

**VILLAGE OF UPPER BROOKVILLE  
REGULAR BOARD OF TRUSTEES MEETING  
Cottage at 24 Wolver Hollow Road  
April 20, 2026, at 5:30 p.m.**

A Budget Hearing, Public Hearing on proposed Local Law A-2026 and Regular Board Meeting of the Board of Trustees of the Incorporated Village of Upper Brookville was held on Monday April 20, 2026, at 5:30 p.m.

Present:	Peter J. Pappas	Deputy Mayor
	Joseph Burns	Trustee
	Innis O'Rourke	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

**THE PLEDGE OF ALLEGIANCE**

Trustee O'Rourke called the Regular meeting to order at 5:36 p.m. He announced that Mayor Conway would be attending by telephone, cannot be counted in the meeting quorum and is not permitted to vote on any matters.

The Board reviewed the tentative budget which includes:

- a) Stipend for the Mayor of \$3,000.
- b) Old Brookville Police retirement benefits totaling \$265,000.
- c) 8.5% increase to police protection services largely due to salary steps, benefits and pension costs.
- d) Purchase of used vehicles and equipment for our road crew totaling up to \$70,000.
- e) 15% decrease to fire protection services.
- f) \$800,000 transfer to the Capital account for the new Village Hall project, fully offset by surplus fund balance.
- g) Select salary increases approved for staff above the originally proposed 2.4%.  
*(See Attached Exhibit A)*

He explained that it is for these reasons, the Village needed to raise the tax levy 10% and override the property tax cap of 2%.

**HEARING ON PROPOSED LOCAL LAW A-2026, “PROPERTY TAX CAP OVERRIDE”**

Next, Trustee O’Rourke called the hearing on proposed Local Law A-2026 to order. The affidavit of mailing and the public information notice were presented and ordered annexed to the minutes of this hearing.

The Board discussed and considered proposed Local Law A-2026 which will allow the Board of Trustees to override the tax levy limit established in the General Municipal Law §3-c as it pertains to the Incorporated Village of Upper Brookville’s budget for the fiscal year commencing June 1, 2026.

Trustee O’Rourke noted that this year the maximum tax levy limit is 2%. The Village’s projected levy is 10% over last year and will require an override.

Trustee O’Rourke called for comments in favor of, or in opposition to, the proposed local law.

There being no questions or comments, Trustee O’Rourke declared the hearing closed.

**ADOPTION OF LOCAL LAW 1-2026 - “PROPERTY TAX CAP OVERRIDE”**

Next, the Board considered the adoption of Local Law 1-2026 which will allow the Board of Trustees to override the tax levy limit established in the General Municipal Law §3-c as it pertains to the Incorporated Village of Upper Brookville’s budget for the fiscal year commencing June 1, 2026. *(See Attached Exhibit B)*

**RESOLVED**, that in accordance with Article 8 of the State Environmental Quality Review Act, the adoption of Local Law 1-2026 which will allow the Board of Trustees to override the tax levy limit established in the General Municipal Law §3-c as it pertains to the Incorporated Village of Upper Brookville’s budget for the fiscal year commencing June 1, 2026 shall not be classified as an *“action”* and will require no environmental review under SEQRA, and further

**RESOLVED** that Local Law 1-2026 which will allow the Board of Trustees to override the tax levy limit established in the General Municipal Law §3-c as it pertains to the Incorporated Village of Upper Brookville’s budget for the fiscal year commencing June 1, 2026 be, and the same hereby is, enacted by the Board of Trustees of the Incorporated Village of Upper Brookville as follows:

**VILLAGE OF UPPER BROOKVILLE  
PROPOSED LOCAL LAW A-2026**

A local law to override the tax levy limit established in the General Municipal Law §3-c as it pertains to the Incorporated Village of Upper Brookville.

**BE IT ENACTED** by the Board of Trustees of the Incorporated Village of Upper Brookville as follows:

**SECTION 1. Legislative Intent**

It is the intent of this Local Law to allow the Village of Upper Brookville, Nassau County, New York to adopt a budget for the fiscal year commencing June 1, 2026 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c.

**SECTION 2. Authority**

This local law is adopted pursuant to subdivision 5 of the General Municipal Law §3-c, which expressly authorizes a local government’s governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

**SECTION 3. Tax Levy Limit Override**

The Board of Trustees of the Village of Upper Brookville County of Nassau, is hereby authorized to adopt a budget for the fiscal year commencing June 1, 2026 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

**SECTION 4. Severability**

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstances, directly involved in the controversy in which such judgment or order shall be rendered.

**SECTION 5. Effective date.**

This local law shall take effect immediately upon adoption and filing pursuant to the Municipal Home Rule Law and shall be applicable only to the Village budget and real property tax levy for the next Village fiscal year commencing on or after such effective date.

Votes in favor of adoption:	Innis O'Rourke	Aye
	Peter Pappas	Aye
	Helen Solomon	Aye
	Joseph Burns	Aye

Votes against adoption: None

## **BUDGET HEARING**

Next, Trustee O'Rourke called the budget hearing to order on the Village's tentative budget. He announced that the Village's tentative budget has been on file at the office of the Village Clerk and open to public inspection since the date of publication of the notice of this hearing. The notice was presented and ordered annexed to these minutes.

He next asked the Board and audience if they had any comments.

There being no comment, the budget hearing was closed.

## **ADOPTION OF BUDGET**

The Board, on motion duly made and seconded, unanimously

**RESOLVED**, that the budget which was the subject of a public hearing on April 20, 2026 be, and the same hereby is, adopted as the budget of this Village for the fiscal year June 1, 2026 through May 31, 2027, and

**FURTHER RESOLVED**, that a tax of the Incorporated Village of Upper Brookville, Nassau County, New York, be, and the same hereby is, levied for the fiscal year June 1, 2026 through May 31, 2027 in the sum of \$3,377,614 at the rate of \$312.95 per \$100 of assessed valuation and

**FURTHER RESOLVED** to approve a \$3,000 stipend to the Mayor, and

**FURTHER RESOLVED** to award the following salary increases effective June 1, 2026:

- Clerk/Treasurer, Deputy Clerk, Building Inspector, Court Clerk & Accountant – 2.4%
- Building Clerk – 4.4%
- Laborer Stephen Murphy – 5.4%
- Laborer James Mundell – 6%

**FURTHER RESOLVED** to approve the purchase of used vehicles and equipment from NCS Leasing Corp, totaling \$67,165.

**TAX WARRANT AND ASSESSMENT ROLL**

**RESOLVED**, that the Mayor or Deputy Mayor be, and they hereby are, authorized and directed to sign the proper warrant to the Treasurer to collect said taxes and that the Clerk, be, and she hereby is, authorized and directed to attest the same under the corporate seal of this Village and to deliver the assessment roll with said warrant thereto annexed to the Treasurer, and

**TREASURER’S NOTICE**

**FURTHER RESOLVED**, that the Treasurer be, and she hereby is, directed to publish the notice required by Section 1428 of the Real Property Law in the Oyster Bay Guardian in its issues of May 22, and May 29, 2026, the official newspaper of this Village and

**FURTHER RESOLVED**, that pursuant to Section 1430 of the Real Property Law, the Village Treasurer be and she hereby is, directed to mail tax bills to all persons whose names appear on the 2026/27 tax assessment roll, and

**DEPARTMENT OF AUDIT AND CONTROL**

**FURTHER RESOLVED**, that a copy of the adopted 2026/27 budget be attached to the minutes of this meeting and a certified copy thereof forwarded to the Department of Audit and Control at Albany, New York.

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**FURTHER RESOLVED**, that a copy of the adopted 2026/27 budget be attached to the minutes of this meeting and a certified copy thereof forwarded to the Department of Audit and Control at Albany, New York.

Votes in favor of adoption:	Innis O’Rourke	Aye
	Peter Pappas	Aye
	Helen Solomon	Aye
	Joseph Burns	Aye

Votes against adoption:	None
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## **MUBPD REPORT**

The Clerk presented the March 2026 Report for informational purposes only:

- 4 Motor Vehicle Accidents
- 1 Arrest
- 17 Traffic Tickets
- 3 Vacant Premise Checks

## **PUBLIC COMMENT**

None.

## **MAYOR'S REPORT**

### **NCS Equipment Purchase**

The Clerk reported that she presented NCS Corp with a proposal to purchase the following used vehicles and equipment totaling \$67,165:

- 2014 Ford Dump Truck \$32,300
- 2014 Chevy Pickup Truck \$9,025
- 1998 JCB Backhoe \$15,200
- Landscaping Trailer \$1,235
- Two (2) Walk Behind Mowers \$2,755
- Other Miscellaneous Equipment \$6,650

The values of the property were based on appraisals conducted by the Mayor looking at comparable used vehicles and equipment online, Village employees and NCS who searched for similar property online (age, mileage and condition) to establish fair market value. She reported that she is working with NCS to obtain titles to the vehicles so they can be registered with New York State DMV by June 1.

### **Village Property Located on the Southwest Corner of Chicken Valley Road and Wolver Hollow Road**

The Board of Trustees reviewed the status of a Village-owned, undeveloped parcel of land comprising approximately 2.033 acres (the "Village Lot"), located at the northern boundary of the Village at the intersection of Chicken Valley Road and Wolver Hollow Road. The Village Lot was acquired in 1988 as an unrestricted gift to the Village.

The parcel currently consists of:

- approximately 0.366 acres designated as parkland ("Parkland");
- approximately 0.26 acres designated as a stormwater drainage reserve area ("DRA"); and
- approximately 1.4 acres of remaining undeveloped land.

The Parkland portion of the Village Lot contains a circa-1949 police shelter that was relocated to the site as a historic memento. The structure has never been used operationally by the police at this location. It lacks utility services, is not accessible to the public, and does not possess unique architectural features warranting preservation at this site. The structure can be readily relocated to another Village-owned property, if desired.

The Parkland designation was established solely to accommodate the placement of this structure and not for broader recreational or public use. The remaining undeveloped portions of the Village Lot currently serve no functional municipal purpose and has become a maintenance concern. The site has been subject to littering, illegal dumping, and intermittent use for temporary parking by utility and commercial vehicles, conditions that are inconsistent with and detrimental to the character of the surrounding residential neighborhood and the Village as a whole. Given the absence of any current or anticipated municipal use, the Board discussed the potential sale of the Village Lot for development as a single-family residential property. Such use would be compatible with neighboring properties and consistent with the overall character of the Village.

In order to proceed with such a disposition, the following actions would be required:

1. Parkland Alienation: Obtain approval from New York State to alienate the Parkland and transfer its designation to other suitable Village-owned property.
2. Rezoning: Amend the zoning designation of the Village Lot to permit single-family residential development.

The Village Lot is presently located within the Village's 5-Acre Residence (OP-1) zoning district. Development of the parcel as a single-family residence on its existing acreage would require either rezoning or the granting of zoning variances. Based on the unique history and characteristics of the parcel, the Board determined that rezoning is the more appropriate and reasonable approach, as reliance on variances could establish an undesirable precedent within the OP-1 district.

The Board further agreed that, in connection with any rezoning, the Village should take all necessary steps to demonstrate that such action is consistent with the Village of Upper Brookville's Comprehensive Plan and that it is specific to this parcel and not intended to set precedent for other properties.

Following discussion, and upon motion duly made and seconded, the following resolutions were adopted:

**RESOLVED**, that the sale of the Village Lot for the development of a single-family residence is hereby authorized; and

**FURTHER RESOLVED**, that the Mayor is authorized to prepare and submit a Home Rule Request and all necessary documentation to obtain New York State legislation permitting the alienation of the Parkland and its transfer to other Village-owned property; and

**FURTHER RESOLVED**, that the Village Attorney is directed to proceed with all required municipal procedures to effectuate the rezoning of the Village Lot.

- In Favor:  
Trustees Pappas, Solomon, and Burns
- Opposed:  
Trustee O'Rourke

### **Update on Parkland Home Rule Request**

The Mayor reported that all supporting documentation for the Home Rule Request to alienate the Parkland at the intersection of Chicken Valley Road and Wolver Hollow Road has been completed. The Mayor further reported that New York State Senator Martins has expressed support for the request, and that the Village is waiting a response from New York State Assemblyman Blumencranz.

### **NEW VILLAGE HALL PROJECT**

The Deputy Mayor reported that the siding and remaining windows have been delivered to the job site and should be installed by mid-May. He also is planning to meet with JGM to approve the site lighting and PSEG change orders. JGM will also be realigning the windows in the dormer, so they are spaced closer together as shown on the plans and rendering.

He also recommended that we install an Uninterruptible Power Supply (UPS) system to provide clean power to all the low voltage devices when the generator is operating.

The Mayor presented a proposal for the cupola and VUB pheasant weathervane totaling approximately \$7,500. He mentioned it will take about six weeks for the cupola and weathervane to be fabricated and delivered.

The Clerk presented a revised proposal from North Shore Technology totaling \$40,000 which includes TVs/Monitors, upgraded Unifi WiFi, network equipment and additional cables. The Board had previously approved a similar proposal from NSTS for \$34,116.

After discussion, on motion duly made and seconded, the Board

**RESOLVED** to approve the cupola and weathervane proposal for approximately \$7,500 and the revised proposal from NSTS for \$40,000.

### **MINUTES**

The Deputy Mayor then called for approval of the Regular Minutes of the Trustee meeting held on March 16, 2026. *(See Attached Exhibit C)*

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 April 20, 2026, totaling \$103,384.14 and May 1, 2026, totaling \$577,393.96 and reported that she reviewed the supporting invoice details and/or purchase contracts with a Trustee prior to the meeting. The bills include payments to the East Norwich Fire Company for Q1 2026 Fire Protection (\$94,450.27), Village of Muttontown for Police Protection Services for Q4 2025/26 (\$472,399.75) and to Forchelli, Deegan & Terrana for tax refunds (\$41,889).

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 April 20, 2026, totaling \$103,384.14 and May 1, 2026, totaling \$577,393.96. *(See Attached Exhibit D & E)*

### Treasurer's Report

Next, the Clerk presented the March 2026 financials.

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

**RESOLVED**, to approve the March 2026 Treasurer's Reports and Balance Sheets. *(See Attached Exhibits F)*

## CLERKS REPORT

### Assessment Reduction & Tax Refund

The Clerk reported that a resident was awarded an Article 7 assessment reduction for tax years 2022/23, 2023/24 & 2025/26 against Nassau County. She noted that the Village was served copies of the Petitions and recommended that the Board authorize the reductions and refunds 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 values for the premise owned by Mill River Holdings LLC totaling \$41,889 for tax years 2022/23, 23023/24 & 2025/26. *(See Attached Exhibit G)*

She also reported that several residents were awarded assessment reductions in Small Claims Court Proceedings for the 2025/26 tax year against Nassau County She noted that the Village was served copies of the Petitions and recommended that the Board authorize the reductions and refunds 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 on *Exhibit H* attached and to refund the appropriate Village tax to the respective owner or representative, provided the Village taxes have been paid in full and copies of applications were submitted to the Village.

### **Film Permit**

The Clerk reported a request for a filming permit in the Planting Fields Arboretum scheduled for the end of May. The project is the HBO series *Gilded Age* and the applicant has requested that the Village approve a fee of \$5,000 for one day of filming and 2 half-days of minimally invasive setup. There will be no large vehicles entering the village during the setup days.

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

**RESOLVED** to approve a permit rate of \$2,500/day for the HBO film permit in the Planting Fields Arboretum.

### **ROAD COMMISSIONER/CODE INSPECTOR REPORT**

No Report

### **BUILDING DEPARTMENT REPORT**

The Clerk referred to the report submitted by the Building Department Clerk for March 2026 activity. (*See Attached Exhibit I*)

### **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 6:52 p.m. to discuss a litigation matter.

At 7:34 p.m. the Board came out of Executive Session and after discussion, on motion duly made and seconded, Trustees O'Rourke, Solomon and Burns

**RESOLVED** to respond appropriately to the Mill River Club's letter related to the Donna Drive drainage issue and to defer approval of their Fireworks Permit application.

Trustee Pappas recused himself from the vote due to a conflict of interest.

The meeting was adjourned at 7:37 p.m.

The next regular meeting is scheduled for Monday May 18, 2026 @ 5:30 p.m.

**Signed by TL Lynch 5/18/2026**

Tracy Lynch  
Village Clerk