

**VILLAGE OF UPPER BROOKVILLE
REGULAR BOARD OF TRUSTEES MEETING
Cottage at 24 Wolver Hollow Road
July 13, 2026, at 5:30 p.m.**

A Regular Board Meeting of the Board of Trustees of the Incorporated Village of Upper Brookville was held on Monday July 13, 2026, at 5:30 p.m.

Present:	Elliot S. Conway	Mayor
	Innis O'Rourke	Trustee
	Helen Solomon	Trustee
	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

THE PLEDGE OF ALLEGIANCE

The Mayor announced that the Annual Organization Meeting is deferred to September. The existing appointments will be held over until this time.

MUBPD REPORT

No Report

PUBLIC COMMENT

No Report

MAYOR'S REPORT

Village Comprehensive Plan

The Mayor introduced Mr. Frank Fish of the firm BFJ Planning. Mr. Fish is a founding partner of the firm with 45 years of planning experience and has been brought in to review and update the Village's Comprehensive Plan and consider rezoning the village lot at the corner of Chicken Valley Rd and Wolver Hollow Rd for potential sale of the lot for development as a single-family residential property.

The Mayor also discussed other future planning issues that the Village may wish to consider that could conserve open space and allow other housing options. The Board agreed that these planning concepts will require a more in-depth review and study in the future years to come but at this time should not be a component of Mr. Fish's planning study.

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

RESOLVED, that the firm of BFJ Planning be retained to review, update and recommend amendments, if appropriate, in the Comprehensive Plan to address the zoning of the Village lot at the corner of Chicken Valley and Wolver Hollow Rd at a cost not to exceed \$10,000, and

FURTHER RESOLVED, that the Mayor's execution of the BFJ Planning retainer is hereby ratified.

Donna Drive/Mill River Club Drainage Update

The Mayor reported meeting with a contractor to discuss a drainage project at the end of Donna Drive which would be designed to allow stormwater from Donna Drive and the surrounding properties to flow by gravity onto the Mill River Club property. The Mayor requested that the Clerk contact NYS to see if such a project would be eligible for CHIPs funding. The project is expected to cost approximately \$25,000. He will obtain three oral bids before awarding the contract.

He also requested that the Board ratify the Mayor's signing of the Village's agreement with the Mill River Club, dated June 23, 2026, outlining measures to be taken to prevent future flooding on Donna Drive.

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

RESOLVED, to ratify the Mayor's signing the agreement with the Mill River Club.

Speeding on Mill River Road

One of the Trustees complained about speeding vehicles on Mill River Road and requested that the Clerk contact the police Chief to ask him about adding patrols to the area. He offered Mohawk Drive as a spot for police vehicles to park.

NEW VILLAGE HALL PROJECT

The Clerk requested that the Board approve a JGM deposit of \$32,518.80 for the electrical contractor to continue work on the site lighting and electric service upgrade and a final payment of \$4,619 to Cape Cod Cupola for the cupola and weathervane which was picked up by our road crew last week.

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

RESOLVED, to ratify approval of payment to JGM for \$32,518.80 and Cape Code Cupola for \$4,619.

The Mayor also reported that JGM will prioritize installation of the window shutters and remove the work fence from around the project.

The Mayor reported on the ongoing dispute between JGM and their HVAC contractor Advance Tech HVAC Inc. (ATH). ATH recently commenced suit against JGM and the Village. JGM's lawyer was filing an answer denying any liability and is filing a counterclaim against ATH for significant damages which will likely be filed within the next two week. [After the meeting, the matter was resolved to the satisfaction of the Village]

MINUTES

The Mayor then called for approval of the Regular Meeting Minutes of the Trustee meeting held on June 15, 2026.

On motion duly made and seconded, the Minutes were approved.
(See Attached Exhibits A)

FINANCIAL REPORT

Bills

The Clerk/Treasurer discussed all claim forms listed on the General Fund Check Detail dated June 13, 2026, totaling \$39,833.18 and July 14, 2026, totaling \$559,422.68. The Clerk 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 June 13, 2026, totaling \$39,833.18 and July 14, 2026, totaling \$559,422.68. The bills include a payment of \$509,760.75 to the Village of Muttontown for police protection for Q1 2026/27 and a payment of \$22,078.61 to Village of Old Brookville which is being deferred until the Clerk receives the analysis and approval from George Stack of North Shore Payroll and Bookkeeping Corp. *(See Attached Exhibit C & D)*

Treasurer's Report

Next, the Clerk presented the June 2026 financials.

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

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

CLERKS REPORT

GPS Vehicle Tracking

The Clerk reported that the GPS trackers were installed on the pickup and dump trucks this

morning and will schedule a training session with the vendor.

CGA Consulting Inc. Proposal

The Clerk presented a proposal from CGA for their 2026/27 building department service. She reported that the terms are the same as the previous year with a 2.4% hourly rate increase.

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

RESOLVED, to approve CGA's 2026/27 building consultant services contract.

Village Court Grant

The Clerk requested that the Board approve the Village application to the NYS Unified Court System Justice Court Fund for Court grant funding which will be used to purchase supplies.

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

RESOLVED, to approve the Village's Courts grant application to the NYS Unified Court System.

ROAD COMMISSIONER/CODE INSPECTOR REPORT

The Clerk reported that the road crew have been mowing grass on Village property, removed 3 dead deer, picked up the cupola from Massachusetts to the Village, repaired 2 damaged street signs and cleaned up after the recent rainstorm.

BUILDING DEPARTMENT REPORT

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

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.

At 6:55 p.m. the Board came out of Executive Session where they discussed a legal matter involving the representation of Village by counsel retained by the Village's insurance carrier to defend the Village in the Chabad litigation. The Village Attorney noted that the Village was made aware that the Village Engineer was deposed by the Chabad's counsel without appointed Village counsel being present. Upon further investigation, the Village Attorney discovered other issues regarding the performance of Insurance Counsel in representing the Village.

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

RESOLVED that the appointed Village counsel be directed to provide a detailed explanation as to the facts and circumstances surrounding their actions in representing the Village in this litigation and for the Village Attorney to notify the Village's insurance carrier representative of the Village's concern pertaining to the assigned counsels lack of attentiveness to the Village defense which may have prejudiced their case.

The meeting was adjourned at 7:06 p.m.

The next regular meeting is scheduled for Monday, September 21, 2026 @ 5:30 p.m.

Signed by TL Lynch 9/21/2026

Tracy Lynch
Village Clerk