

**VILLAGE OF UPPER BROOKVILLE
BOARD OF TRUSTEES MEETING
COTTAGE AT 24 WOLVER HOLLOW ROAD
NOVEMBER 13, 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 November 13, 2023 at 5:30 p.m.

Present:	Elliot S. Conway	Mayor
	Peter Pappas	Deputy Mayor
	Helen Solomon	Trustee

Absent:	Joseph Burns	Trustee
	Innis O'Rourke III	Trustee

Also Present: Tracy L. Lynch, Clerk/Treasurer
Linda Scherer, Deputy Clerk/Treasurer
Sam Vergata, Road Commissioner
Sgt. Wallace, MUBPD
Peter MacKinnon, Esq. of
Humes & Wagner, LLP, Village Attorney

The Mayor called the meeting to order at 5:45 p.m.

THE PLEDGE OF ALLEGIANCE

MUTTONTOWN & UPPER BROOKVILLE POLICE DEPARTMENT REPORT

Sgt. Wallace presented the October 2023 police report. He reported that several officers recently attended AR-15 rifle training in connection with active shooter drills. Also, he said, all department vehicles are now equipped with the TraCS program which electronically transmits all ticket and accident reports to the State. He also reported that within the last 24 hours, there were two deer hits by vehicles and two stolen cars in Muttontown & Upper Brookville. One vehicle was recovered.

The Mayor asked Sgt. Wallace about the Village providing Narcan training to our employees, and he recommended the training. The Clerk reported that she contacted Drug Free Long Island, recommended by TOBAY, and they can provide free training to our employees and officials.

SALERNO INSURANCE UPDATE

Nicole Morton from Salerno Brokerage described the 2023/24 Insurance renewal package for the Village properties. The property deductible is being increased to \$10,000 per claim except for the main dwelling which is being increased to \$25,000 and they

deleted coverage on the tennis court and pool house. The new premium is \$35,279.45, an increase of 20% from last year due to the increased costs to defend liability claims, as well as our loss experience on prior claims.

She recommended that the Village consider raising its Excess Liability coverage. After discussion by the Trustees and on motion duly made and seconded, the Trustees unanimously

RESOLVED to approve the 2023/24 insurance premium to Salerno Brokerage for \$35,279.45 and requested Salerno to provide a quote and increase the excess liability by \$5 million if cost is as discussed.

PUBLIC COMMENT

No Comments.

MAYOR'S REPORT

Adopting Private Roads

The Mayor asked the Board if the Village should consider adopting private roads, assuming the homeowners repaved them to village standards and covenant to use the village Carter to lengthen the life of the roads.

He said, one reason to adopt them is that everyone is paying the same taxes and the people living on private roads are essentially paying an “additional tax” to maintain their private road. On the other hand, in a perfect market, private road owners theoretically purchase their homes at a price that reflects the additional cost and have more privacy. It has been perhaps 60 years since the village adopted a private road. Taking over private roads is expensive for the village; it would require snowplowing, salt/sand and future maintenance. Currently, about half our residents live on private roads.

The Board agreed to continue discussing this matter when all members are present.

Proposed Local Law A-2023

The Mayor presented proposed LL A-2023 which would amend Chapter 195 “Vehicles and Traffic” of the Code of the Village of Upper Brookville designating Planting Fields Road as a through highway, except for commercial traffic, which is prohibited unless making a delivery or pickup to any resident located on any portion of Planting Fields Road and to delete reference to the driveway to the Brookville School off Wolver Hollow Road since it no longer exists. This was a request from the village of Matinecock who recently repaved their portion of Planting Fields Road as we did last year, and their Board will be passing a similar restriction. The purpose is to extend the life of the road. (*See Attached Exhibit A*)

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

RESOLVED to authorize the Village Attorney to proceed with the preparation of the Local Law and schedule a hearing for the December meeting.

Welcome Sign Holiday Lights

The Mayor recommended that the Village install holiday lights around the welcome sign at the corner of 25A and Wolver Hollow Road. He suggested using 2700 degrees kelvin (warm) white LED string lights.

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

RESOLVED to approve lighting the Village welcome sign at an expense not to exceed \$3,000.

County Elections

The Mayor and Board unanimously congratulated Samantha Goetz on her election to represent the new 18th district, including Upper Brookville, in the Nassau County Legislature. She succeeds our current Nassau Legislator, Josh Lafazan. She is very familiar with our community as she and her husband and two young children live in Locust Valley. She currently works as an Assistant Nassau County Attorney.

NEW VILLAGE HALL PROJECT

The Clerk reported that she made two payments from the Capital Fund for the new Village Hall project: a payment of \$4050 to Northcoast Civil for the parking site work and \$10,625 to Studio 284 for construction phase documents.

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

RESOLVED to ratify approval of the payments made from the Capital Account to Northcoast Civil and Studio 287.

The Deputy Mayor recommended that we go to public bid as soon as the LIRO documents are prepared and, after discussion by the Trustees and on motion duly made and seconded, the Trustees unanimously

RESOLVED to approve going to public bid for the new Village Hall project.

MINUTES

The Mayor then called for approval of the regular minutes of the Trustee meeting held on October 23, 2023.

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

FINANCIAL REPORT

Bills

The Clerk discussed all claim forms listed on the General Fund Check Details dated November 13, 2023, in the total sum of \$8,115 and December 1, 2023 totaling \$226,890.02 and reported that she reviewed the supporting invoice details and/or purchase contracts with the Mayor prior to the meeting. The invoices include the 2023 Q4 payment of \$104,034.78 to the East Norwich Fire Company, a \$44,452 payment to the NYS Retirement system for 2024 and the 2023/24 Village Hall insurance premium to Salerno Brokerage for \$35,279.45.

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 November 13, 2023, in the total sum of \$8,115 and December 1, 2023 totaling \$226,890.02 which are annexed to these minutes. (*See Attached Exhibits C & D*)

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 October 2023. (*See Attached Exhibit E*)

VILLAGE CLERK'S REPORT

Arbor Day

In connection with the village designation as a "Tree City", the Clerk recommended a date to celebrate Arbor Day and issue an Arbor Day proclamation.

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

RESOLVED to celebrate Arbor Day on April 27, 2024 and to issue a proclamation on the same date it is celebrated at the Planting Fields Arboretum Historic State Park.

Inter-municipal Agreement

The Clerk proposed renewing an Inter-municipal Agreement with the Town of Oyster Bay for the purchase of salt/sand. The agreement would run from October 1, 2023 -September 30, 2026 and the Town would provide said materials to the Village on request and the Village will pay the Town at the same rate at which the Town purchases the sand and salt, at a per yard fee.

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

RESOLVED to renew an Inter-municipal Agreement with the Town of Oyster Bay for the period of October 1, 2023 – September 30, 2026

Online Court Payments

The Clerk reported continuing difficulties with the credit card machine currently in use for payments at Court due to the inadequate strength of the Wi-Fi signal at The Brookville Reform Church. Even when the machine functions, it requires a lengthy process to make a payment. When credit card payments can't be accepted, defendants are given time to pay by the Court Clerk which involves considerable follow-up.

She recommended to the Village Justice that the Court enter into an agreement with AllPaid which will provide either a scannable QR Code or online link from the Village website for payments. Credit Card payments incur an additional 3.5% fee and echecks \$1.00. This is an acceptable form of payment by the Justice Court System. The Village of Muttontown Court is currently using the system and very happy with the service.

The Board concurred with her recommendation.

ROAD COMMISSIONER/CODE INSPECTOR REPORT

The Road Commissioner reported that he received three quotes to mill and pave a section of Linden Lane that starts after the curve North of 25A and runs approximately 500 linear feet. He asked the Board to award the project to McGowan and Sons for completion prior to year end.

The Mayor requested that the Trustees drive by and take a look at the road and the Clerk research when the road was last repaved and report to the Board.

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

RESOLVED to authorize the Board to make a determination by email following (a) an inspection of Linden Lane, (b) a review of the paving history and (c) a follow up discussion on the project and cost with the bidder as to whether they should award the contract to McGowan & Sons.

The Mayor suggested compiling a digital library of all roads designed by Bowne / LiRo over the years. This will enable the Village to save money on future road projects by reusing the extensive designs already prepared at significant cost by the Engineers.

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

RESOLVED to authorize an expenditure up to \$15,000 to compile a digital library of prior road designs prepared by Bowne/LiRo.

Lawn Lane Plantings

The Road Commissioner reported that Asplund Tree Experts working under contract with PSEG removed 12 diseased, rotten or dead Norwegian Maple trees along the County sump on Lawn Lane. Subsequently, Aspen tree completed the stump grinding.

The Mayor recommended that the Village plant deer resistant evergreens to fill the bare sections along the sump fence line.

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

RESOLVED to authorize an expenditure up to \$10,000 to plant no more than 20 deer resistant evergreens staggered along the fence line in front of the County sump on Lawn Lane.

No Parking Signs

The Clerk reported that the MUBPD requested that the Village install 'No Parking' signs on roads that enter the Village so drivers are aware of our ordinance. The Village Attorney confirmed that it is a legal requirement.

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

RESOLVED to approve the installation of 'No Parking' signs where it is legally required at the various roads that serve as entrances to the Village and authorize an expenditure up to \$2,500.

BUILDING DEPARTMENT REPORT

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

BEAUTIFICATION COMMITTEE REPORT

No Report

FIRE & STORM WATER MANAGEMENT REPORT

No Report

ARCHITECTURAL REVIEW REPORT

No Report

LEGAL REPORT

No Report

EXECUTIVE SESSION

At 7:10pm, on motion duly made and seconded, the Board unanimously

RESOLVED, to enter Executive Session.

At 7:27pm, on motion duly made and seconded, the Board unanimously

RESOLVED to come out of Executive Session where they discussed various matters.

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

RESOLVED to approve the creation of the office of Deputy Finance Chairman and approve the appointment by the Mayor providing that the resident resides in Nassau County.

The meeting was adjourned at 7:30pm. The next regular meeting of the Board of Trustees is scheduled for Monday, December 18, 2023 @ 5:30 p.m.

Signed by TL Lynch 12/18/2023

Tracy Lynch

Village Clerk/Treasurer

