

**MINUTES OF THE REGULAR MEETING
BOARD OF TRUSTEES
VILLAGE HALL
DECEMBER 13, 2017
7:00 PM**

PRESENT:

Mayor Daniel F. DeVita	Howard Avrutine, Village Attorney
Trustee Kevin Jusko	Karen A. Navin, Clerk / Treasurer
Trustee Jeffrey Miritello	Michael McNerney, Superintendent of Building Dept.
Trustee Jeffrey Nemshin*	Nancy Popper, Deputy Clerk / Court Clerk
Trustee Richard Nicklas	
Trustee Martin Novick	
Trustee Nicholas Tsafos	

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

POLICE REPORT

The Board reviewed the Oyster Bay Cove Police Department Monthly Report for November 2017, which had been distributed to the Board upon receipt. Statistics are as follows:

	NOVEMBER	YTD	PRIOR YTD
Auto Accidents Personal Injury	0	9	6
Auto Accidents Property Damage	4	23	25
Aided Cases Resulting from Auto Accidents	0	14	6
Aided Cases Other	8	64	41
Arrests	0	1	0
Summonses - Moving Violations	22	301	227
Summonses - Parking	2	47	52
Fire Calls	0	4	4
Patrol Mileage	4500	50100	50250
Offenses - Case Reports	2	13	7
Suspicious Autos	7	34	29
Suspicious Persons	1	13	20
Suspicious Phone Calls	0	0	1
Recorded Alarms	13	206	244
Vacant Houses	7	66	78
Disturbances	0	25	21
Malicious Mischief	0	0	1
Non-Case Incidents	2	5	5
Animal Nuisance Complaints	2	16	10
Assist from NCPD	0	0	0

During the month of November twenty-four (24) tickets were issued, as follows:

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

P.O. Mergel was present and spoke to the Board regarding recent events, including an accident on NYS Route 25A, when a vehicle struck a deer near Bungtown Road. P.O. Mergel asked the Mayor and Board of Trustees to remind residents that nearby areas have experienced thefts of parcels left outside homes, and to ask them to let the Police know if they plan to be away during the holidays. Mayor DeVita will send a Swiftreach to residents during the week.

BUILDING REPORT

BPA#2918 – HERITAGE ASSET CO, LLC – 459 COLD SPRING ROAD

The Superintendent of Buildings reported on the applications submitted by Heritage Asset Co., LLC, to demolish an existing home and construct a new single family dwelling at 459 Cold Spring Road, a Nassau County roadway. The matter was referred to the Nassau County Department of Public Works as required by §239-f. of the General Municipal Law of the State of New York. As part of their permit, Nassau County has required that, in lieu of installing extensive drywells in the rear of the parcel, the applicant bring in over 300 cubic yards of fill to create a swale to keep any runoff from entering Cold Spring Road. The building permit application has already been referred by the Superintendent of Buildings, acting as the Stormwater Management Officer (SMO), to the Village Engineer for a Stormwater Pollution Prevention Plan (SWPPP) pursuant to Chapter 42 of the Village Code, EROSION AND SEDIMENT CONTROL; STORMWATER MANAGEMENT.

After discussing the matter, Board members agreed that the matter should be reviewed by the Village Engineer as part of the SWPPP.

In conjunction with this matter, and all subsequent applications requiring a SWPPP, it was moved by Mayor DeVita, seconded by Trustee Novick and unanimously carried, that, pursuant to §42.6.B.(2) and §42-14 of the Village Code, applicants be required to submit an initial deposit in the amount of \$500.00 for services required under ARTICLE I, General provisions, and for services required under ARTICLE IV, Administration and Enforcement. If required, the applicant shall submit additional deposits, in amounts required by the SMO, to maintain a positive balance in the escrow account,

ENGINEER'S REPORT

STEWART LANE

Board members reviewed the Engineer's Report as it relates to work performed by United Paving Corp. for IMPROVEMENT OF STEWART LANE. The required maintenance bond was submitted by the contractor, and, on December 1st, the Village Engineer executed the Certificate for Payment of Retainage. The Clerk / Treasurer reported that the final payment to United Paving Corp. was included in the abstract of vouchers approved by the Board of Trustees for payment.

SHADY LANE REPAIR

Board members reviewed the Engineer's Report as it relates to the contract for repairs to Shady Lane, awarded to Patsy Bruno and Son Asphalt Paving on November 8th, subject to receipt evidence of insurance required by the contract. The contractor has, on several occasions advised the Village Engineer that all required documents were submitted to the Village. The Clerk / Treasurer advised the Board that the notice of award was mailed to the contractor on November 9th but that, to date, nothing has been received.

In his report, the Village Engineer stated that "given the cold temperatures and the fact that asphalt plants will be closing this month, this project would have to be held over until the spring."

Board members agreed that the Clerk / Treasurer should notify the contractor that all required documents must be received within one week of the date of her letter. If the contractor has not complied by that date the matter will appear on the agenda for the January 10th meeting to discuss rescinding the award.

REPORT OF ALLEGEDLY DANGEROUS CONDITION ON COVE ROAD AT BIRCH COURT

Board members reviewed the Engineer's Report as it relates to the report of an allegedly dangerous condition on Cove Road, a Nassau County roadway, at Birch Court. The matter had been reported to the Board of Trustees by the Clerk / Treasurer in an email dated December 12, 2017.

Based upon the recommendation of the Village Engineer, Board members requested that the Village Attorney notify Nassau County of the report, requesting that action be taken to remedy the condition.

The **MINUTES** of the November 8, 2017 meeting of the Board were unanimously approved on a motion by Trustee Tsafos, seconded by Trustee Jusko.

The **FINANCIAL REPORTS** for November, 2017 and the **REPORT OF UNPAID TAXES** as of December 1, 2017 were distributed to the Board.

PARKING WAIVERS

No action was taken by the Board to amend the procedure in place for issuance of Parking Waivers.

APPROVAL OF ABSTRACTS

It was moved by Trustee Miritello, seconded by Trustee Tsafos and unanimously carried, that the following abstracts of vouchers be approved for payment:

- #1041 for prepaid items from 11/10/2017 through 12/13/2017 in the amount of \$12,164.56
- #1042 in the amount of \$56,603.20

PROPOSED AMENDMENTS TO CODE

LOCAL LAW REQUIRING CONSTRUCTION DEPOSITS

The Village Attorney requested that the matter of an amendment to the code relating to construction deposits be placed on the January 10th agenda.

STOP WORK ORDERS FOR NON-CONSTRUCTION PROJECTS

The Village Attorney requested that the matter of an amendment to the code relating to stop work orders be placed on the January 10th agenda.

VILLAGE LANDMARKS

No action was taken on a possible amendment to the Code regulating Village Landmarks, and the matter will appear on the agenda for January 10th.

OFFER OF BENCH DONATION

Dr. Iris Vardy appeared before the Board to continue discussion on her wish to donate a bench at the Village Green in honor of Dr. Alexis D'Elia. The matter will appear on the agenda for January 10th.

REPORT OF BID OPENING - STREET SWEEPING

Board members reviewed the December 11th email from the Clerk / Treasurer regarding bids for STREET SWEEPING SERVICES ON VILLAGE ROADWAYS. Bids were received as follows:

- Coastal Contracting Corp: \$5,100 per full sweep (\$25,500 for 5 estimated); \$395 per hour partial (\$1,580 for 4 hr. estimated). Total \$27,080
- Dejana Industries, Inc.: \$5,712 per full sweep (\$28,560 for 5 estimated); \$252 per hour partial (\$1,008 for 4 hr. estimated). Total \$29,568

Board members reviewed the OPERATION EXPERIENCE OF BIDDER and EQUIPMENT INVENTORY for both bidders, and agreed that the Mayor and Trustee Jusko would schedule a pre-award meeting with the lowest numerical bidder, Coastal Contracting Corp., and the matter will appear on the agenda for January 10th.

NYSERDA CLEAN ENERGY COMMUNITIES GRANT – CONTRACT

It was moved by Trustee Miritello, seconded by Trustee Jusko and unanimously carried that the Mayor be authorized to execute the Clean Energy Communities contract with NYSERDA, subject to approval as to form by the Village Attorney. The contract would

be for a \$50,000.00 grant, with a Statement of Work to “replace every interior light in the three (3) buildings in their portfolio (seventy-three fixtures in all) with high efficiency LED lamps or fixtures. Following this the village’s six (6) exterior street lights would be upgraded to LED bulbs. Solar panels will then be installed on the village hall rooftop. The measures in this project will help bring the village hall building close to net-zero energy.”

LED LIGHTING UPGRADES

STREET LIGHTS

After the November 8th meeting, when the Board authorized Welsbach Electric Corp. to replace street lights with LED fixtures on an as-need basis, it was determined that a full-scale replacement could be funded by the Clean Energy Grant. The grant requires that approved projects be secured via bidding or requests for proposals (RFP). As such, at Trustee Jusko’s request, the Clerk / Treasurer did, on December 4th, distribute a RFP to 3 vendors to convert the six (6) Village street lights to LED at one time. Proposals were received as follows:

- Welsbach Electric Corp. \$4,620.00
- Anker’s Electric Service, Inc. \$6,330.00
- NY Trenchless \$12,500.00

It was moved by Trustee Miritello, seconded by Trustee Nemshin and unanimously carried, that, the previous award to Welsbach Electric Corp. be rescinded and that, subject to receipt of an executed funding contract from NYSERDA, the contract to convert six (6) street lights to LED be awarded to Welsbach Electric Corp. at their proposed price of \$4,620.00.

VILLAGE BUILDINGS / INTERIOR AND EXTERIOR

Trustee Jusko reported that, at his request, the Clerk / Treasurer did, on November 21st, distribute a revised request for proposal (RFP) to convert all interior and exterior fixtures in and on the three (3) Village buildings. Only one proposal was received, as follows:

- Stymulus Industries \$9,613.35

It was moved by Trustee Nicklas, seconded by Trustee Tsafos and unanimously carried that, subject to receipt of an executed funding contract from NYSERDA, the contract to convert all interior and exterior fixtures in and on the three (3) Village buildings be awarded to Stymulus Industries at their proposed price of \$9,613.35. Stymulus Industries is a PSEG Prime Efficiency Partner, and the Village expects to receive PSEG rebates totaling \$2,223.00 for this work.

LED LIGHTING AT COURT PARKING AREA

At the November 8th meeting, the Board of Trustees authorized the purchase of street light fixtures and equipment from Stan Deutsch Associates (SDA). It has since been determined that the fixtures specified by SDA will be supplied by A.C. Electrical Supplies in Smithtown, NY. It was moved by Trustee Nemshin, seconded by Trustee Nicklas and unanimously carried, that the action taken on November 8th be modified to reflect the change.

PREVENTIVE MAINTENANCE / SERVICE CONTRACT – EMERGENCY STANDBY GENERATOR AT VILLAGE HALL

The Clerk / Treasurer advised the Board that only one proposal was received for preventive maintenance / service contract for the emergency standby generator at Village Hall. The proposal received is from PowerPro Service Company, Inc., the contractor with the expiring contract. It was moved by Trustee Tsafos, seconded by Trustee Novick and unanimously carried, that PowerPro Service Company, Inc. be authorized to proceed as outlined in their proposal dated December 5, 2017, at a total price of \$499.00 (not including parts), and that the Mayor be authorized to execute the agreement.

GASOLINE STORAGE TANK AT POLICE BOOTH

The Clerk / Treasurer advised the Board that the Functionality Test of the underground gasoline storage tank at the police booth was conducted by AARCO Environmental Services Corp. on November 14th. Several issues related to the new pump equipment installed by the Cold Spring Harbor Laboratory were found. AARCO made the repairs and the functionality test will be rescheduled. The Clerk / Treasurer will obtain reimbursement for the cost of the work from the Laboratory pursuant to the Gasoline Storage and Pumping Access agreement.

2018-2019 INSURANCE RENEWALS

FLOOD INSURANCE

It was moved by Trustee Tsafos, seconded by Mayor DeVita and unanimously carried, with, that the Clerk / Treasurer be authorized to renew the policy with the National Flood Insurance Program at current limits, and further, that she be authorized to make the premium payment in advance of audit.

STATUTORY DISABILITY

It was moved by Trustee Miritello, seconded by Trustee Nemshin and unanimously carried, that the Clerk / Treasurer be authorized to renew the policy for statutory disability coverage with the New York State Insurance Fund as proposed.

SUBSCRIPTION FOR AED CERTIFICATION

It was moved by Trustee Miritello, seconded by Trustee Nicklas and unanimously carried, that the subscription for AED Safetrack be renewed at the Prime rate of \$289.00 per year for two years.

The Deputy Clerk / Court Clerk will investigate options for CPR / AED training.

SPAWNER SANCTUARY POLICY

It was moved by Trustee Nicklas, seconded by Mayor DeVita and unanimously carried, that the Village of Laurel Hollow supports the establishment of "Spawner Sanctuaries," areas restricted to harvest to protect brood stock to naturally repopulate our waters for the long-term benefit of the public even if it means closing waters currently open to shellfish harvesting (as per the New York State Department of Environmental

Conservation / National Shellfish Sanitation Committee). The Village supports this because:

1. It is a cost effective means to enhance the sustainability of shellfish populations in our local waters for the environmental benefits and availability for harvesters (recreational and commercial),
2. It encourages community shellfish gardening programs such as the successful Pilot Cold Spring Harbor Shellfish Gardening Program conducted in Laurel Hollow during 2017, and
3. Commercial harvesters will not be unduly burdened if not more than 1% of open, non-leased bay bottom is used for Spawner Sanctuaries and other bay management unless there is scientifically compelling reasons to designate additional areas.

PERMA WORKERS' COMPENSATION PROGRAM

Board members discussed the WORKERS' COMPENSATION & EMPLOYERS LIABILITY PROGRAM AGREEMENT received from PERMA and it was moved by Mayor DeVita, seconded by Trustee Jusko and unanimously carried, that a) Mayor DeVita be authorized to execute the agreement on behalf of the Village, b) the Board of Trustees be deemed the Safety Committee for the Village, and c) the Clerk / Treasurer be designated the Safety Coordinator for the Village.

2018-2019 CAT & DOG WARDEN SERVICES AGREEMENT

The following resolution was moved by Trustee Miritello, seconded by Trustee Novick:

WHEREAS, on January 1, 2016, the Incorporated Village of Laurel Hollow entered into an agreement with the Town of Oyster Bay to provide the Village with cat and dog warden services, said agreement expiring on December 31, 2017, and

WHEREAS, the Village is desirous of renewing said agreement for an additional period of two (2) years,

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid agreement between the Incorporated Village of Laurel Hollow and the Town of Oyster Bay be, and hereby is, renewed, as modified, for an additional term of two (2) years, beginning January 1, 2018 and terminating December 31, 2019, and the Mayor and Village Clerk are hereby authorized and directed to execute said agreement on behalf of the Village.

The Clerk polled the Board as follows:

In favor: Mayor DeVita
Trustee Jusko
Trustee Miritello
Trustee Nemshin
Trustee Nicklas
Trustee Novick
Trustee Tsafos

LAUREL HOLLOW BEACH

Board members discussed the expired license agreement with the Town of Oyster Bay for the Laurel Hollow beach. No action was taken.

There being no further business to come before the Board, the meeting was adjourned at 9:15 p.m.

Karen A. Navin

Karen A. Navin, Clerk / Treasurer

ALSO PRESENT:

Chris Hadjandreas
Dr. Iris Vardy
P.O. Mergel

1592 Laurel Hollow Road
1630 Stewart Lane
Oyster Bay Cove Police Department

THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES WILL BE HELD AT 7:00 P.M. ON WEDNESDAY, JANUARY 10, 2018.