total estimate of \$3,480 includes replacing the existing rotted planks with white cedar planks. The gate will need to be recessed to permit a large vehicle to approach the unopened gate without blocking traffic on Wolver Hollow Road.

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

RESOLVED to approve the replacement of the Village Hall entry gate at an estimated cost not to exceed \$3,480 and for the Clerk to obtain estimates to construct two new piers further back in to the Village Hall property.

FIRE & STORM WATER MANAGEMENT REPORT

No Report

BUILDING DEPARTMENT REPORT

The Clerk referred to the report submitted by the Building Department Clerk for May 2023 activity. (*See Attached Exhibit H*)

POLICE REPORT

No Report

ARCHITECTURAL REVIEW REPORT

No Report

LEGAL REPORT

No Report

PUBLIC COMMENT

A Resident commented on the status of the new Village Hall project and the potential cell tower.

The Mayor closed the meeting at 6:52 p.m. and on motion duly made and seconded, the Board unanimously

RESOLVED to enter Executive Session to discuss various matters and invited Jody Burns to attend.

At 7:38 p.m., on motion duly made and seconded, the Board unanimously

RESOLVED to come out of Executive Session where the Board discussed the fire contract, investments and liability in connection with Village trees.

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

RESOLVED to approve a \$900 reimbursement payment to the resident at 66 Linden Lane for a fence repair that was damaged by a Village Tree.

The next regular meeting is scheduled for Monday July 17, 2023 @ 5:30 p.m.

Signed by TL Lynch 7/17/2023

Tracy Lynch
Village Clerk