

**VILLAGE OF UPPER BROOKVILLE
BOARD OF TRUSTEES MEETING
COTTAGE AT 24 WOLVER HOLLOW ROAD
AND BY TELECONFERENCE
MARCH 21, 2022 at 5:00 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 teleconference on Monday March 21, 2022, at 5:00 p.m.

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

Present by Teleconference:	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
	Sam Vergata

The Mayor called the meeting to order at 5:05 p.m.

THE PLEDGE OF ALLEGIANCE

MINUTES

The Mayor then called for approval of the Regular Meeting Minutes of the Trustee meeting held on February 24, 2022.

On motion duly made and seconded, the minutes of the Trustee meeting held on February 24, 2022 were unanimously approved. (*See Attached Exhibit A*)

PUBLIC COMMENT

No Comment.

FINANCIAL REPORT

Bills

The Clerk/Treasurer discussed all claim forms listed on the General Fund Check Details dated March 21, 2022, in the total sum of \$10,428.46 and April 1, 2022, totaling \$103,037.47 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 March 21, 2022, in the total sum of \$10,428.46 and April 1, 2022, totaling \$103,037.47 which are annexed to these minutes. *(See Attached Exhibit B & C)*

OBDP Equipment Purchase

The Mayor explained that the OBDP had appraisers come in to value the contents of the police station and determine the Orderly Liquidation Value of each asset that typically could be realized from a liquidation sale. The Villages were then permitted to bid on the equipment. The Mayor consulted with the Mayor of Muttontown and then bid on specific equipment that would benefit the Village and the new Muttontown and Upper Brookville Police Department. The total value of equipment awarded to the Village totals \$56,554.00 and includes but is not limited to 2 – 2020 vehicles, a generator, license plate readers, furniture, equipment and various firearms.

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

RESOLVED to ratify the impending purchase of various items from the liquidation of the OBDP station totaling \$56,554.00.

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 February 28, 2022. *(See Attached Exhibit D)*

Tentative Budget

The Clerk presented the tentative 2022/23 budget. She reported that projected expenses total \$3,130,337 but did not include salary adjustments. Projected revenue from gross receipts, interest, permits, court fines and state aid totals \$734,973. The Board agreed to hold a budget hearing at the next Board meeting scheduled for April 11, 2022 to finalize the figures

After presentation by the Clerk and examination, on motion duly made and seconded, the Board unanimously

RESOLVED to approve the tentative budget as presented for fiscal year 2022/23 and to hold a budget hearing at the April Board meeting. *(See Attached Exhibit E)*

VILLAGE CLERK'S REPORT

TOBAY Intermunicipal Agreements

The Clerk reported that she received the Intermunicipal Agreements with the Town of Oyster Bay for catch basin cleaning on Donna Drive and the purchase of fuel.

After presentation by the Clerk and examination, on motion duly made and seconded, the Board unanimously

RESOLVED to authorize the Mayor to sign the Intermunicipal Agreements with the Town of Oyster Bay for catch basin cleaning on Donna Drive and the purchase of fuel.

McLaughlin & Stern Retainer

The Clerk reported she received a proposed retainer agreement from Stephen Limmer of McLaughlin & Stern, LLP. Steven Limmer has represented the Village on police and cell tower matters. For the 2022/23 fiscal year, he has proposed a 3% hourly rate increase from \$287/hour to \$306/hour.

After presentation by the Clerk and examination, on motion duly made and seconded, the Board unanimously

RESOLVED to approve McLaughlin & Stern's proposed retainer agreement for the 2022/23 fiscal year.

Film Permit

The Clerk reported that the Board approved a film permit for 38 Chestnut Hill Drive. The film company requested a waiver of the fee since they are an independent production. The Mayor agreed to a daily rate of \$2,000 due to unique circumstances in connection with the permit. He also noted that the permit was contingent on the applicant paying their Village taxes and the applicant receiving approval from the Chestnut Hill Homeowner Association to use Chestnut Hill Drive. HOA approval was in part contingent upon payment of certain amounts owing to the Chestnut Hill Homeowner Association.

After presentation by the Clerk and examination, on motion duly made and seconded, the Board

RESOLVED to ratify the approval of the film permit application for 38 Chestnut Hill Drive with an agreed reduced rate of \$2,000/day.

Votes in favor of adoption:	Elliot S. Conway	Yea
	Antje B. Dolido	Yea
	Edward J. Madden	Yea
	Innis O'Rourke III	Yea

Votes against adoption:

Carl A. Friedrich

Nay

ROAD COMMISSIONER/CODE INSPECTOR REPORT

The Road Commissioner reported that he inspected the catch basins and piping at the end of Donna Drive after the Village's meeting with the Mill River Club

He reported the two catch basins and piping at the end of Donna Drive were largely clear. Following discussion, the Board recommended that the Road Commissioner work with the Town, and if they were unavailable, another licensed contractor, to have the catch basins and piping cleared of any remaining material.

BUILDING DEPARTMENT REPORT

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

MAYOR'S REPORT

East Norwich Fire Company

The Mayor reported that he met with the ENFC and that the Village was expecting a copy of the draft agreement. They agreed that the 2022 payment would be based on the new lowered assessed value of the Village which resulted in a 6% reduction to the fire protection, LOSAP and amortization rates. He anticipates it will be for a period of three-years with a fixed incremental increase per year.

Planting Fields Road Project

The Village is planning to go out to bid on the Planting Fields Road project following finalization of the bid specifications with the Village Attorney and the Village Engineer.

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 6:15 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 a FOIL request and budget matters.

The Trustees then, by motion duly made and seconded, agreed, subject to the final draft and approval of a local law, to implement a merit-based incentive compensation plan with objective criteria to be effective in the 2022/23 fiscal year for all employees as of January 1, 2022, of up to 2% of their base compensation plus health care buyouts, if any, for the 2021/22 fiscal year.

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 April 11, 2022 @ 5:30 p.m. both in person and from a Trustee's remote location.

Signed by TL Lynch May 25, 2022

Tracy Lynch
Village Clerk