

**MINUTES OF THE REGULAR MEETING  
BOARD OF TRUSTEES  
VILLAGE HALL  
NOVEMBER 8, 2017  
7:00 PM**

**PRESENT:**

Mayor Daniel F. DeVita	Howard Avrutine, Village Attorney
Trustee Kevin Jusko	Karen A. Navin, Clerk / Treasurer
Trustee Jeffrey Miritello	James Antonelli, Village Engineer
Trustee Jeffrey Nemshin*	Michael McNerney, Superintendent of Building Dept.
Trustee Richard Nicklas	Nancy Popper, Deputy Clerk / Court Clerk
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 October 2017, which had been distributed to the Board upon receipt. Statistics are as follows:

	OCTOBER	YTD	PRIOR YTD
Auto Accidents Personal Injury	1	9	6
Auto Accidents Property Damage	2	19	25
Aided Cases Resulting from Auto Accidents	1	14	6
Aided Cases Other	3	56	41
Arrests	0	1	0
Summonses - Moving Violations	27	279	206
Summonses - Parking	1	45	52
Fire Calls	0	4	4
Patrol Mileage	4650	45600	45750
Offenses - Case Reports	1	11	7
Suspicious Autos	3	27	23
Suspicious Persons	0	12	20
Suspicious Phone Calls	0	0	1
Recorded Alarms	16	193	225
Vacant Houses	5	59	72
Disturbances	5	25	16
Malicious Mischief	0	0	1
Non-Case Incidents	1	5	5
Animal Nuisance Complaints	2	14	9
Assist from NCPD	0	0	0

During the month of October, twenty-eight (28) tickets were issued, as follows:

Stop Signs	4	Expired Registration	0
Cell Phone	2	Disobey Traffic Control Device	0
Speeding	10	Improper U Turn	0
Unlicensed Operation	1	Defective Lights	3
Uninspected Motor Vehicle	0	No Passing Zone	1
No Insurance	6	Parking	0
Failure to Signal	0	DWI	0
Seat Belt	1	Village Ordinance	0

P.O. Mergel was present and spoke to the Board regarding recent events, including a case of grand larceny on Springwood Path and issues related to a gathering at a home on Laurel Hollow Road. No action was taken, and procedures for obtaining parking waivers will be an agenda item for the December 13<sup>th</sup> meeting.

## **BUILDING REPORT**

### **BP#2897 – FOREMAN – 9 SHADY LANE**

Board members reviewed the Building Report as it relates to a request from Robert Foreman for an extension of BP#2897, scheduled to expire on October 25, 2017. All work has been completed, and all documents have been received. The only open item is the damage to Shady Lane, which is expected to be resolved within the next few weeks.

Based upon the recommendation of the Superintendent of Buildings, it was moved by Trustee Tsafos, seconded by Trustee Novick and unanimously carried, that the permit be extended without payment of a fee, until repairs have been made to the road that are satisfactory to the Village Engineer.

### **PROPOSED 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 December 13<sup>th</sup> agenda, under INFORMATION / DECISIONS.

### **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 December 13<sup>th</sup> agenda, under INFORMATION / DECISIONS.

## **ENGINEER'S REPORT**

### **SHADY LANE REPAIR**

Board members reviewed the November 7<sup>th</sup> letter from the Village Engineer related to the repairs to Shady Lane. Bids were solicited from four contractors for a full width repair. Bids were received as follows:

- Patsy Bruno & Son, Inc. \$3,900.00
- Stasi Brothers Asphalt Paving Corp. \$4,824.00
- United Paving Corp. \$4,950.00

- Metro Paving, LLC \$7,600.00

Based upon the recommendation of the Village Engineer, it was moved by Trustee Jusko, seconded by Trustee Tsafos and unanimously carried, that the contract for SHADY LANE REPAIR be awarded to Patsy Bruno & Son, Inc. at their bid price of \$3,900.00, and that, subject to receipt of insurance as required in the contract, the Mayor be authorized to execute the contract on behalf of the Village.

The cost of the repairs will be deducted from the cash bond submitted by the property owner, Robert Foreman.

The **MINUTES** of the October 11, 2017 and November 2, 2017 meetings of the Board were unanimously approved on a motion by Mayor DeVita, seconded by Trustee Nemshin.

The **FINANCIAL REPORTS** for October, 2017 and the **REPORT OF UNPAID TAXES** as of October 31, 2017 were distributed to the Board.

### **ROAD BONDING**

It was moved by Trustee Tsafos, seconded by Trustee Novick and unanimously carried, that Mayor DeVita be authorized to execute the MUNICIPAL ADVISOR SERVICES AGREEMENT with Munistat Services, Inc., dated August 1, 2017, to provide certain services relative to the issuance of certain obligations.

It was moved by Trustee Nemshin, seconded by Trustee Jusko and unanimously carried, that Mayor DeVita be authorized to execute the engagement letter with Hawkins Delafield & Wood, LLP dated July 21, 2017, to act as bond counsel.

The following resolution was proposed by Trustee Novick, seconded by Trustee Tsafos:

BOND RESOLUTION OF THE VILLAGE OF LAUREL HOLLOW, NEW YORK, ADOPTED NOVEMBER 8, 2017, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO VARIOUS ROADS IN THE VILLAGE, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$3,000,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$3,000,000 TO FINANCE SAID APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF LAUREL HOLLOW, IN THE COUNTY OF NASSAU, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Laurel Hollow, in the County of Nassau, New York (herein called the "Village"), is hereby authorized to construct improvements to various roads in the Village. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$3,000,000 and said

amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in a principal of not to exceed \$3,000,000 to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Village in the principal amount of not to exceed \$3,000,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 20 (c) of the Law, is fifteen (15) years.

(b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and Section 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to executing agreements for credit enhancement, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to publish or cause to be published, in full, in the "*Oyster Bay Guardian*," a newspaper having a general circulation within said Village and hereby designated the official newspaper of the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the following form:

VILLAGE OF LAUREL HOLLOW, NEW YORK

PLEASE TAKE NOTICE that on November 8, 2017, the Board of Trustees of the Village of Laurel Hollow, in the County of Nassau, New York, adopted a bond resolution entitled:

"Bond Resolution of the Village of Laurel Hollow, New York, adopted November 8, 2017, authorizing the construction of improvements to various roads in the Village, stating the estimated maximum cost thereof is \$3,000,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of not to exceed \$3,000,000 to finance said appropriation,"

an abstract of such bond resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Village to construct improvements to various roads in the Village; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$3,000,000; APPROPRIATING said amount for such purpose; and STATING the plan of financing includes the issuance of bonds in a principal of not to exceed \$3,000,000 to finance said appropriation, and the levy of a tax upon all the taxable real property within the Village to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of bonds in a principal amount of not to exceed \$3,000,000 pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued is fifteen (15) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Village for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Village; and PLEDGING to their payment the faith and credit of the Village;

FIFTH: DELEGATING to the Village Treasurer the powers and duties as to the issuance of said bonds, and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: November 8, 2017

Karen Navin  
Village Clerk

Section 8. The Village Clerk is hereby directed, after said bond resolution shall take effect, to cause said bond resolution to be published, in summary or in full, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Law.

\* \* \*

The adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

AYES: Mayor DeVita

Trustee Jusko  
Trustee Miritello  
Trustee Nicklas  
Trustee Nemshin  
Trustee Novick  
Trustee Tsafos

NOES:

The resolution was declared adopted.

#### **APPROVAL OF ABSTRACTS**

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

- #1039 for prepaid items from 10/12/2017 through 11/8/17 in the amount of \$3,563.56
- #1040 in the amount of \$883,762.64, which includes the 2<sup>nd</sup> half contract payment to the Village of Oyster Bay Cove for Police Services and the annual payment to the New York State and Local Retirement System

## **CROWN CASTLE – SUBMISSIONS 1-2017 THROUGH 26-2017**

No action was taken and the matter will be removed from future agendas pending receipt of submissions from Crown Castle.

## **OFFER OF BENCH DONATION**

Dr. Iris Vardy appeared before the Board to discuss 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 December 13<sup>th</sup>.

## **STREET SWEEPING**

Board members reviewed the October 27<sup>th</sup> email from the Clerk / Treasurer regarding bids for STREET SWEEPING SERVICES ON VILLAGE ROADWAYS. Inasmuch as the bid document inadvertently contained a requirement that debris be disposed of at a certain location, it was moved by Mayor Devita, seconded by Trustee Novick and unanimously carried, that all bids be rejected and that the Clerk / Treasurer be authorized and directed to re-bid. The matter will appear on the agenda for December 13<sup>th</sup>.

## **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 December 13<sup>th</sup>.

## **LED LIGHTING UPGRADES**

### **STREET LIGHTS**

Trustee Jusko reported that Mayor DeVita had executed an agreement with Welsbach Electric of Long Island to replace street light bulbs with LED bulbs when and if they are called out for an outage due to a burned out bulb, at a cost of \$795.00 each. This affects only the six (6) street lights located on public roads; four on Route 25A and two on Cold Spring Road. Board members questioned whether the Village should continue to maintain and provide power to these six lights and the matter will appear on the agenda for December 13<sup>th</sup>.

### **VILLAGE BUILDINGS / INTERIOR AND EXTERIOR**

Trustee Jusko reported on the proposals received to convert to LED lighting for Village buildings and street lights. Two proposals were received prior to the November 7<sup>th</sup> deadline. However the Scope of Work will have to be revised to clarify the type of lights that must be proposed. Trustee Jusko will work with the Village Clerk to revise and reissue the request for proposals and the matter will appear on the agenda for December 13<sup>th</sup>.

### **BALANCE OF COURT GRANT – LED LIGHTING AT COURT PARKING AREA**

Board members continued to discuss upgrades to the lighting at the Justice Court Parking area.

The Board had, on June 21, 2017, authorized the Clerk / Treasurer to prepare contract documents with H. Giudici & Son to install fixtures and components to be provided by

Stan Deutsch. Components were not to be purchased and no contract executed by the Village unless and until the Village was notified that it has been awarded a CEC Grant. The process has taken longer than anticipated, and it was moved by Trustee Tsafos, seconded by Trustee Miritello and unanimously carried, that, provided the prices are unchanged, Stan Deutsch Associates be authorized to proceed as outlined in their September 1, 2016 proposal to provide fixtures and other components, and that the contract with H. Giudici & Son, Inc. to install the materials be executed by the Village so that the work can begin as soon as possible.

### **CEC GRANT**

No action was taken and the matter will appear on the agenda for December 13, 2017.

### **AGREEMENT WITH STONY BROOK UNIVERSITY**

The Village Attorney reported that he and Mayor DeVita met with representatives from Stony Brook and it was moved by Trustee Miritello, seconded by Trustee Novick and unanimously carried that Mayor DeVita be authorized to execute the AGREEMENT BETWEEN VILLAGE OF LAUREL HOLLOW AND THE RESEARCH FOUNDATION FOR THE STATE UNIVERSITY OF NEW YORK, executed by Annette DePietri, CRA, on July 11, 2017.

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

The Clerk / Treasurer advised the Board that the agreement for preventive maintenance and service for the emergency standby generator at Village Hall expires in December, and that she was soliciting proposals for continued service. The matter will appear on the agenda for the December 13<sup>th</sup> meeting.

### **ANTI-BULLYING RESOLUTION**

The following resolution was proposed by Mayor DeVita, and seconded by Trustee Tsafos:

#### **PROCLAMATION RECOGNIZING OCTOBER, 2017 AS ANTI-BULLYING AWARENESS MONTH**

WHEREAS, We must safeguard schools and communities for our children, and, through our recognition of the serious issues that face them each day, offer our children an environment that holds promise and security; and

WHEREAS, Many organizations, school districts, educators and parents have publicly expressed concern about the bullying of children; and

WHEREAS, Each day an estimated 160,000 children refuse to go to school because they dread the physical and verbal aggression of their peers, and the loneliness that comes from being excluded and made the



target of rumors and cyber-bullying; many more students attend school in a chronic state of anxiety; and

WHEREAS, It is important that we acknowledge and heighten awareness about the serious issues and the negative effects of bullying, including the long-term damage it can cause to our youth as well as the risks of teenage suicide; and

WHEREAS, Providing a safe physical and emotional environment is a significant goal and a personal responsibility of each individual; and

WHEREAS, It is time to "Stand UP for Character – DOWN to Bullying!";

NOW, THEREFORE BE IT RESOLVED, That the Board of Trustees of the Village of Laurel Hollow does hereby designate the month of October 2017 as Anti-Bullying Awareness Month in the Village of Laurel Hollow as a symbol of our commitment to the year-round struggle against bullying.

#### **STATE AND MUNICIPAL FACILITIES PROGRAM (SAM) – STEWART LANE ROAD IMPROVEMENTS**

It was moved by Mayor DeVita, seconded by Trustee Tsafos and unanimously carried, that the Clerk / Treasurer be authorized and directed to amend the budget for the SAM - STEWART LANE ROAD IMPROVEMENTS application to \$137,899.00.

The Clerk polled the Board as follows:

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

There being no further business to come before the Board, the meeting was adjourned at 9:35 p.m.

*Karen A. Navin*

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Karen A. Navin, Clerk / Treasurer

#### **ALSO PRESENT:**

Chris Hadjandreas  
Dr. Iris Vardy  
Robert Foreman  
P.O. Mergel

1592 Laurel Hollow Road  
1630 Stewart Lane  
9 Shady 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, DECEMBER 13, 2017.