

**VILLAGE OF UPPER BROOKVILLE
BOARD OF TRUSTEES MEETING
COTTAGE AT 24 WOLVER HOLLOW ROAD
AND BY ZOOM
FEBRUARY 24, 2022 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 in person and by Zoom on Thursday February 24, 2022, at 5:30 p.m.

Present:	Elliot S. Conway	Mayor
	Carl A. Friedrich	Trustee
	Edward J. Madden	Trustee
	Antje B. Dolido	Trustee

Present by Zoom:	Innis O'Rourke III	Trustee
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Also Present:	Tracy L. Lynch, Clerk/Treasurer
	Peter MacKinnon, Esq. of Humes & Wagner, LLP
	Attorneys for the Village
	Mr. Pantazakos, Resident
	Ms. Redington, Resident
	Mr. Rubin, Resident
	Mr. Weber, Resident

The Mayor called the meeting to order at 5:30 p.m.

THE PLEDGE OF ALLEGIANCE

MINUTES

The Mayor then called for approval of the Regular Meeting Minutes of the Trustee meeting held on January 20, 2022.

On motion duly made and seconded, the minutes of the Trustee meeting held on January 20, 2022 were unanimously approved. (*See Attached Exhibit A*)

PUBLIC COMMENT

Two residents voiced concerns about one or more cell phone towers that the Village is contemplating to improve cell service and reception.

One resident said he was not aware of the Board's previous discussions on cell towers. The Mayor referenced the monthly minutes and newspaper articles posted on the village website over the past few years which document the discussions as well as several Village emails that

were sent out on the subject. The resident was not a subscriber to village emails.

The Mayor urged those present to subscribe to our email list, if they haven't done so already, as this is the Village's main means of communicating to the residents. He also stated that there are no current meetings scheduled and no agreements have been signed with any cell companies.

The Village Attorney reported that the Village received a letter from an attorney who alleges to represent an unnamed group of residents that was circulated to the Board. The letter expressed their concerns about cell towers in the Village.

The Mayor offered to dialogue directly with anyone on the subject as the monthly Board meeting was not the forum for questions.

FINANCIAL REPORT

Bills

The Clerk/Treasurer discussed all claim forms listed on the General Fund Check Details dated February 24, 2022, in the total sum of \$12,536.28 and March 1, 2022, totaling \$147,306.68 and reported that she reviewed the supporting invoice details and/or purchase contracts with a Trustee prior to the meeting.

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

RESOLVED, to ratify and approve the bills listed on the General Fund Check Details dated February 24, 2022, in the total sum of \$12,536.28 and March 1, 2022, totaling \$147,306.68 which are 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 Treasurer's Report for the month ending January 31 2022. *(See Attached Exhibit D)*

VILLAGE CLERK'S REPORT

East Norwich Fire Company 2022 Contract

The Mayor reported that the East Norwich Fire Company is now billing us at a reduced rate, reflecting the recent reassessment of villages served based on their relative taxable valuation. This is an exercise Upper Brookville requested be done two years ago and has resulted in a 6% reduction to the Q1 2022 fire protection, LOSAP and amortization rate.

2022 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 \$1440.

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 per hydrant. (*See Attached Exhibit E*)

SCAR Assessment Reduction/Village & Tax Refund

The Clerk reported that a resident was awarded an assessment reduction in a Small Claims Court Proceeding for the 2021/22 tax years against Nassau County. She noted that the Village was served a copy of the Petition 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 following resident, 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 as follows:

Rudolph – Sec. 22, Blk. J, Lot 1141 2021/22 assessed value of \$10,235 reduced to \$9,123 for a total refund of \$2,532.02.

Appoint Registrar of Vital Statistics

The Board discussed the appointment of the Town of Oyster Bay Clerk, Richard LaMarca, as Registrar of Vital Statistics for the Village.

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

RESOLVED to appoint Town Clerk Richard LaMarca as Registrar of Vital Statistics for a 2 year term starting January 1, 2022 and expiring on December 31, 2023.

West Side Engineering Proposal

The Clerk presented a proposal from West Side Engineering, PC for the annual Storm Water report required by the New York State Department of Environmental Conservation.

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

RESOLVED to approve West Side Engineering’s proposal of \$1800 for the annual Storm Water report.

ROAD COMMISSIONER/CODE INSPECTOR REPORT

The Road Commissioner was not in attendance as he was preparing for the impending storm. The Mayor reported that the Commissioner and his crew have been busy filling potholes and taking care of downed trees on Planting Fields and Mill River Roads.

BUILDING DEPARTMENT REPORT

The Clerk referred to the report submitted by the Building Department Clerk for January 2022 activity. (*See Attached Exhibit F*)

MAYOR’S REPORT

Joint Protection Agreement

The Mayor reported that after a significant effort by the entire Board, the Joint Protection Agreement with Muttontown was signed the previous day. The Mayor said he had invited the Muttontown’s Mayor and Police Chief to attend the next meeting of the Board. He said this was an historic achievement for both villages designed to improve police coverage by expanding patrol hours in the village and shortening 911 call response times. For the first time—the Village will have a car 24/7 every day of the year.

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

RESOLVED to ratify the action of the Mayor to sign the Upper Brookville/Muttontown Joint Police Protection Agreement to be annexed to these minutes.
(*See attached Exhibit G*)

Home Heating Oil Sourcing Options

The Mayor reported resident concerns about the significant increasing price of home heating oil and the large difference in spot prices.

The Board then discussed the feasibility of creating a home heating oil page on the village website with links to different suppliers and their current prices as a service to the residents. A concern was expressed that any link provided includes a description of the type of pricing available and what services, if any, were included in the offer.

Trustee Madden agreed to further research the matter with the Mayor.

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

RESOLVED to add a home heating oil related page on the Village website which will have links to appropriate descriptions of and links to oil pricing, services with appropriate disclaimers.

Community Solar

The Mayor briefed the Board on a Community Solar project reported in the press in Melville built by developers working with PSEG. As an alternative to rooftop solar, Long Island residents will be able to subscribe to a 6.7 megawatt solar generation facility constructed on a parking lot in Melville, Long Island. Residents who subscribe will receive a 10-percent reduction in their current PSEG electric rates.

He agreed to keep the Board updated on the project's progress.

Village Hall Plans

The Mayor presented revised architectural plans for the new Village Hall which includes a build out of the first floor level, instead of excavating the lower level, for additional storage and extended meeting areas. This plan may save up to 30% of the cost projected for the original plans.

Old Brookville Police Department Reserve Funds

The Village has been leasing the Old Brookville Police Headquarters building to a multiple village consortium for over 70 years. Due to the impending breakup of the OBPD on May 31, 2022, that lease will come to an end. The property was purchased in 1932 for use by the Village with funds donated by residents. At the time, virtually every resident contributed to the purchase. The lease requires the removal or restoration of certain improvements that were made at the direction of the village police commissioners over the years. It is unclear whether the open items will be corrected prior to the end of the lease.

The Mayor recommended that the Village hold money back from the final OBPD payment totaling the cost to remediate any concerns the Village has at the police headquarters building before ownership reverts to the Village on June 1, 2022. Specifically, the funds will cover the cost of removing the two sections of wall on the neighboring cemetery property and making the property safe and free of building code violations, the cost of removing the existing police communications tower, the remediation and removal of hazardous materials, if any, and the cost of cleaning and disposing of items left behind when the lessees vacate the property.

The Trustees then, by motion duly made and seconded, unanimously

RESOLVED to reserve the amount of funds necessary to remediate any concerns at the police headquarters building from the next payment and put into an escrow account, to be held by the Village Clerk, until there is a resolution of these items.

POLICE REPORT

No Report

FIRE & STORM WATER MANAGEMENT REPORT

No Report

ARCHITECTURAL REVIEW REPORT

No Report

LEGAL REPORT

No Report

PUBLIC COMMENT

No Comment

The Mayor closed the meeting at 6:30 p.m. and on motion duly made and seconded, the Board unanimously

RESOLVED to enter Executive Session to discuss Village matters.

At 6:45 p.m., on motion duly made and seconded, the Board unanimously

RESOLVED to come out of Executive Session where the Board discussed access to village emails.

The Trustees then, by motion duly made and seconded, unanimously

RESOLVED to state on the website that all emails provided to the Village are confidential and are only to be used for police and village purposes unless the resident specifies in writing to the Village Clerk that their specific email address may be disclosed used for any public purpose.

At 6:50 p.m. upon motion duly made and seconded, the Board unanimously

RESOLVED to adjourn the meeting.

The next regular meeting of the Board of Trustees is scheduled for Monday March 21, 2022 @ 5:00 p.m. both in person and from a Trustee's remote location.

Signed by TL Lynch 3/21/2022

Tracy Lynch
Village Clerk