

**VILLAGE OF UPPER BROOKVILLE
BOARD OF TRUSTEES MEETING
COTTAGE AT 24 WOLVER HOLLOW ROAD
JANUARY 18, 2024 AT 5:00 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 Thursday January 18, 2024 at 5:00 p.m.

Present:	Elliot Conway	Mayor
	Joseph Burns	Trustee
	Helen Solomon	Trustee
Absent:	Innis O'Rourke III	Trustee
	Peter Pappas	Deputy Mayor
Also Present:	Tracy L. Lynch, Clerk/Treasurer	
	Linda Scherer, Deputy Clerk/Treasurer	
	Sgt Wallace, Muttontown Upper Brookville PD	
	Peter MacKinnon, Esq. of Humes & Wagner, LLP	
	Attorneys for the Village	
	Sam Vergata, Road Commissioner	

The Mayor called the meeting to order at 5:05 p.m.

THE PLEDGE OF ALLEGIANCE

MUBPD REPORT

Sgt. Wallace presented the December 2023 Police Report. He reported there were 18 summonses issued and there has been no crime over the past 45 days. He attributes the low crime rate to the increased presence of the police department in the area. He also reported that there were 50 automobile & deer incidents in Muttontown and Upper Brookville over the last 6 months. No injuries.

MAYOR'S REPORT

EMS Cost Recovery

The Mayor reported on the EMS Cost Recovery Act. It became law in April 2022 and allows for New York's volunteer fire departments to recover costs associated with their ambulance services. The law expires in 2026 if it is not renewed. Third party administrators make administrative burden of the program for fire departments minimal, but Cost Recovery has the potential to generate \$34+ million annually for Nassau County residents. Cost recovery funds can enhance all EMS services and materially lower the local property tax burden on residents.

Port Washington Fire Department is using Cost Recovery and in 2023, they generated \$900,000 from 2450 EMS calls. It paid for their \$600,000 EMS expense and then some. Port Washington contracts with ProClaim Services who helped do the set-up and now does all the billing and collection. ProClaim charges either a flat fee or a

percentage of the amounts recovered.

The Mayor estimates that ENFC, serving four municipalities with 600 EMS calls/year, could expect \$240,000 in Cost Recovery proceeds and requested that ENFC review the contract and consider implementing Cost Recovery as soon as practicable. *(See Attachment A)*

PUBLIC COMMENT

No Comment

VILLAGE HALL PROJECT

The Mayor recently met with Bernie Ryba, the mayor of Old Brookville, to discuss the wind-up funds disbursement and final accounting for the Old Brookville Police Department.

Mayor Ryba requested that the remaining cash balance of about \$177,000 be disbursed to the Village of Old Brookville to cover retirement benefit payments previously paid. The Mayor will be sending a claim for the relocation of a wall along Northern Blvd at a cost of \$4,800 and requesting the final accounting before cash funds are disbursed.

The Mayor also reported that the Village previously sent reimbursement claims to the OBPD Commissioners for the removal of the radio tower (\$8,800), retaining wall on Wolver Hollow Road (\$5,500) and a dumpster and final cleaning invoice (\$5,000), all totaling \$19,300, all of which had been approved for payment but none of which have been paid to Upper Brookville.

MINUTES

The Mayor then called for approval of the regular minutes of the Trustee meeting held on December 18, 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 January 18, 2024 in the total sum of \$11,753.15 and February 1, 2024 totaling \$55,045.36 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 January 18, 2024 in the total sum of \$11,753.15 and February 1, 2024 totaling \$55,045.36. *(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 approve and file the Treasurer's Report's for the month ending December 2023. (*See Attached Exhibit E*)

CLERK'S REPORT

Film & Tag Sale Permits

The Clerk requested the Board ratify the approval of a film permit on Planting Fields Road for February 6, 2024 and a tag Sale Permit at Pine Valley Road on January 21st & 22nd with a rain date of January 28th & 29th.

She also requested that the Board reappoint TOBAY Town Clerk Richard LaMarca, and Deputy Town Clerk Donna Antetomasso as Registrar of Vital Statistics for a 2-year term starting January 1, 2024 through December 31, 2025.

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

RESOLVED to ratify the approval of the film permit and tag sale permit and

FURTHER RESOLVED to reappoint Town Clerk Richard LaMarca and Deputy Town Clerk Donna Antetomasso as Registrar of Vital Statistics for a 2-year term starting January 1, 2024 – December 31, 2025.

ROAD COMMISSIONER/CODE INSPECTOR REPORT

The Road Commissioner reported that the crew has been busy with heavy rains, snow, wind and downed trees.

The Board requested that he get estimates for commercial grade line striping on Mill River Road and that he notify McGowan & Sons that we will move forward with the Linden Lane repaving project in the Spring.

The Mayor reported that he contacted the Nassau County Department of Public Works about the dangerous flooding issue on Wolver Hollow Road. A NCDPW Inspector dispatched someone immediately to assess the situation and it appears that there is a broken pipe in the NC easement area. We are awaiting word from the County on their schedule to repair.

BUILDING DEPARTMENT REPORT

The Clerk/Treasurer referred to the reports submitted by the Building Department Clerk for December 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

The Village Attorney reported that Jim Cammerata, Counsel for the East Norwich Fire Company No 1, said he was preparing written responses to the points raised by the Mayor on the fire protection contract at the recent meeting held with the ENFC.

PUBLIC COMMENT

No Comment

The Mayor closed the meeting at 5:45 p.m. and on motion duly made and seconded, the Board unanimously

RESOLVED to enter Executive Session to discuss various matters.

EXECUTIVE SESSION

At 6:03 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 unanimously

RESOLVED to cancel the next Board Meeting scheduled for Thursday, February 22, 2024 unless any pressing business comes up.

The Meeting was adjourned at 6:06 p.m.

The next regular meeting of the Board of Trustees is scheduled for Monday, March 18, 2024 @ 5:30 p.m.

Signed by TL Lynch 3/18/2024

Tracy Lynch
Village Clerk