

**VILLAGE OF UPPER BROOKVILLE  
BOARD OF TRUSTEES MEETING  
COTTAGE AT 24 WOLVER HOLLOW ROAD  
JUNE 20, 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 on Monday June 20, 2022, at 5:30 p.m.

Present:                    Elliot S. Conway            Mayor  
                                 Carl A. Friedrich           Deputy Mayor  
                                 Edward J. Madden        Trustee  
                                 Antje B. Dolido            Trustee  
                                 Innis O'Rourke, III       Trustee

Also Present:            Tracy Lynch Clerk/Treasurer  
                                 Linda Scherer, Assistant Clerk  
                                 Laurie Dooney, Building Clerk  
                                 Peter MacKinnon, Esq. of Humes & Wagner, LLP  
                                 Attorneys for the Village  
                                 Village Residents

The Mayor called the meeting to order at 5:35pm.

**THE PLEDGE OF ALLEGIANCE**

**MUTTONTOWN UPPER BROOKVILLE POLICE UPDATE**

Chief Irizarry appeared before the Board for his first time as Chief since the formation of the Muttontown Upper Brookville Police Department (MUBPD). He reported that the police received 39 calls for service from Upper Brookville residents. They issued several traffic tickets on Mill River Road, arrested an individual involved in a road rage incident, conducted premises checks and issued multiple parking permits. He met with the Vernon School Principal and school safety officers and reported that Nassau County Police also conducts regular patrols of the school.

He reported that all North Shore Police Departments are communicating on the same radio frequency so all departments are aware of police activity in neighboring Villages.

The Mayor reported that the County has a Safe 911 program that allows residents to input information about themselves and their families into a database so that when they dial 911, these details are readily available to the operator taking the phone call and the officer being dispatched, saving valuable time. He encouraged all residents to participate in the program.

Trustee Friedrich thanked the Chief and his department for their cooperation on the dozens of items that needed to be followed up on and for getting us to this point so soon after June 1<sup>st</sup>. The Mayor recognized Trustee Friedrich for his exemplary work as Deputy Police Commissioner with the Chief in preparing for the rollout of the new department.

## **MINUTES**

The Mayor then called for approval of the deferred April 11, 2022 & April 27, 2022 Minutes from the last meeting and the Regular Meeting Minutes of the Trustee Meeting held on May 23, 2022.

On motion duly made and seconded, the minutes were unanimously approved.  
*(See Attached Exhibits A, B & C)*

## **PUBLIC COMMENT**

Residents in attendance commented to the Board variously about:

- the Village's existing telecommunications code,
- potential wireless telecommunications,
- the breakup of the Old Brookville Police Department,
- possible sale of an acre of property for a future Jericho Water District well site,
- cyclists using Village roads,
- speeding on Village roads,
- traffic on Wolver Hollow Road and
- the potential rezoning of estates larger than 50 acres.

The Mayor mentioned that the Board passed a resolution at the May meeting which allows them to find a consultant or attorney knowledgeable on telecommunications laws to advise the Village on how to modernize the existing code.

## **PROPOSED LOCAL LAW B-2022**

The Mayor introduced proposed Local Law B-2022 which authorizes the Board of Trustees to establish an employee performance evaluation plan and the awarding of merit payments.

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

**RESOLVED** to hold a public hearing at the next meeting.  
*(See Attached Exhibit D)*

## **FINANCIAL REPORT**

The Board discussed the preliminary end of year Unassigned Fund Balance and agreed to allocate a portion to the future Village Hall and the Mill River Road and Planting Fields Road reconstruction projects in connection with the annual audit.

### **Bills**

The Clerk discussed all claim forms listed on the General Fund Check Details dated June 14, 2022, in the total sum of \$46,391.31 and July 1, 2022, totaling \$55,645.24 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 June 14, 2022, in the total sum of \$46,391.31 and July 1, 2022, totaling \$55,645.24 which are annexed to these minutes. (*See Attached Exhibit E & F*)

### **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 May 2022. (*See Attached Exhibit G*)

## **VILLAGE CLERK'S REPORT**

### **Tag Sale & Bicycle Event Permits**

The Clerk reported that the Board previously approved a tag sale permit on Locust Lane and a bicycle event cosponsored by the Town of Oyster Bay.

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

**RESOLVED** to ratify the approval of a tag sale permit on June 18<sup>th</sup> at 9 Locust Lane and a bicycle event permit on July 23, 2022 pending submission of the required insurance documents, hold harmless agreement and refundable deposit for the removal of signage or road markings by the applicant.

## **Village Auditor Proposal for 2021/22**

The Clerk reported on Cullen & Danowski's audit proposal for the year ended May 31, 2022. The proposal includes the audited financial statements of the governmental activities for each major fund and fiduciary fund, including the related notes to the financial statements, which collectively comprise the basic financial statement of the Village. The proposed fee for these services is \$12,000, a \$1,000 increase over last year.

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

**RESOLVED** to approve the Cullen and Danowski audit proposal for year ended May 31, 2022 for a fee of \$12,000. (*See Attached Exhibit H*)

## **Mayfair Generator Maintenance Agreement**

The Clerk reported that the OBPD had a maintenance agreement on the 25kW generator located at the old police headquarter building and asked the Board for their approval to continue the agreement at an annual cost of \$1,360.

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

**RESOLVED** to approve the Mayfair Generator Preventative Maintenance Agreement at an annual cost of \$1360. (*See Attached Exhibit I*)

## **Notification to Resident Burglar Alarm Companies**

The Clerk reported that she planned to contact alarm companies to confirm they updated their records with the new Nassau County alarm phone number, using data from OBPD's Upper Brookville resident alarm permit applications. Residents have been notified, by email, to update this information with their alarm company. As a precaution, the Clerk also will notify each resident by mail of the new County alarm number and include a laminated information card describing when to call 9-1-1 and the new non-emergency police number.

## **FIRE & STORM WATER MANAGEMENT REPORT**

No Report.

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

The Clerk reported that residents on Lawn Lane requested a 3-way stop sign at the intersection of Lawn & Hillcrest Lanes because of speeding vehicles on Lawn Lane.

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

**RESOLVED** to authorize the Clerk to have the Village Engineer determine if the stop sign is warranted.

The Clerk also reported on a Farmwoods Lane property maintenance issue. A Notice to Remedy was sent to the owner on file however, the house appears to be vacant. The Board requested that the Building Department take the steps necessary to permit the Village to enter the property and cut the lawn if she was unable to resolve the issue with the owner or mortgage holder. She was directed to then place a lien on the property for the cost of the maintenance.

### **Village Street Signs**

The Mayor reported that the Village received a \$50,000 grant to replace all street signs in the Village. The existing signs would be replaced with ones that meet the minimum size, font type, orientation and reflectivity requirements of the NYS Manual on Uniform Traffic Control Devices.

The Mayor asked the Village Attorney if the funds could also be used to replace the street signs on private roads. The Village Attorney confirmed that the Village has a right to replace private road signs that intersect with Village roads that do not comply with the state regulations, but would require approval from the respective Homeowner's Associations to remove and replace the existing signs where two private roads intersect.

### **BUILDING DEPARTMENT REPORT**

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

### **MAYOR'S REPORT**

No Report

### **POLICE REPORT**

Trustee Friedrich reported that the most time-sensitive/mission-critical matters on the Muttontown & Upper Brookville Police Department (MUBPD) integration list have been addressed.

He reported that the police are working on replacing all uniform patches with the new MUBPD patch design.

He also discussed the temporary sign in front of the police headquarters building and the Board agreed to replace the existing banner with one that reads 'Future Village Hall' to avoid any confusion.

### **FIRE & STORM WATER MANAGEMENT REPORT**

No Report

## **ARCHITECTURAL REVIEW REPORT**

No Report

## **LEGAL REPORT**

The Village Attorney reported that Mr. Bonadonna filed an appeal in the Appellate Division of the New York State Supreme Court which upheld the Village's Zoning Board of Appeals decision.

## **PUBLIC COMMENT**

No Comment

The Mayor closed the meeting at 7:55 and on motion duly made and seconded, the Board unanimously

**RESOLVED** to enter Executive Session.

At 8:28 p.m., on motion duly made and seconded, the Board unanimously

**RESOLVED** to come out of Executive Session after discussing compensation matters and Rules for Public Comment in Board of Trustee Meetings.

On motion duly made and seconded, the Trustees unanimously

**RESOLVED** for the Mayor to revise the "Rules for Public Comment in Board of Trustee Meetings" incorporating the suggestions discussed by the Board and circulate them to the Board for approval. The rules will include but are not limited to the following:

1. Before the start of the meeting, speakers will sign-in, listing their name and address and topic.
2. The public comment session is not interactive.
3. It is a time when the public is permitted to comment on specific topics.
4. Speakers should avoid repeating statements already made by others.
5. Speakers are to step up to the podium at the front of the room.
6. Speaker's remarks are limited to three (3) minutes on a given topic
7. Speakers may not yield any of their remaining speaking time to another speaker.
8. Remarks by a speaker shall be addressed to the Board as a whole.

9. Speakers shall observe and follow the commonly accepted rules of courtesy, decorum, dignity, and respect.

**AND FURTHER RESOLVED** to thank Antje Dolido for her many years of service to the Village in her various roles. She has served as a Zoning Board Member, Deputy Mayor, Deputy Police Commissioner, Oyster Bay Cold Spring Harbor Protection Committee Chair and Architectural Review Chair. She has done an extraordinary job for the Village and the Board appreciates the long hours she worked, her loyalty to the Village as well as her wise counsel and dedication.

At 8:45 p.m., on motion duly made and seconded, the Board adjourned the meeting.

The next regular meeting is scheduled for Monday July 18, 2022 @ 5:30 p.m.

*Signed by TL Lynch June 18, 2022*

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Tracy Lynch  
Village Clerk