

**VILLAGE OF UPPER BROOKVILLE  
ANNUAL ORGANIZATION & BOARD OF TRUSTEES MEETING  
COTTAGE AT 24 WOLVER HOLLOW ROAD  
JULY 17, 2023 At 5:30 P.M.**

The Annual Organization 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 July 17, 2023 at 5:30 p.m.

Present:	Elliot S. Conway	Mayor
	Peter Pappas	Trustee
	Innis O'Rourke III	Trustee
	Helen Solomon	Trustee
	Joseph Burns	Trustee

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

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

**THE PLEDGE OF ALLEGIANCE**

**ANNUAL ORGANIZATION MEETING**

The Mayor called the Annual Organization Meeting to order and announced that this was a meeting for the purpose of organization of the Village for the new official year commencing on the first Monday of July 2023 and recommended the appointments presented. (*See Attached Exhibit A*)

**Muttontown & Upper Brookville Police Department REPORT**

Lt. Ernst presented the June 2023 police report and reported that part of the enforcement for the month included participating in the Governor's Traffic Safety Grant program where the department was awarded funding for enforcing seatbelt violations.

He said that the department has seen an increase in stolen vehicles and emphasized the importance of removing keys & fobs from vehicles and staying vigilant. He also mentioned that other parts of Long Island have seen an increase in home burglaries and encouraged all residents with security camera systems to use them. He added that the newly installed license plate readers were very helpful in picking up stolen car data which the police receive in real time.

He also reported that it's been one year since the formation of the Muttontown & Upper Brookville Police Department and the feedback has been that the residents are very happy with the service.

## **MAYOR'S REPORT**

### **Parking Permit**

The Mayor reported that the Village received a request from a resident on Wolver Hollow Road to use the Village property at 5701 Northern Boulevard for catering staff parking at a wedding he is hosting at his home in mid-August. Lt. Ernst opined that he did not see any safety issues with the request.

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

**RESOLVED** to approve the parking permit request from the resident at 97 Wolver Hollow Road for parking of vehicles at 5701 Northern Boulevard on August 12, 2023 subject to (1) receipt of a Hold Harmless Agreement and proof of insurance from both the homeowner and any contractors using the lot, (2) prohibiting parking on Wolver Hollow Road and (3) blocking off the curb cut onto Northern Boulevard.

### **Road Work Updates**

The Mayor reported that Ken Arnold, Nassau County DPW Commissioner, sent a traffic engineer to review possible line of sight issues at the intersection in the Village of Old Brookville at Linden & Hegemans Lanes. The engineer produced a design that would impact the area of the Nassau County easement as well as the adjoining private property by altering the height of the berm and will be working with the Village of Old Brookville on the matter.

He also reported that the County recently did an excellent job repaving Glen Cove Oyster Bay Road in sections that abut Matinecock, Upper Brookville and Mill Neck after the road had been severely damaged after a heavy rainstorm in 2022.

County DPW workers are also assisting a resident with a property at the corner of Piping Rock and Wolver Hollow Roads that is subject to flooding during heavy rainstorms. A DPW worker offered that if the resident places sandbags along the fence line, DPW will then fill the area with Recycled Concrete Aggregate (RCA) to raise the elevation which will redirect the water to the roadway and catch basins. RCA is crushed concrete —made up of asphalt debris from other construction projects.

### **USDOT Safe Streets and Roads for All (SS4A) Grant Application**

The Mayor reported that the village worked with LIRO and submitted a timely application under the USDOT Safe Streets and Roads for All (SS4A) Grant Program. The grant was jointly filed with the Village of Muttontown and could award up to \$250,000 in funding to improve the safety of village roads. In particular, the grant, if awarded, could generate funding to potentially repave Mill River Road, enclose the existing drainage ditch with a pipe culvert, and widen the road to permit the addition of a bike and pedestrian lane. Upper Brookville would receive half that amount.

## **PUBLIC COMMENT**

A resident from Colonial Drive introduced herself to the Board, discussed various matters relating to the HOA, and said, since she is now working part time, she is interested in volunteering her time for the community.

## **MINUTES**

The Mayor then called for approval of the regular minutes of the Trustee meeting held on June 15, 2023.

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

## **FINANCIAL REPORT**

### **Bills**

The Clerk/Treasurer discussed all claim forms listed on the General Fund Check Details dated July 17, 2023, in the total sum of \$12,820.73 and September 1, 2023 totaling \$480,601.08 and reported that she reviewed the supporting invoice details and/or purchase contracts with a Trustee prior to the meeting. The invoices include the first police protection payment to the Village of Muttontown for fiscal year 2023-24 in the sum of \$391,846.75, equipment lease payments to NCS for July, August & September at a cost of \$7140/month and payment #2 for \$32,000 to Glenco Supply for the sign installation.

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

**RESOLVED**, to ratify the bills listed on the General Fund Check Details dated July 17, 2023, in the total sum of \$12,820.73 and September 1, 2023 totaling \$480,601.08 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 ratify, approve and file the Treasurer's Report's for the month ending June 2023. (*See Attached Exhibit E*)

### **Investments**

The Mayor recommended that the Village invest excess operating funds in T-Bills to improve yields. A 6-month T-Bill is yielding 5.5% and the Village is currently earning just under 5% on their bank deposits. He calculated that total interest earnings over the course of the year could exceed \$100,000. He will work with the Clerk and Finance Chair on the quantity to purchase as well as the term of the T-Bills.

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

**RESOLVED** to authorize the Clerk to purchase a ladder of T-Bills with TD Bank, as the Mayor and Finance Chairman sees fit, to improve yields.

## **VILLAGE CLERK'S REPORT**

### **NYCOM Conference**

The Clerk reported that she and the Deputy Clerk were planning to attend the NYCOM Fall Training School for Village Officials the week of September 18<sup>th</sup>. As the date conflicts with the regularly scheduled Board Meeting, she requested that the Board reschedule the September meeting date. After discussion, the Board agreed to reschedule the meeting to Monday, September 11, 2023 @ 5:30 p.m.

### **NCVOA**

The Board congratulated Mayor Conway on his appointment to President of the Nassau County Village Officials Association for a one-year term. The Mayor stated that this year the organization, which represents 64 villages, would be concentrating on the Governor's Housing Compact, discovery reform, stop signs with cameras as introduced by State Senator Martins and reducing noise from low flying aircraft.

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

The Road Commissioner reported that he contacted McGowan and Sons to provide an estimate to repave the section of Linden Lane from Northern Blvd to the first bend in the road and will report back to the Board in September. This section of roadway was last paved around 2016.

He is also working with the State to fix a water collection issue at the intersection of Linden Lane and Northern Blvd. The Road Crew recently assisted the State and cleared a drain on the west side but they need to take more extensive action on the East side.

## **BUILDING DEPARTMENT REPORT**

The Clerk/Treasurer referred to the reports submitted by the Building Department Clerk for June 2023 activity. (*See Attached Exhibit F*)

## **BEAUTIFICATION COMMITTEE REPORT**

Trustee Solomon presented a Village Hall sign mock-up that she designed with A+ Signs. The double-sided reflective sign will hang from a post and bracket installed outside the entrance at 24 Wolver Hollow Road to clearly identify Village Hall.

She also presented an estimate from McGowan and Sons for \$38,000 to install two new piers and gates at the Village Hall entrance which will be set back 20 feet from Wolver Hollow Rd.

The Board agreed that they did not want to make that type of investment at this time and would only repair and maintain the existing gate which the Board previously approved. The Village Attorney suggested that the Board consider to flair out the entrance apron so it's safer for vehicles entering and existing Village Hall.

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

**RESOLVED** to approve the Village Hall sign at an expense not to exceed \$1,000 and to approve the expansion of the entranceway at an expense not to exceed \$10,000.

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

### **ENFC Contract Update**

The Mayor reported that he worked with Village Attorney Steven Limmer on a draft ENFC contract that has been circulated to our partners including the Town of Oyster Bay, Brookville and Muttontown for their comments.

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

**RESOLVED** to approve the ENFC contract as drafted by Steven Limmer.

## **ARCHITECTURAL REVIEW REPORT**

No Report

## **LEGAL REPORT**

No Report

## **EXECUTIVE SESSION**

At 7:20 p.m., on motion duly made and seconded, the Board unanimously

**RESOLVED**, to enter Executive Session.

At 7:56 p.m., on motion duly made and seconded, the Board unanimously

**RESOLVED** to come out of Executive Session where they discussed an equipment lease contract, ENFC contract, health insurance benefits for retired elected officials and personnel matters related to the Roads Dept.

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

**RESOLVED** to approve Slacke Test Boring's proposal for two borings and testing at the new village hall site at a cost of \$2,250.

The next regular meeting of the Board of Trustees is scheduled for Monday, September 11, 2023 @ 5:30 p.m.

*Signed by TL Lynch 9/11/2023*

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Tracy Lynch  
Village Clerk/Treasurer