

**VILLAGE OF UPPER BROOKVILLE
BUDGET HEARING & BOARD OF TRUSTEES MEETING
COTTAGE AT 24 WOLVER HOLLOW ROAD
APRIL 17, 2023 at 5:30 p.m.**

A Budget Hearing and regular meeting of the Board of Trustees of the Incorporated Village of Upper Brookville, Nassau County, New York, was held on Monday April 17, 2023, at 5:30 p.m.

Present:	Elliot S. Conway	Mayor
	Carl Friedrich	Deputy Mayor
	Innis O'Rourke III	Trustee
	Helen Solomon	Trustee

Absent:	Peter Pappas	Trustee
---------	--------------	---------

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

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

THE PLEDGE OF ALLEGIANCE

BUDGET HEARING

The Mayor called the Budget Hearing to order. He announced that the public hearing was on the Village's tentative budget, which has been on file at the office of the Village Clerk and open to public inspection since the date of publication of the notice of this hearing. The affidavit of publication of the notice of the hearing was presented and ordered annexed to these minutes.

The Board then reviewed the proposed budget, including a stipend for the Mayor and raises for certain Village staff. The Mayor noted that for the 2023/24 fiscal year, the proposed Village Tax Levy is \$2,530,438, a reduction of 2% from the prior year levy, and the proposed Village Tax Rate of \$229.98 per \$100 of assessed valuation. *(See Attached Exhibit A)*

The Mayor presented a chart showing the seven-year cumulative property tax reductions thru 2023/2024 will exceed \$8 million dollars when compared to a projected tax levy at the historic annual rate of increase of 5.1% (since 1996). This is a savings of roughly \$16,000 per home. The chart showed that adding the savings from the Garbage District which is not in the tax levy, the cumulative savings would be \$9.6 million or \$19,240 per home. *(See Attached Exhibit B)*

After further discussion, the Mayor called for comments in favor of, or in opposition to, the proposed budget. There being no comments and after a full opportunity had been given to the public to speak on the proposed budget, the Mayor declared the Budget Hearing closed.

ADOPTION OF BUDGET

The Board, on motion duly made and seconded, unanimously

RESOLVED, that the budget which was the subject of a public hearing on April 17, 2023 be, and the same hereby is, adopted as the budget of this Village for the fiscal year June 1, 2023 through May 31, 2024, and

FURTHER RESOLVED, that a tax of the Incorporated Village of Upper Brookville, Nassau County, New York, be, and the same hereby is, levied for the fiscal year June 1, 2023 through May 31, 2024 in the sum of \$2,530,438 at the rate of \$229.98 per \$100 of assessed valuation, and

FURTHER RESOLVED, to approve \$2,000 compensation to the Mayor, and

FURTHER RESOLVED, to award the following 2023/24 salary increases:

*Stephen Murphy, Laborer, an annual salary increase to \$60,000.

*James Mundell, Laborer, an annual salary increase to \$40,000. His annual compensation totals \$45,200, including a \$5,200 insurance waiver.

*4.5% salary increases to Clerk/Treasurer, Deputy Clerk/Treasurer, Secretary to BOT, Court Clerk and Village Accountant.

MUBPD REPORT

No Report

MAYOR'S REPORT

Property Maintenance Issue

The Mayor reported that the Village issued a cleanup order for an ongoing property maintenance issue on Friendly Road highlighted by a resident. The Village is in the process of obtaining bids on the project and will notify the homeowner that if corrective action is not taken by a certain date, the Village will proceed with the cleanup and the homeowner would be responsible for all costs, including legal, plus a 15% administration fee. The homeowner also issued a notice to the same resident to repair his pool enclosure to comply with New Yorks State Code.

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

RESOLVED to permit the Village to enter the property on Friendly Road and clean up

the front yard including but not limited to the removal of vines from trees, dead branches, leaves and fallen trees. The debris would be chipped and spread over the ivy and pachysandra. The bushes in the front yard would be trimmed and shaped and the pool would be secured at a cost not to exceed \$10,000. If the homeowner does not pay the contractor directly or reimburse the Village in a timely manner, the cost will be added as a lien to the homeowners 2023/24 tax bill.

Wolver Hollow Road Fire

The Mayor reported on a meeting with the Wolver Hollow Road homeowner that recently had a fire in one of the buildings on his property. He credited the MUBPD for assisting the occupant and her pet to safety and thanked the East Norwich Fire Department for a rapid response as well as Sam Vergata and his crew for assisting the ENFC by salting & sanding the icy driveway to allow the fire trucks to get up to the fire. The first responders battled subzero temperatures late at night while getting the fire under control.

Mill River Road Grant

The Mayor reported that the Village had submitted a \$10,000,000 federal infrastructure grant for the repaving of Mill River Road along with other improvements including a covered drainage pipe where the open culvert now exists, a safer area for bikes and pedestrians and improved stormwater capture to enhance the quality of the water flowing into Oyster Bay Harbor and Mill Pond. Unfortunately, the Congressman's staff did not submit the materials by the submission deadline.

However, LIRO, our Village Engineer, identified a preferred opportunity in the Safe Streets and Roads for All (SS4A) grant program which in 2022, awarded \$800 million in grants for over 500 projects through the first round of SS4A funding. The Mayor recommended that the Board approve an additional \$15,000, in addition to the \$10,000 previously approved, to prepare a thorough grant request to improve the safety of all Upper Brookville roads for drivers, bikers and pedestrians. *(See Attached Exhibit C)*

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

RESOLVED to approve an additional expenditure of up to \$15,000 to engage LIRO to prepare a thorough grant request to improve the safety of all Upper Brookville roads for drivers, bikers and pedestrians.

Furniture Gift

The Mayor reported on additional furniture being offered for donation to the Village that could be used to furnish the Cottage as a rental unit, once we vacate it. The Board agreed that the furniture would be helpful in staging the property, if they decide to put it up for sale, but at this point it was undecided on the future disposition of the Cottage and mixed as to having a future tenant in the property.

East Norwich Fire Company

The Mayor reported circulating a draft copy of the ENFC protection contract, prepared by Stephen Limmer, for comments among our municipal partners including Brookville, Muttontown and the Town of Oyster Bay.

PUBLIC COMMENT

No Comments

MINUTES

The Mayor then called for approval of the Regular Meeting Minutes of the Trustee meeting held on March 23, 2023. *(See Attached Exhibit D)*

On motion duly made and seconded, the minutes were unanimously approved.

FINANCIAL REPORT

Bills

The Clerk/Treasurer discussed all claim forms listed on the General Fund Check Details dated April 13, 2023, in the total sum of \$10,329.90 and May 1, 2023, totaling \$371,776.97 and reported that she reviewed the supporting invoice details and/or purchase contracts with a Trustee prior to the meeting. The invoices include a payment of \$327,759.50 to the Village of Muttontown for the police protection contract. Also included is a stipend payment of \$2000 to the Mayor.

After review of the invoices and backup documentation and discussion by the Trustees, on motion duly made and seconded, the Trustees, excluding the Mayor,

RESOLVED, to ratify and approve the bills listed on the General Fund Check Details dated April 13, 2023, in the total sum of \$10,329.90 and May 1, 2023, totaling \$371,776.97 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 March 31, 2023. *(See Attached Exhibit G)*

Collateral Statement

The Clerk presented a month-end Collateral Statement from M&T Bank as well as a monthly report from the Village Accountant that details the quality and amount of collateral and the nature of the asset segregation. The Clerk agreed to contact FNBLI and find out the types and rating of the bonds on the statement. *(See Attached Exhibit H)*

VILLAGE CLERK'S REPORT

Film and Bicycle Event Permit

The Clerk reported that the Board previously approved a film permit at Planting Fields Arboretum & the Hope Goddard Iselin Preserve at a rate of \$2,500/day and she asked for their approval of a bicycle event cosponsored by the Town of Oyster Bay which would take place on Saturday July 22, 2023.

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

RESOLVED to ratify the approval of the film permit application at Planting Fields Arboretum with an agreed rate of \$2,500/day and approve a bicycle event permit on July 22, 2023 pending submission of approval by MUBPD, the required insurance documents, hold harmless agreement and refundable deposit for the removal of signage or road marking by the applicant.

ROAD COMMISSIONER/CODE INSPECTOR REPORT

The Road Commissioner reported his crew is busy cleaning up for the spring, filling potholes and preparing the beds at the Village welcome signs for the flower plantings in mid-May.

BUILDING DEPARTMENT REPORT

The Clerk referred to the report submitted by the Building Department Clerk for March 2023 activity. *(See Attached Exhibit I)*

POLICE REPORT

No Report

FIRE & STORM WATER MANAGEMENT REPORT

No Report

ARCHITECTURAL REVIEW REPORT

No Report

LEGAL REPORT

The Village Attorney reported that he will attend an upcoming hearing on the appeal of a zoning decision by Mr. Bonadonna in the NY Supreme Court Appellate Division in Brooklyn.

PUBLIC COMMENT

No Comment

The Mayor closed the meeting at 6:28 p.m. and on motion duly made and seconded, the Board unanimously

RESOLVED to enter Executive Session to discuss compensation, lease agreements, and other employee matters and health care benefits.

At 6:43 p.m., on motion duly made and seconded, the Board unanimously

RESOLVED to come out of Executive Session.

After discussion by the Trustees and on motion duly made and seconded, the Trustees, excluding Trustee Friedrich who abstained, unanimously.

RESOLVED to approve providing health care benefits for elected officials years for life so long as (a) they pay 100% of the periodic cost of the benefit as the expense is incurred, and (b) upon any departure from the Board or decision not to run for re-election, they have served a minimum of 5 years.

The meeting was adjourned at 7 p.m.

The next regular meeting is scheduled for Monday May 15, 2023 @ 5:30 p.m.

Signed by TL Lynch 5/15/2023

Tracy Lynch
Village Clerk