

**MINUTES OF THE REGULAR MEETING
BOARD OF TRUSTEES
VILLAGE HALL
APRIL 11, 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	

EXCUSED: Trustee Nicholas Tsafos

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

BOND UPDATE

Mayor DeVita reported that the Village was given a AAA rating from S&P Global Ratings. Nine bids were received for purchase of the \$3 million serial bonds, with the winning bid awarded to Roosevelt & Cross at a rate of 2.72%.

SCHOOL SAFETY

Mayor DeVita reported on his meeting with Cold Spring Harbor Schools' Superintendent and Oyster Bay Cove Police regarding school safety; discussed at the meeting was that better communication between law enforcement agencies and the schools was in order. Also, all options regarding safety are still being considered.

POLICE REPORT

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

	MARCH	YTD	PRIOR YTD
Auto Accidents Personal Injury	0	1	4
Auto Accidents Property Damage	4	7	5
Aided Cases Resulting from Auto Accidents	0	1	7
Aided Cases Other	3	10	21
Arrests	0	0	0
Summonses - Moving Violations	31	73	124
Summonses – Parking	3	5	5
Fire Calls	4	4	2
Patrol Mileage	4650	13,500	13,500
Offenses - Case Reports	0	2	4
Suspicious Autos	4	7	9

Suspicious Persons	0	0	4
Suspicious Phone Calls	0	2	0
Recorded Alarms	16	45	52
Vacant Houses	6	12	19
Disturbances	4	5	6
Malicious Mischief	0	1	0
Non-Case Incidents	1	1	1
Animal Nuisance Complaints	0	0	6
Assist from NCPD	0	0	0

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

Stop Signs	3	Expired Registration	2
Cell Phone	1	Disobey Traffic Control Device	1
Speeding	6	Improper U Turn	0
Unlicensed Operation	1	Defective Lights	4
Uninspected Motor Vehicle	7	No Passing Zone	0
No Insurance	6	Parking	3
Failure to Signal	0	DWI	0
Seat Belt	0	Village Ordinance	0

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

PUBLIC HEARING – 2018-2019 TENTATIVE BUDGET

At 7:15 p.m., Mayor DeVita opened the public hearing on the 2018-2019 Tentative Budget. The hearing was stenographically recorded, and a copy of the transcript will be affixed to and made a part of these minutes.

The Village Attorney entered the following items into the record:

- Excerpt from minutes of March 14, 2018 meeting setting public hearing for April 11, 2018
- Copy of the Tentative Budget as filed with the Board of Trustees on March 3, 2018
- Notice of the April 11, 2018 Public Hearing prepared by the Village Clerk
- Affidavit of Posting indicating that the Notice of Public Hearing was posted @ the Village Hall
- Affidavit of Publication prepared by Richner Communications, Inc., stating that the public notice of the April 11th hearing was published in the Oyster Bay Guardian on March 23, 2018
- Evidence that the public notice for the April 11th hearing and the Tentative Budget were posted to the NEWS section of the website and forwarded to subscribers on March 20, 2018
- Evidence that the Tax Cap Certification was filed with the Office of the State Comptroller on March 28, 2018

The Clerk/Treasurer reported that the proposed tax levy would increase by 11.97% due primarily to an increase in police protection costs and budgeting for the new road bond. The Clerk recommended that the amount proposed for bond interest of \$90,000 be changed to \$78,778.65 to accurately reflect the actual interest to be paid. There being no comments from the public or from members of the Board, Trustee Nicklas moved to adopt the 2018-19 Tentative Budget as final with the one proposed change, seconded by Trustee Novick, and unanimously approved by a poll of the Board:

Mayor DeVita -	Aye
Deputy Mayor Nemshin -	Aye
Trustee Jusko -	Aye
Trustee Miritello -	Aye
Trustee Nicklas -	Aye
Trustee Novick -	Aye
Trustee Tsafos -	Absent

Mayor DeVita noted that Trustee Tsafos, who was not in attendance, had expressed his support for adoption of the Tentative Budget.

Mayor DeVita closed the public hearing at 7:20 pm

BUILDING REPORT

Building Superintendent McNerney reported the following:

#BP 2905 – Mr. Cheek, 1590 Laurel Hollow Road - Pool work

Pool work was started without a permit. Following the issuance of a “Notice to Remedy Violation,” a building permit application was submitted and issued to reconstruct an existing swimming pool. The fee was \$1,725, \$1,050 of which was a penalty for starting work prior to issuance of a permit. Mr. Cheek, who was in attendance, requested a refund of the penalty portion of the fee, based on his reliance on a representation by his contractor that a permit was not required. Mr. McNerney informed the Board that NYS Building Code requires a permit for the work due to the many updates in the Code for pools. After discussion, Trustee Miritello moved to approve a refund of one-half of the fee, or \$525.00, seconded by Deputy Mayor Nemshin; all approved.

#BP 2764 – Passarella for an Extension

A Building permit was issued on 12/1/2015 for renovation of the master bedroom and bathroom. The fee paid was \$1,095. Per Code, the permit was extended for nine months upon payment of \$547.50 (1/2 the original permit fee). At the time, the Building Department was waiting for an electrical inspection certificate and other finishing touches. The permit expired again on 3/1/2018 because the required smoke and carbon monoxide detectors had not been installed. One smoke detector remains missing.

Recommendation: Extend permit until 6/1/2018, with no fee.

Mayor DeVita moved to extend the permit until 6/1/2018 without a penalty, seconded by Trustee Jusko; all approved.

#BP 2881- Lohser

Application was submitted on 3/27/2017 for finishing the basement, with a permit fee of \$675. The application was approved on 3/8/2018 but was held pending license and insurance information from contractors. The owner is requesting an extension of her application so that a new contractor may be hired and the necessary paperwork obtained. According to Code, the application expires in one year if the permit has not yet been issued.

Recommendation: Extend application for two months, with no fee. The homeowner has also been delayed in finding a new contractor due to health issues and the birth of her baby.

Deputy Mayor Nemshin moved to extend the permit application for three months, seconded by Trustee Novick; all approved.

INTRODUCTORY LOCAL LAWS

Village Attorney Avrutine presented the following introductory local laws:

LOCAL LAW B-2018 which proposes to add a new Section 145-32 to the Code regarding the authority of the Building Inspector.

After discussion, Trustee Miritello moved to introduce Local Law B-2018 and to set the public hearing for May 9th, 2018 at 7 pm, seconded by Trustee Nicklas, all approved.

LAW C-2018 which proposes to add a new section 22-7(K) to the Code regarding damage to Village property in connection with work performed pursuant to building permits and to add a new section 23-3(F)(1)(f) to the Code regarding the required deposit.

After discussion, Mayor DeVita moved to introduce Local Law C-2018 and set the public hearing for May 9, 2018 at 7 pm, seconded by Deputy Mayor Nemshin, all approved.

LOCAL LAW D-2018 regarding the nullifying of Board of Zoning Appeals approvals and adding a new Section 145-32 of the Code regarding extensions of time limitations.

After discussion and proposing certain modifications, Mayor DeVita moved to introduce Local Law D-2018, as amended, and set the public hearing for May 9, 2018 at 7 pm, seconded by Trustee Jusko; all approved.

VILLAGE LANDMARKS

No action was taken on a possible amendment to the Code regulating Village Landmarks.

MINUTES

The **MINUTES** of the March 14, 2018 meeting of the Board were unanimously approved, as amended, on a motion by Trustee Nicklas, seconded by Mayor DeVita.

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

ENGINEER'S REPORT

The Board members reviewed the Engineer's written report. Village Engineer Antonelli reported that survey work had begun on roads scheduled under Phase I of the road project.

INVESTING IN TREASURY BILLS

The Board discussed the option of investing the portion of the bond funds attributable to Phase II road work in treasury bills as permitted under the Investment Policy. Deputy Mayor Nemshin moved to authorize the Clerk/Treasurer and another signatory as required for monetary transactions to invest \$1 million in US Treasury Bills for a six-month term, seconded by Trustee Nicklas; all approved.

APPROVAL OF ABSTRACTS

Trustee Novick made a motion, seconded by Trustee Nicklas, and unanimously carried, that the following abstracts of vouchers be approved for payment:

- #1049 for prepaid item(s) in the amount of \$144.72
- #1050 for prepaid item(s) in the amount of \$371.01
- #1051 in the amount of \$40,073.24

APPOINTMENT OF ELECTION INSPECTORS

Mayor DeVita moved to appoint the following Nassau County election inspectors for the 2018 Village Election, to be held on June 19, 2018, seconded by Trustee Jusko, all approved:

Joseph Smith	25 Roxbury Road, Plainview, NY (D)
Thomas Montalbano	22 Sherman Drive, Syosset, NY (R)

RENEW AGREEMENT WITH TOWN OF OYSTER BAY FOR STREET CLEANING

The Board expressed an interest in renewing the Intermunicipal Agreement with the Town of Oyster Bay for street cleaning, which is due to expire on June 30, 2018, and asked the Clerk/Treasurer to request an updated rate schedule.

SALT USAGE

Trustee Jusko reported on salt usage for the past winter season: 271 tons of salt used in 2018 as compared to 265 tons in 2017. Trustee Jusko noted that the 2018 winter was much more severe than the 2017 season and that 2018 tonnage includes salt stockpiled for next winter. The 2018 salt was also pre-treated with the Ice B'Gone product.

BUDGET TRANSFER

Mayor DeVita moved to authorize the following budget transfer to cover overages in Snow Removal – Overtime and Sand & Salt Expense:

From: A1990 \$22,200

To: A5142.41 \$16,000

 A5142.1 \$ 6,200

RENEW EMPLOYEE DENTAL COVERAGE

Mayor DeVita moved to renew the employee dental coverage contract with Empire Blue Cross/Blue Shield, effective June 1, 2018, seconded by Trustee Jusko, all approved, at the following rates:

Employee- \$27.60/month

Employee + spouse - \$56.31/month

Employee + child - \$65.12/month

Family - \$98.97/month

HARASSMENT & DISCRIMINATION TRAINING

Mayor DeVita reported on the Harassment & Discrimination training hosted by the Village of Oyster Bay Cove at Laurel Hollow Village Hall on March 27, 2018. In attendance were Mayor DeVita, Trustee Nicklas, Clerk/Treasurer Elizabeth Kaye and Highway Superintendent Porcaro, as well as members of the Oyster Bay Police Department and Oyster Bay Cove staff. The training was provided by Barbara DeMatteo of the firm Portnoy Messinger and Pearl & Associates.

AUTHORIZATION TO BID SOLAR PANEL INSTALLATION PROJECT

Trustee Jusko moved to authorize bidding the project to install solar panels on Village Hall per the Request for Proposal prepared by Francis Fragola of Collaborative Energy Group, pending approval by the Village Attorney, seconded by Trustee Miritello; all approved.

POLICE BOOTH ELECTRIC BILLS

Mr. Randall Jones, Cold Spring Harbor Lab, reported on his findings regarding the high electric bills for the Police Booth. Mr. Jones indicated that the gas pump has a built-in electric heater, which is activated in single digit temperatures. In addition, the Police Building has gas-fired space heaters with fans that run continuously.

There being no further business to come before the Board, Mayor DeVita moved to adjourn the meeting at 9:10 p.m., seconded by Trustee Jusko, all approved.

Elizabeth Kaye

Elizabeth Kaye, Clerk / Treasurer

ALSO PRESENT:

Randal Jones

Sergeant Mergel

Cold Spring Harbor Laboratory

Oyster Bay Cove Police Department

THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES WILL BE HELD AT 7:00 P.M. ON WEDNESDAY, MAY 9, 2018 AT WHICH TIME A PUBLIC HEARING WILL BE HELD ON INTRODUCED LOCAL LAWS. B-2018, C-2018 AND D-2018.