

**MINUTES OF THE REGULAR MEETING  
BOARD OF TRUSTEES  
VILLAGE HALL  
WED., JUNE 20, 2018  
7:00 PM**

**PRESENT:**

Mayor Daniel F. DeVita	Howard Avrutine, Village Attorney
Trustee Kevin Jusko	Elizabeth Kaye, Clerk / Treasurer
Trustee Jeffrey Miritello	Nancy Popper, Deputy Clerk / Court Clerk
Trustee Jeffrey Nemshin	James Antonelli, Village Engineer
Trustee Richard Nicklas	Michael McNerney, Superintendent of Building Dept.
Trustee Martin Novick	
Trustee Nicholas Tsafos	

**MAYOR DE VITA** called the meeting to order at 7:00 p.m. with the Pledge of Allegiance.

**ELECTION RESULTS**

The Clerk / Treasurer announced the following election results from the June 19, 2018 General election:

Trustee Miritello – re-elected as Trustee for a two-year term with 42 votes

Trustee Novick – re-elected as Trustee for a two- year term with 41 votes

Trustee Jusko – re-elected as Trustee for a two-year term with 41 votes.

All Oaths of offices were signed for filing by the Clerk.

**POLICE REPORT**

The Board reviewed the Oyster Bay Cove Police Department Monthly Report for May, 2018, which had been distributed to the Board upon receipt. Statistics are as follows:

	MAY	YTD	PRIOR YTD
Auto Accidents Personal Injury	0	2	6
Auto Accidents Property Damage	6	13	8
Aided Cases Resulting from Auto Accidents	0	2	11
Aided Cases Other	6	17	32
Arrests	0	0	0
Summonses - Moving Violations	19	117	170
Summonses – Parking	16	22	9
Fire Calls	2	6	3
Patrol Mileage	4650	22,650	22,650
Offenses - Case Reports	2	6	6
Suspicious Autos	3	11	14
Suspicious Persons	6	6	5
Suspicious Phone Calls	0	2	0

Recorded Alarms	17	74	92
Vacant Houses	6	22	32
Disturbances	3	9	10
Malicious Mischief	0	1	0
Non-Case Incidents	0	1	1
Animal Nuisance Complaints	2	5	7
Assist from NCPD	0	0	0

During the month of May, thirty-four (34) tickets were issued, as follows:

Stop Signs	0	Expired Registration	0
Cell Phone	0	Disobey Traffic Control Device	0
Speeding	2	Improper U Turn	0
Unlicensed Operation	4	Defective Lights	3
Uninspected Motor Vehicle	0	No Passing Zone	0
No Insurance	4	Parking	16
Failure to Signal	0	DWI	0
Seat Belt	6	Village Ordinance	0

Sergeant Mergel was present and spoke to the Board regarding recent events.

## BUILDING REPORT

Building Superintendent McNerney reported on the following:

### **#BP 2766 - McCarey-Permit Extension**

A Building permit was issued on 2/23/2016 for an addition/alteration. The original fee was \$2,325. Per Code, the permit was extended for nine months upon payment of \$1,162.50 (1/2 original permit fee).

The permit again expired on 5/23/2018, even though the project was completed prior to this date. Upon final inspection, it was discovered that pool equipment was located in the setback and not in compliance with the Zoning Code. Due to this violation, a final certificate was not issued, causing the permit to expire.

**Recommendation:** Extend permit for six months so that homeowners can bring the property into compliance. The variance application will be heard by the Board of Zoning Appeals on Monday, 6/25/2018.

Recommendation that no fee be imposed since the permit would have been closed in a timely fashion if there had been no issue with the pool equipment. The homeowners paid permit fees to legalize the pool equipment and paid fees for a variance application to the Board of Zoning Appeals.

Trustee Nicklas moved to approve the six-month extension without any additional fees, seconded by Trustee Novick, all approved.

**#BP 2795 - Foreman - Issue CO & Refund \$25,000 security deposit per Agreement dated 7/14/2016**

Per Agreement, Mr. Foreman is due a refund of his deposit when the C.O. is issued for BP #2795, if there are no further violations of Village Code. Permission is requested to issue the C.O. and refund the deposit. Village Engineer Antonelli confirmed that the road patch was done to his satisfaction. Mayor DeVita indicated that all costs incurred by the Village related to the road repairs will be deducted from the deposit.

Trustee Tsafos moved to refund the \$25,000 deposit to Mr. Foreman, less repair costs incurred, seconded by Trustee Jusko, all approved.

**NEW BUILDING PERMIT APPLICATIONS SUBMITTED BY COLD SPRING HARBOR LAB - Schedule hearing date:**

**1. #BPA 2964 - CSHL - New 95-space surface parking lot**

An application was submitted to install a parking lot, which will disturb a steep slope area. The Board of Trustees will need to hold a hearing on the slope disturbance.

**2. #BPA 2965 - CSHL - Marks Annex Temporary Office Building**

An application was submitted to construct an office annex; proposed construction will not require a variance or disturb a slope area.

Mr. Art Brings, Vice President, Chief Facilities Officer, Cold Spring Harbor Lab, spoke to the Board concerning the applications. The application for the 95-spot parking area is for the parking of approximately fifty service vehicles, and not for heavy trucks. Currently, the workers have to park a distance from where the trucks are parked, so this will allow easy access to the trucks from the employee parking lot.

The application for the Marks Annex Temporary Office Building is for a 1500-square-foot building, which will provide the neuro-scientists with additional office space for three to five years, until permanent offices can be built.

James Murphy, Esq., attorney for the Lab, discussed the existing 2004 Master Plan and the proposed 2018 Master Plan. Mr. Brings indicated that the Lab reviews its needs every ten years, and due to the success of the neuroscience program in the cancer and cognitive research areas, more office space and housing is required.

Trustee Tsafos moved to schedule the public hearings on the foregoing applications for the next regular Board meeting on July 11, 2018 at 7:00 pm, seconded by Trustee Jusko, all approved.

## **ENGINEER'S REPORT**

Village Engineer Antonelli advised the Board that six road bid packages had been picked up to date. Mr. Antonelli indicated that he would review the bids right after the public bid opening on June 27, 2018 and have his recommendation for the Board.

Trustee Tsafos moved to schedule a special meeting to award the road bid for Monday, July 2 at 5:00 pm, seconded by Trustee Jusko, all approved.

## **MINUTES**

Trustee Tsafos moved to approve the **MINUTES** of May 9, 2018 and June 5, 2018, as amended, seconded by Trustee Miritello, all approved.

The **FINANCIAL REPORTS** for May, 2018 and the **REPORT OF UNPAID TAXES** were distributed to the Board. Bank statements and reconciliations were reviewed by Trustee Tsafos prior to the meeting.

## **APPROVAL OF ABSTRACTS**

Trustee Tsafos moved to approve the following Abstracts of Claims to be paid, seconded by Trustee Nicklas, all approved:

- # 1055 General Fund – \$65.00
- #1055 Capital Fund - \$29,703.78
- #1056 – \$31,166.74
- #1057 - \$35,366.33
- #1058 - \$16,734.11

## **RESIDENT CONCERNS**

Mr. Andriotis, a resident on Timber Ridge, spoke to the Board about his application to remove several trees in order to accommodate a proposed circular driveway. Mayor DeVita informed Mr. Andriotis that the Planning Board is responsible for reviewing his application, not the Board of Trustees.

## **AGREEMENT WITH TOWN OF OYSTER BAY FOR STREET CLEANING**

Trustee Tasfos moved to authorize Mayor DeVita to execute the Agreement with the Town of Oyster Bay for street cleaning services through June, 2019, seconded by Deputy Mayor Nemshin, all approved.

## **CROWN CASTLE UPDATE**

Village Attorney Avrutine reported on the latest resubmission by Snyder & Snyder on behalf of Crown Castle for installation of small telecommunication nodes in the Village. Mr. Richard Comi, consultant for the Village on this matter, will have a report ready by

Friday with his comments and objections. The Board discussed the possibility of holding several public hearings on the proposal, with each such hearing pertaining to approximately 5 or 6 of the total of 25 installations proposed.

### **SAFETY COMMITTEE UPDATE**

The Board of Trustees, also serving as the Safety Committee, reported that no safety incidents had occurred over the last quarter.

### **SOLAR PROJECT UPDATE**

Trustee Jusko informed the Board that three potential bidders submitted questions on the solar specifications. The bid opening is scheduled for July 9<sup>th</sup> at Village Hall.

### **MUNICIPAL AUDIT SERVICES**

The Clerk was instructed to notify Mr. Messina of the Board's interest in having his firm audit the Village's gross receipts for the period 2015-2017 and to send an agreement for his services.

### **OYSTER GARDEN**

Trustee Miritello reported that sixty people had gathered the previous Saturday in Oyster Bay to help construct oyster cages.

### **INVESTING VILLAGE FUNDS**

The Board decided to wait until the July meeting, when taxes will have been collected, to make a decision on the investment of Village funds. The Clerk was asked to provide a cash flow schedule to project the Village's cash needs.

There being no further business to come before the Board, Mayor DeVita moved to adjourn the meeting at 10:05 p.m., seconded by Trustee Tsafos, all approved.

*Elizabeth Kaye*

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Elizabeth Kaye, Clerk / Treasurer

### **ALSO PRESENT:**

Randall Jones  
Sergeant Mergel  
Art Brings  
Gary Andriotis

Cold Spring Harbor Lab  
Oyster Bay Cove Police Department  
Cold Spring Harbor Lab  
Resident

THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES WILL BE HELD AT 7:00 P.M. ON WEDNESDAY, JULY 11, 2018 AT WHICH TIME A PUBLIC HEARING WILL BE HELD ON COLD SPRING HARBOR LAB SPECIAL USE PERMIT 1-2018.