

**VILLAGE OF UPPER BROOKVILLE
REGULAR BOARD OF TRUSTEES MEETING
Cottage at 24 Wolver Hollow Road
February 16, 2026, at 5:30 p.m.**

The Regular Board Meeting of the Board of Trustees of the Incorporated Village of Upper Brookville was held on Thursday February 16, 2026, at 5:30 p.m.

Present:	Elliot S. Conway	Mayor
	Peter J. Pappas	Deputy Mayor
	Joseph Burns	Trustee

Also Present: Tracy L. Lynch, Clerk/Treasurer
Peter MacKinnon, Esq. of Humes & Wagner, LLP
Attorneys for the Village
Linda Scherer, Deputy Clerk/Treasurer
Colleen O'Toole, Building Clerk

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

THE PLEDGE OF ALLEGIANCE

MUBPD REPORT

No Report

PUBLIC COMMENT

No Report

BUILDING DEPARTMENT REPORT

The Clerk referred to the reports submitted by the Building Department Clerk for December 2025 & January 2026 activity. *(See Attached Exhibit A & B)*

Next, the Building Department Clerk updated the Board on her progress addressing expired permit applications. Since her last report in December 2024, she was able to close an additional 102 permits representing fees of \$17,400. Total open permits have been reduced by 51%, from 459 to 234. Resolution of 23 resident permits is pending representing fees of \$7,200. In the process, \$32,508 was collected for legalization of unpermitted structures and \$49,184 for renewal fees from residents with permits that soon expire. *(See Attached Exhibit C)*

The Board inquired on the level of Village permit fee amounts and calculation methodology compared to those of neighboring villages and requested the clerk review and report back to the Board at the next monthly meeting.

MAYOR'S REPORT

Snowplow & Salt/Sand Contract

The Mayor reported that under December's Local Limited Emergency Declaration, the Village contracted with Horan Sand & Gravel for the 2025/26 winter season to provide backup snow-removal and salt and sanding services. However, when called, Horan was unable to assist the village during the last snowstorm due to limited manpower and equipment.

The Village contacted John McGowan & Sons, and they agreed to provide these services on an hourly, as needed basis under the same terms as Horan.

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

RESOLVED to approve the backup snow removal, salt & sanding contract with McGowan & Sons for the 2025/26 winter season. *(See Attached Exhibit D)*

Composting Update

The composting pilot program will begin as soon as the weather breaks. A bin will be placed at the Village Hall for the deposit of resident food scraps which is to be removed periodically and turned into compost at a nearby location outside the Village and available, later to be used by the community. The pilot program is being manned and operated by a village resident. Following a discussion by the Board, the Mayor requested that the Clerk email program information to residents so that interested residents can work directly with the organizer.

Village Hall Mayor Photos

The Mayor reported that he has gathered photos of all the former Village Mayors over the past 94 years, mostly from the Village Archives, and recommended they be enlarged, framed and displayed with biographical information in the new Village Hall. He requested the Board approve an expenditure of not more than \$2,500 for the project consisting primarily of printing and framing.

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

RESOLVED to approve the printing and framing of photos and biographical information of the Village Mayors for display at the new Village Hall for a cost not to exceed \$2,500.

Zoom Local Law

The Mayor requested the Village Attorney to prepare the Local Law that establishes regulations that allow Board members to participate as voting members by Zoom.

Potential Sale of Village Property

The Mayor reported that we are working with the appraiser and surveyor for a potential sale of the Village property at the corner of Wolver Hollow and Chicken Valley Roads. The property has become a parking spot for utility vehicles in what is otherwise zoned as a residential area. To remove the parkland designation of approximately .3 acres, the Village is required to file a Home Rule Request with our State Legislator. The surveyor will identify the metes and bounds of the parkland so we can either (a) transfer the same to the village property at 24 Wolver Hollow Road on newly designated parkland or (b) improve existing resident recreation assets on the same village property.

DPW Staffing and Equipment

The Mayor recommended that the Village create a Street Commissioner public office position to replace Sam Vergata. As an official of the village, the individual appointed to this position will not be a village employee, will be covered under the village's general liability and workers compensation insurance policies and can be compensated.

The Mayor also put together an analysis of recommended staffing and equipment and asked the Clerk to send it to the Board for review and discussion at our next Board meeting.

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

RESOLVED to create a public office position of Street Commissioner.

NEW VILLAGE HALL PROJECT

The Deputy Mayor reported that the Village Hall contractor, JGM, is working through a dispute they are having with a former HVAC contractor that was replaced on the job site. The parties are negotiating the matter and a resolution is anticipated soon.

He also reported that the larger windows will be delivered and installed this month, after which the siding can be finished. National Grid submitted their gas plan to the County who requested a 239F application, apparently unaware that a waiver was granted last year. The Village sent National Grid copies of the waiver and National Grid plans to follow up with the County next week.

ROAD COMMISSIONER/CODE INSPECTOR REPORT

The Clerk reported that she registered a member of our road crew for a 2-day course to get his Commercial Drivers License at a cost of \$1,080. This will allow him to operate the dump truck and backhoe.

MINUTES

The Deputy Mayor then called for approval of the Regular Minutes of the Trustee meeting held on December 15, 2025. *(See Attached Exhibit E)*

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 February 19, 2026, totaling \$1,036,819.14 and March 2, 2026 totaling \$153,051.80 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 to Pratt Bros. for \$343,218.95 for repaving Mill River Road, a payment to the Village of Muttontown for \$472,399.75 for the Q3 police protection contract and for \$116,708 to the ENFC for Q1 2026 fire protection.

The Clerk reported that the ENFC contract total increased by 4% from 2025 but the fire protection payment decreased by 7% and the amortization payment increased by 142%, without an explanation.

She also reported that certain legal, subpoena preparation and IT expenses on the claim forms are related to the Chabad litigation and have been submitted to the insurance company for reimbursement.

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 February 19, 2026, totaling \$1,036,819.14 and March 2, 2026 totaling \$36,343.80 which includes withholding payment to ENFC for \$116,708 until they provide the Village with an explanation for the decrease in fire protection and increase in amortization payments. *(See Attached Exhibit F & G)*

Treasurer's Report

Next, the Clerk presented the December 2025 and January 2026 financials.

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

RESOLVED, to approve the December 2025 and January 2026 Treasurer's Reports and Balance Sheets. *(See Attached Exhibits H)*

CLERKS REPORT

Voter Registration and Election Resolution

The Clerk presented the Voter Registration and Election Resolution. The next election will be June 16, 2026 at Village Hall between the hours of 12 p.m. and 9 p.m. The officers that are up for re-election are one (1) Mayor, two (2) Trustees and one (1) Village Justice each for a 4-year term.

Accordingly, on motion duly made and seconded, the Board unanimously

RESOLVED to adopt the Election Resolution as presented. *(See Attached Exhibit I)*

Registrar of Vital Statistics

The Clerk requested that the Board ratify the appointment of Town Clerk Richard LaMarca as Registrar of Vital Statistics and Deputy Town Clerk Donna Antetomasso as Deputy Registrar for the period January 1, 2026 – December 31, 2027.

Accordingly, on motion duly made and seconded, the Board unanimously

RESOLVED to ratify the appointment of Town Clerk Richard LaMarca and Deputy Town Clerk Donna Antetomasso as the Registrar/Deputy of Vital Statistics for the period January 1, 2026 – December 31, 2027.

Unpaid 2025-26 Taxes

The Clerk presented the Board with a list of unpaid taxes for the current year. Following a discussion of the relatively high interest rate the Village can earn and the legal expense involved in a tax lien sale, the Board unanimously

RESOLVED to allow all liens to default to Village ownership. *(See Attached Exhibit J)*

NCS Lease Amendment Rate Adjustment

The Clerk reported an adjustment to the NCS Equipment Lease because the 5-yard Meyer gas salt/sander is no longer operational and able to perform its intended function.

The lease payment was reduced by \$200 effective February 2026 and \$100 for the month of January 2026 reflecting the salt/sander equipment being inoperable after the MLK weekend snowstorm on January 17, 2026.

The Village included an analysis of the adjustment calculation with the lease payment.

Road Department Phones

The Clerk reported that she arranged for the Road Crew to each have a village cell phone with a push-to-talk option. These phones will be added to our existing Verizon Wireless account at a cost of \$30.99/month. She also ordered a Village Hall cell phone for multi-factor authentication purposes. The phones are free from Verizon and are to be used for business purposes only.

TOBAY Empire State Ride

The Clerk reported that she received permit applications for the Empire State Bike Ride on June 13, 2026.

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

RESOLVED to approve the Empire State Bike Ride pending submission of the required insurance documents, hold harmless agreement and refundable \$500 deposit for the

removal of signage or road markings by the applicant.

Arbor Day

The Clerk reported that she contacted the Director of the Planting Fields Foundation and asked if the park would again offer free entry to residents on Arbor Day which is celebrated on April 25th & 26th.

Like last year, the Village would set up an Upper Brookville table that would be open Saturday, April 25th from 10 AM to 1 PM. Village staff and elected officials including Nassau County Legislator Samantha Goetz will distribute light snacks, juice boxes, soft drinks and water to anyone who stops by as long as supplies last.

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

RESOLVED to approve spending of up to \$5,000 on Arbor Day related supplies and activities.

BEAUTIFICATION COMMITTEE

No Report

FIRE & STORM WATER MANAGEMENT REPORT

No Report

ARCHITECTURAL REVIEW REPORT

No Report

LEGAL REPORT

No Report

The Board entered Executive Session at 7:13 p.m. to discuss a legal matter.

At 7:21 p.m. the Board came out of Executive Session and no further action was taken.

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

The next regular meeting is scheduled for Monday March 16, 2026 @ 5:30 p.m.

Signed by T L Lynch 3/16/26

Tracy Lynch
Village Clerk