

**VILLAGE OF UPPER BROOKVILLE
BOARD OF TRUSTEES MEETING
COTTAGE @ 24 WOLVER HOLLOW ROAD AND ZOOM
NOVEMBER 15, 2021**

A Regular meeting of the Board of Trustees of the Incorporated Village of Upper Brookville, Nassau County, New York, was held in Village Hall, in the Cottage at 24 Wolver Hollow Road and by Zoom on Monday November 15, 2021, at 5:30 p.m.

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

Not Present:	Edward J. Madden	Trustee
	Innis O'Rourke III	Trustee

Also Present: Tracy L. Lynch, Clerk/Treasurer
Sam Vergata, Road Commissioner
Peter MacKinnon, Esq. of Humes & Wagner, LLP
Attorneys for the Village

The Mayor called the meeting to order at 5:45 pm.

THE PLEDGE OF ALLEGIANCE

EXECUTIVE ORDER

The Mayor announced that he extended the Emergency Order in connection with the remnants of Hurricane Ida for an additional 30 days. This was so Village Officials and Employees were able to retain all necessary labor, equipment and materials, without compliance with the municipal procurement bidding requirements, which was needed and necessary to promptly secure adequate temporary facilities suitable for governmental operations.

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

RESOLVED to ratify the actions of the Mayor in issuing the extension to the Emergency Order in connection with the remnants of Hurricane Ida for an additional 30 days.
(See Attached Exhibit A)

MINUTES

The Mayor then called for approval of the Regular Meeting Minutes of the Trustee meeting held on October 18, 2021.

On motion duly made and seconded, the minutes were unanimously approved.
(See Attached Exhibit B)

PUBLIC COMMENT

No Comment

FINANCIAL REPORT

Bills

The Clerk/Treasurer discussed all claim forms listed on the General Fund Check Details dated November 12, 2021, in the total sum of \$17,175.50 and December 1, 2021, totaling \$234,885.96 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 November 12, 2021, in the total sum of \$17,175.50 and December 1, 2021, totaling \$234,885.96 which are annexed to these minutes.

(See Attached Exhibit C & D)

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 October 2021. *(See Attached Exhibit E)*

VILLAGE CLERK'S REPORT

OBPD Headquarter Architect

The Clerk reported that the Board previously approved the hiring of an architect to prepare design documents for a proposed Village Hall at the OBPD Headquarters building site. Design documents are to include (a) design plans with layouts and an overall 3d rendering, (b) elevations with material selection by owner, (c) preliminary site plan (based on provided plan) and (d) preliminary zoning and building department requirements and analysis.

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

RESOLVED to ratify the approval to hire Studio 287 to prepare design documents for a proposed Village Hall at the OBPD Headquarters building site at a cost of \$5,000.

Film Permit

The Clerk reported that the Board previously approved a film permit application at 1327 Wolver Hollow Road for ten days between November 12th & 30th. It is for an Amazon limited television series. She confirmed receipt of all insurances and a permit fee of \$22,500.

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

RESOLVED to ratify the film permit application for 1327 Wolver Hollow Road.

Village Hall Cleaning Services

The Clerk reported that she received a request from Global Cleaning Services, the cleaning company which services Village Hall, to increase their monthly fee. The rate increase is a result of an increase in their insurance rates, and they last received an increase in 2018.

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

RESOLVED to approve Global Cleaning Services request for an increase in their monthly rate from \$310 to \$375, effective September 2021.

New Water Main

The Clerk reported that, in connection with the Village Hall water leak, Maccarone Plumbing installed curb stops at the 'Y' junction where the water line from the adjacent property converges with the lines to the main dwelling and cottage. They determined that the leak is in the section between the 'Y' junction and the cottage and recommended that they replace this section only.

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

RESOLVED to ratify the approval of Maccarone Plumbing to install curb stops at the 'Y' junction at a cost of \$5,920 and approve their proposal to install a new water line to the cottage at a cost of \$8,500.

Arbor Day

The Clerk noted that as a Tree City, the Village must proclaim a date to celebrate Arbor Day.

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

RESOLVED to celebrate Arbor Day on April 23, 2022, and to issue a proclamation the same date it is celebrated at the Planting Fields Arboretum Historic State Park.

Arborist

The Clerk discussed the need for the Village to hire a certified arborist to assist with tree permit applications. The Mayor reported he had met with a candidate who could fill the role and would discuss compensation with him and would endeavor to report back to the Board in December.

OBPD Retaining Wall & Environmental Survey

The Mayor recommended that the Village retain legal services to address the issues that may arise in delivering the police headquarters building to the Village at the termination of the lease on May 31, 2022.

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

RESOLVED to retain the firm of McLaughlin & Stern, LLP to address the issues that may arise in delivering the OBPD headquarters building at the termination of the lease.

ROAD COMMISSIONER/CODE INSPECTOR REPORT

The Road Commissioner reported that he hired a company to clean eight catch basins of sand, leaves and other debris on Ripley and Lawn Lanes.

He is continuing to work with PSEG on the removal of approximately 69 trees that were identified as interfering with overhead electric lines along Planting Fields Road, Mill River Road, Ripley Lane, Linden Lane and Colony Road.

His crew is also filling the cracks at the north end of Mill River Road to prevent water from accumulating, freezing and damaging the roadway before the winter season.

Linden Lane Speed Report

The Mayor reported that the Village received a complaint from an Old Brookville resident, who lives at the west end of Linden Lane, about speeding on the road. The resident was seeking to reduce the speed limit from 35 mph to 25 mph and potentially add additional speed limit signage. There are three residents of Old Brookville on the west end of Linden Lane.

The Mayor noted that New York State law generally prohibits the legislative body of a village from setting village-wide speed limits below 30 mph, but can make exceptions on individual streets, on a case-by-case basis. The lower speed limit can only be applied after a traffic and safety study by the Village Engineer (or other expert) of the speed and conditions on the street. An artificially lowered speed limit may lead to violations and ignoring of speed limits

in other places where the limit may be critical.

To determine whether the Old Brookville resident's concern was shared by his neighbors, the village surveyed residents of 46 homes on Linden and its connecting streets. Twenty-one responded. Of those, eight favored lowering the speed limit to 25 mph.

At our request, the Old Brookville Police Department did a speed survey on Linden Lane Thursday 10/21 through Sunday 10/24 - one hour in the morning and one hour in the late afternoon. In all, 138 cars were clocked in 7+ sessions of roughly an hour each. The average speed per session ranged from 23.6 mph to 30.6 mph. The weighted average car speed for all sessions was 27.2 mph.

The Board considered the two surveys as well as additional signage and speed humps and decided not to lower the speed limit to 25 mph on Linden Lane at this time.

The Mayor said he supported another goal of the resident and would meet with Nassau County DPW to discuss clearing a better sight line at the west end of Linden Lane. The Hegeman's Lane right of way in this area is controlled by Nassau County.

BUILDING DEPARTMENT REPORT

The Clerk referred to the report submitted by the Building Department Clerk for October 2021 activity. (*See Attached Exhibit F*)

MAYOR'S REPORT

First Amendment Audit

The Mayor reported on individuals entering Village Hall buildings throughout the country, New York State and Nassau County, exercising their right to freely film inside certain public spaces. Videos showing confrontational exchanges with police and public officials are then posted on YouTube.

The Village Attorney recommended that the Village require all individuals entering the Village Hall to sign in for security purposes and to add signage to identify areas not open to the public.

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

RESOLVED to add signage to areas of Village Hall where the public is not permitted and maintain a sign-in sheet to identify individuals entering the building and the purpose of their visit.

POLICE REPORT

No Report

FIRE & STORM WATER MANAGEMENT REPORT

No Report

ARCHITECTURAL REVIEW REPORT

No Report

LEGAL REPORT

Mill River Club Flooding

The Village Attorney reported that he and the Mayor met with the President of the Mill River Club and their counsel, to discuss the Village's concern about the flooding at the end of Donna Drive and the Village's request for a remediation plan that includes re-establishing a natural path over their property for the stormwater. The meeting was inconclusive.

The Mayor asked for the Boards approval to hire the Village Engineer to (a) prepare a detailed report using historical topographical maps that show how the free and natural stormwater flow from Donna Drive shown on the March 1962 Comprehensive Drainage Plan has been interrupted, and (b) make remediation recommendations.

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

RESOLVED to approve the hiring of LIRO to prepare a detailed report using historical topographical maps that show how the free and natural stormwater flow from Donna Drive shown on the March 1962 Comprehensive Drainage Plan has since been interrupted including remediation recommendations, at a cost not to exceed \$5,000.

PUBLIC COMMENT

No Comment

The Mayor closed the meeting at 7:00 pm and on motion duly made and seconded, the Board unanimously

RESOLVED to enter Executive Session to discuss various Village Police matters.

At 7:15 pm, on motion duly made and seconded, the Board unanimously

RESOLVED to come out of Executive Session where no action was taken and the meeting was adjourned.

The next regular meeting of the Board of Trustees is scheduled for Monday, December 20, 2021 @ 5:30 pm.

Signed by TL Lynch on 11/15/2021

Tracy Lynch
Village Clerk