

**VILLAGE OF UPPER BROOKVILLE
BOARD OF TRUSTEES MEETING
COTTAGE AT 24 WOLVER HOLLOW ROAD
SEPTEMBER 11, 2023 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 in Village Hall, in the Cottage at 24 Wolver Hollow Road on Monday September 11, 2023 at 5:30 p.m.

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

Absent:	Joseph Burns	Trustee
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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. and then led a moment of silence to mark the 22nd anniversary of 9/11.

THE PLEDGE OF ALLEGIANCE

MUTTONTOWN UPPER BROOKVILLE POLICE DEPARTMENT REPORT

Lt. Ernst presented the August 2023 police report which included the issuance of 38 moving violations, an increase from 11 the prior month. He reported that the Department conducted 3 vacant premises checks and recommended that the Village remind all residents about the importance of letting the Police know when their home will be vacant. A member of the Department will conduct a daily check of the premises while the resident is away, which includes the officer walking the perimeter and checking that all doors are secure. The resident also provides the police with a list of cars left in the driveway and emergency contact information. The service not only provides a security check but may alert residents to issues visible from the exterior of the home like a burst pipe or tree damage.

The Clerk agreed to send out an email on the vacant premises check service to the residents and will post the vacant premises check form on the village website.

Lt. Ernst also requested the Village print Upper Brookville Parking tickets and the Clerk agreed to work with the Court Clerk and have the tickets printed immediately.

MAYOR'S REPORT

New Village Hall

The Deputy Mayor updated the Board on the new Village Hall Project. He reported that the Village received a bid set from the Architect and Engineer which the Building Inspector is reviewing. In parallel to this, the Village will put the project out for a pre-bid estimate to see how the total cost compares to our budget. Once reviewed and all comments have been incorporated, a final bid package will be assembled, and we will go out to public bid.

He also discussed with Northcoast Civil the design for additional parking along Wolver Hollow Road and the required submission to the County. The Board asked that he also discuss with them a new parking lot on the current Village Hall property and pedestrian crossing options.

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

RESOLVED to submit the preliminary bid package, which has been reviewed by our Building Inspector, to several contractors to do a preliminary review to see if the specifications are adequate for the project and get pricing indications to see if the bids are within our budget range.

Check Fraud

The Mayor reported that the Village was recently defrauded of \$10,000 by a thief who stole a village check from the vendor's mailbox, chemically erased the payee's name, inserted their own name, and cashed the check. Fortunately, the village uses a "Positive Pay" service from our bank, and the bank reimbursed the stolen funds. Positive Pay requires the bank to match the payee, check number and amount against a list provided by the village before honoring the transaction.

He reported that one way to protect yourself from check fraud is to use an indelible pen. The village recently purchased an initial supply of "Anti-Fraud" pens which are available, two per household, to village residents who collect them at the village hall. Another way to protect from fraud is to use "High Security" checks that enable banks to see when a check has been altered.

The Mayor requested that the Board approve the purchase of 500 personalized Upper Brookville "Anti-Fraud" pens to be made available to residents, at a cost not to exceed \$2,000.

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

RESOLVED to approve the purchase of 500 personalized "Anti-Fraud" indelible ink pens to be distributed to residents, at a cost not to exceed \$2,000.

Furniture

The Mayor reported that the village may be able to acquire some beautiful used desks through The Barn at St. John's of Lattingtown for roughly \$125 each. There will be lamps, credenzas, chairs, conference and work tables and other office furniture items as well. He and the Clerk plan to look over the items on site later this week.

PUBLIC COMMENT

No Comment

ROAD COMMISSIONER/CODE INSPECTOR REPORT

The Road Commissioner reported that the road crew has been busy cutting grass and pruning shrubs throughout the village. The crew recently seeded bare areas along Wolver Hollow Road and swept the Village roads.

He also received two bids on the Linden Lane Road project and will get a third bid and present it to the Board next month.

He also requested that the Board approve the cleanout of two catch basins on Ripley Lane. The Mayor requested that he obtain two bids, one from the Town of Oyster Bay pursuant to our Intermunicipal Agreement.

VILLAGE HALL ENTRANCE

Trustee Solomon reported that the brick pillar has been removed from the front entry way at Village Hall and the keypad has been relocated to the stucco pier.

She also reported that she discussed the overall main entry design with the Deputy Mayor and they agreed that the best way forward would be to move the mailbox back and remove the pavers that are there now and replace with a widened area covered with RCA and gravel. This will be more attractive while making the entry and exit at Village Hall safer. The Road Commissioner said he would remove the pavers and lay the RCA and gravel. A contractor would be brought in to lay the Belgium block border. All parties would meet to discuss this before the end of the week.

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

RESOLVED to approve the renovation to the Villag Hall entry way at a cost not to exceed \$5,000.

MINUTES

The Mayor then called for approval of the regular minutes of the Trustee meeting held on July 17, 2023.

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

FINANCIAL REPORT

Bills

The Clerk/Treasurer discussed all claim forms listed on the General Fund Check Details dated September 11, 2023, in the total sum of \$162,538.67 and October 2, 2023 totaling \$36,217.49 and reported that she reviewed the supporting invoice details and/or purchase contracts with a Trustee prior to the meeting. The invoices include the 2023 Q3 fire protection payment to the East Norwich Fire Company in the sum of \$104,034.78, NCS equipment lease payments for August – October 2023 in the sum of \$7,140/month and a final payment for \$7,952 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 September 11, 2023, in the total sum of \$162,538.67 and October 2, 2023 totaling \$36,217.49 which are annexed to these minutes. *(See Attached Exhibits B & C)*

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 months ending July and August 2023. *(See Attached Exhibits D & E)*

Investments

The Clerk reported that in July, the Board approved the investment of excess operating funds in T-Bills to improve yields. She worked with the Mayor and Finance Chairman to purchase a ladder of T-Bills. It is estimated that investing in T-Bills could generate about \$100,000 of interest income for the Village. The following T-Bills were purchased through TD Bank:

Quantity	Maturity	Yield	Total Cost
705	10/26/2023	5.213%	\$699,213.81
810	11/30/2023	5.317%	\$799,173.85
1022	1/25/2024	5.392%	\$1,000,000.53
514	2/22/2024	5.493%	\$500,644.68
1138	4/18/2024	5.349%	\$1,100,148.20
416	5/16/2024	5.357%	\$400,524.28
4605			\$4,499,705.35

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

RESOLVED to ratify the approval of the Clerk to purchase a ladder of T-Bills to improve yields per the above schedule.

VILLAGE CLERK'S REPORT

Village Attorney Rates

The Clerk reported that she received a proposed retainer agreement from McLaughlin & Stern, LLP for the Village's 2023/24 fiscal year. The proposed rate is an increase from \$306/hour to \$308/hour for Stephen Limmer.

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

RESOLVED to ratify the approval of the McLaughlin & Stern, LLP rate increase from \$306/hour to \$308/hour for the 2023/24 fiscal year.

Nassau County Assessment Roll Exemptions

The Clerk presented the Board with a list of residents with property exemptions that appear on the Nassau County Assessment Roll and have been applied to the Village assessment values. They include various Veterans, Volunteer Fireman and Senior Citizen exemptions. The Clerk explained that some Veterans exemptions are mandatory, and others would have required the Village to opt out of in 1985, which they did not do based on the minutes the Clerk was able to find. The Board asked the Clerk to research the Volunteer Fireman exemption requirements and report back to the Board in October. *(See Attached Exhibit F)*

BUILDING DEPARTMENT REPORT

The Clerk/Treasurer referred to the reports submitted by the Building Department Clerk for July and August 2023 activity. *(See Attached Exhibit G & H)*

The Clerk also presented a request from a resident to refund their building permit fees on a pool demo project they are not moving forward on. She explained that the code allows a refund of up to 75% of the permit fee and 100% of the Certificate of Occupancy fee. Therefore, she recommended a refund of \$1,000 which would cover the cost of the Building Inspectors fees.

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

RESOLVED to approve the building permit fee refund of \$1,000 to Sang Realty LLC for not moving forward with the pool demo permit at 285 Hillcrest Lane.

BEAUTIFICATION COMMITTEE REPORT

Trustee Solomon reported that she has arranged a meeting with members of the Committee later this week to discuss fall plantings.

FIRE & STORM WATER MANAGEMENT REPORT

No Report

ARCHITECTURAL REVIEW REPORT

No Report

LEGAL REPORT

No Report

EXECUTIVE SESSION

At 6:34 p.m., on motion duly made and seconded, the Board unanimously

RESOLVED, to enter Executive Session.

At 7:09 p.m., on motion duly made and seconded, the Board unanimously

RESOLVED to come out of Executive Session where they discussed the NCS contract, the ENFC contract and Emmi Garbage contracts.

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

RESOLVED to approve an additional payment of approximately \$2,500 to Emmi Industries to make up for a shortfall in the first-year unit rate vs. the contract rate. The Village will continue to use these rates when paying Emmi in the future if the total units served exceeds 200, per the agreement with Emmi Industries.

No other action was taken on the ENFC contract.

The Village agreed to continue paying NCS based on the old, expired contract until a new contract is drafted.

The meeting was adjourned at 7:11 p.m. The next regular meeting of the Board of Trustees is scheduled for Monday, October 16, 2023 @ 5:30 p.m.

Signed by T Lynch 10/23/23

Tracy Lynch
Village Clerk/Treasurer