

**VILLAGE OF UPPER BROOKVILLE
BOARD OF TRUSTEES MEETING
COTTAGE AT 24 WOLVER HOLLOW ROAD
DECEMBER 19, 2022 AT 5:30 P.M.**

A Public Hearing and 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 on Monday December 19, 2022 at 5:30 p.m.

Present	Elliot Conway	Mayor
	Carl Friedrich	Deputy Mayor
	Innis O'Rourke	Trustee

Also Present: Tracy Lynch, Clerk/Treasurer
Linda Scherer, Deputy Clerk/Treasurer
Eric Irizarry, Chief Muttontown Upper
Brookville PD
Peter MacKinnon, Esq. of Humes & Wagner, LLP
Attorneys for the Village
Helen Solomon, Trustee by Zoom
Sam Vergata, Road Commissioner

The Mayor called the meeting to order at 5:34 pm.

THE PLEDGE OF ALLEGIANCE

MUBPD REPORT

The Chief presented motor vehicle accident, aided case, false alarm and crime reports for November 2022.

He reported that at the suggestion of the Mayor, the police have begun placing letters on resident's cars where it appears the key fob has been left inside. Nassau County Police report that the overwhelming majority of cases where vehicles are stolen or have property stolen from within, occur when the vehicle has been left unlocked and/or a key fob has been left inside the vehicle.

MINUTES

The Mayor then called for approval of the regular minutes of the Trustee meeting held on November 21, 2022.

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

PUBLIC COMMENT

Trustee Friedrich reviewed the Rules for Public Comment in Board of Trustee Meetings.

A resident requested that the Board move all the monthly meetings to a later time.

FINANCIAL REPORT

Bills

The Clerk/Treasurer discussed all claim forms listed on the General Fund Check Details dated December 19, 2022 in the total sum of \$12,997.22 and January 3, 2022 totaling \$178,045.97 and reported that she reviewed the supporting invoice details and/or purchase contracts with a Trustee prior to the meeting.

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

RESOLVED to ratify and approve the bills listed on the General Fund Check Details dated December 19, 2022 in the total sum of \$12,997.22 and January 3, 2022 totaling \$178,045.97. (*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's for the month ending November 2022. (*See Attached Exhibit D*)

VILLAGE CLERK'S REPORT

Arbor Day

The Clerk noted that in connection with continuing its designation as a "Tree City", the Village must choose a date and issue an Arbor Day proclamation.

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

RESOLVED to celebrate Arbor Day on April 29, 2023 and to issue a proclamation on the same date it is celebrated at the Planting Fields Arboretum Historic State Park.

Planting Fields Road Payments

The Clerk reported that the Planting Fields Road reconstruction project was successfully completed. The Village Engineer reviewed the final claim from Rosemar Contracting Inc. and recommended payment of the full amount totaling \$225,594.53. This includes an additional 1,000' section of Planting Fields Road that was also in need of repair and was added at no additional cost to an amended contract. The total amended cost came in less than the original bid amount of \$274,375 because the contractor did not need to repair the road base to the extent originally estimated.

The Clerk also presented an invoice from LIRO for engineering work totaling

\$21,854.30, bringing the total engineering costs to date to \$52,354.30. She also reported that the NYS DOT had awarded the Village a grant for \$280,000 and since the construction costs were below the original grant award, they agreed to amend the contract to cover all engineering fees.

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

RESOLVED to approve payment to LIRO for engineering fees totaling \$21,854.30 and

FURTHER RESOLVED to conditionally approve payment to Rosemar for \$225,594.53 pending completion of the grant reporting requirements with NYS DOT.

New York State Health Insurance Plan 2023 Premium Rates

The Clerk reported that NYSHIP 2023 premium rates increased 15% for the family plan and 12.5% for an individual plan.

Lighting at Village Hall Entrance

The Board discussed the installation of additional lighting at the front area of the Village Hall property as needed.

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

RESOLVED to approve the purchase and installation of hard-wired lighting at the Village Hall entrance for an amount not to exceed \$2,500.

Approval of Audit

The Mayor called for approval of the FYE 5/31/2022 Financial Reports, including the Justice Court Fund, with minor amendments to be incorporated by the Auditor.

After presentation and examination by the Board, the Trustees unanimously

RESOLVED to accept the Financial Reports FYE 5/31/2022.
(See Attached Exhibit E & F)

Annual Update Document

The Clerk reported that the Annual Update Document FYE 5/31/2022 was filed with the State on November 10, 2022. *(See Attached Exhibit G)*

SCAR Assessment Reduction & Tax Refund

The Clerk reported that a resident was awarded an assessment reduction in Small Claims Court Proceedings for the 2020/21 tax year 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:

Ifantides – Sec. 24, Blk. 10, Lot 88 assessed value of \$1,464 reduced to \$1,098 for a total refund of \$847.47.

ROAD COMMISSIONER/CODE INSPECTOR REPORT

The Road Commissioner reported that the crew continues to clean up the leaves on the roads and in the catch basins and filling potholes on various village roads. He plans to inspect the villages approximately 70 catch basins in the spring.

The Deputy Clerk reported that she followed up with Nassau County on the status of the Wheatley Road right-of-way cleanup and they plan to coordinate with our Road Commissioner and schedule the pruning and/or removal of additional previously identified trees along the west side of the road in the new year.

BUILDING DEPARTMENT REPORT

The Clerk/Treasurer referred to the reports submitted by the Building Department Clerk for November 2022 activity. (*See Attached Exhibit H*)

MAYOR'S REPORT

Shared Services

The Mayor reported that he contacted all 64 of the Nassau County Mayor's last week to vote for the Shared Services approval. The Village of Upper Brookville may potentially receive a payment between \$700,000 - \$1,000,000 in connection with the police department merger savings with the Village of Muttontown. Any payment will be used toward the construction of the new Village Hall, to provide other village services and/or further reduce village taxes.

New Village Hall

The Mayor presented a revision to the proposed floor plan that eliminates a bathroom on the main level, providing additional space to the Building Department.

After presentation and examination by the Board, the Trustees unanimously

RESOLVED to approve the concept drawings and direct the Architect to provide construction plans for bid purposes.

Right of Way Stakes

The Mayor reported on a Village Law passed several years ago that imposed a right-of-way parking fine plus additional amounts to cover the cost, if any, of right-of-way repairs caused by illegally parked vehicles. In addition to enforcement of this law, he recommended that the Village amend the law to allow the placement of breakaway stakes in the right-of-way. He agreed to research different stakes and present options at the next meeting.

BEAUTIFICATION COMMITTEE REPORT

No Report

POLICE REPORT

The Chief presented motor vehicle accident, aided case, false alarm and crime reports for November 2022 at the start of the meeting.

FIRE & STORM WATER MANAGEMENT REPORT

No Report

ARCHITECTURAL REVIEW REPORT

No Report

LEGAL REPORT

The Village Attorney reported that the Village has been served with a Notice of Claim by the Village of Old Brookville in connection with health insurance termination benefits for retired police officers.

ADDITIONAL PUBLIC COMMENT

A resident asked when the plans for the new Village Hall would be available for public view. The mayor then handed the resident a copy of the proposed floor plan.

Several residents discussed the placement of stakes in the right of way and the installation of additional no parking/standing signs throughout the Village to prevent vehicles from illegally parking on the right-of-way. In response to a resident request, the Clerk confirmed that the year-to-date expenses were below the budgeted amount.

The Mayor closed the meeting at 6:43 pm and on motion duly made and seconded, the Board unanimously

RESOLVED to enter Executive Session and invited Trustee Solomon, who attended by Zoom, to attend the session to discuss various matters.

EXECUTIVE SESSION

At 7:21 pm, on motion duly made and seconded, the Board unanimously

RESOLVED, to come out of Executive Session where they discussed contract matters, potential litigation and remediation of a malfunctioning septic sump pump system at the new Village Hall.

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

RESOLVED to direct the Clerk to authorize Total Restoration Inc. to undertake emergency restoration measures to prevent the growth of mold, including the removal of portions of the sheet rocked walls, as a result of the septic overflow in the lower level of the future Village Hall.

The meeting was adjourned at 7:26pm

The next regular meeting of the Board of Trustees is scheduled for Thursday January 19, 2023 @ 5:30 p.m.

Signed by TL Lynch 2/23/2023

Tracy Lynch
Village Clerk