

**MINUTES OF THE REGULAR MEETING
BOARD OF TRUSTEES
VILLAGE HALL
MARCH 15, 2017
7:30 PM**

PRESENT:

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

MAYOR DE VITA called the meeting to order at 7:30 p.m. with the Pledge of Allegiance.

POLICE REPORT

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

	FEBRUARY	YTD	PRIOR YTD
Auto Accidents Personal Injury	1	2	1
Auto Accidents Property Damage	3	4	7
Aided Cases Resulting from Auto Accidents	1	2	1
Aided Cases Other	2	10	7
Arrests	0	0	0
Summonses - Moving Violations	53	86	52
Summonses - Parking	1	4	1
Fire Calls	1	2	1
Patrol Mileage	4200	8850	9000
Offenses - Case Reports	2	4	2
Suspicious Autos	2	6	4
Suspicious Persons	2	3	2
Suspicious Phone Calls	0	0	1
Recorded Alarms	12	29	40
Vacant Houses	6	14	20
Disturbances	1	3	1
Malicious Mischief	0	0	1
Non-Case Incidents	1	1	0
Animal Nuisance Complaints	2	3	0
Assist from NCPD	0	0	0

During the month of February, fifty-four (54) tickets were issued, as follows:

Stop Signs	3	Expired Registration	2
Cell Phone	0	Disobey Traffic Control Device	0
Speeding	19	Improper U Turn	0
Unlicensed Operation	3	Defective Lights	6
Uninspected Motor Vehicle	8	No Passing Zone	0
No Insurance	12	Parking	1
Failure to Signal	0	DWI	0
Seat Belt	0	Village Ordinance	0

Sgt. Tully was present and spoke to the Board regarding recent events.

BUILDING DEPARTMENT REPORT

F1-2016 – DIEFENDORF – 12 WAYLOR LANE

Board members discussed the Building Department Report as it relates to the Fill Permit Applications submitted by Monroe Diefendorf on behalf of Christine Diefendorf, to grade the property at 12 Waylor Lane to create an athletic field, after which it was moved by Trustee Tsafos, seconded by Trustee Novick and unanimously carried, with Trustee Miritello not present, that a public hearing on the application be scheduled for May 10, 2017 at 7:30 p.m. or as soon as possible thereafter.

SOP9-2016 – MULADA – 29 SHADY LANE

Board members reviewed the Building Department Report as it relates to the request from Brian Mulada for a refund of the restoration bond submitted as part of Street Opening Permit #9-2016.

After discussing the matter, it was moved by Trustee Nemshin, seconded by Mayor DeVita and unanimously carried, with Trustee Miritello not present, that due to the hardships as explained by Mr. Mulada in his February 26, 2017 email, and upon receipt of a signed voucher, the Clerk / Treasurer be authorized to process a refund equal to one-half of the restoration deposit, with the balance to be refunded 180 days after the restoration is completed, upon receipt of a voucher and approval by the Superintendent of Buildings.

BP#2698 – PAUL – 3 PICARDY LANE

Board members reviewed the Building Department Report as it relates to the release of the guarantee deposit submitted on behalf of Jason Paul and Cristina Fernandes relating to Building Permit #2698. The Certificate of Occupancy was issued on March 9, 2017.

After discussing the matter, and based upon the recommendation of the Superintendent of Buildings, it was moved by Trustee Tsafos, seconded by Trustee Jusko and unanimously carried, with Trustee Miritello not present, that upon receipt of a signed voucher, the Clerk / Treasurer be authorized to process a refund of the \$5,000.00 guarantee deposit.

BP#2816 – COLD SPRING HARBOR LABORATORY – 1 BUNG TOWN ROAD

Board members reviewed the Building Department Report as it relates to mechanical, electrical and plumbing, engineering and design services related to Building Permit

#2816 for additions and alterations to the Demerec Laboratory. Proposals were received from three consulting firms.

After discussing the matter, and based upon the recommendation of the Superintendent of Buildings, it was moved by Mayor DeVita, seconded by Trustee Nicklas and unanimously carried, with Trustee Miritello not present, that the Mayor be authorized to execute the agreement with LiRo Engineers, Inc., and that LiRo Engineers, Inc. be authorized to proceed as outlined in their proposal #P-2176 dated 03/07/2017.

POOL EQUIPMENT

The committee established to review the Zoning Code as it relates to the location of pool equipment and noise generated by that equipment had not yet met, and the matter will appear in the Building Department Report for the April meeting.

PROPOSED LOCAL LAW REQUIRING CONSTRUCTION DEPOSITS

Board members requested that the matter of a local law that would require construction deposits be part of the Building Department Report for the April meeting.

ENGINEER'S REPORT

REPAIR OF STEWART LANE - WEST SIDE ENGINEERING, P.C.

After reviewing James Antonelli's February 13, 2017 proposal for Engineering Services related to the Repair of Stewart Lane, it was moved by Mayor DeVita, seconded by Trustee Jusko and unanimously carried, with Trustee Miritello not present, that James Antonelli, P.E., principal of West Side Engineering, P.C., be authorized to proceed as outlined in his proposal at a billing rate of \$160.00 per hour, not to exceed \$12,800.00.

As previously authorized, Mr. Antonelli worked with the Village Attorney and Clerk / Treasurer to prepare contract and bid documents for the Repairs to Stewart Lane. Bids will be opened on March 27, 2017, and Mr. Antonelli will prepare a report of the bids received. The matter will appear on the agenda for the April 6, 2017 meeting.

The **MINUTES** of the February 8, 2017 and March 7, 2017 meetings of the Board were unanimously approved on a motion by Trustee Nicklas, seconded by Mayor DeVita, with Trustee Miritello not present.

The Financial Reports and Report of Unpaid Taxes were distributed to the Board.

CROWN CASTLE

The Village Attorney reported that all issues related to fees and escrows had been resolved with Crown Castle. The matter will be removed from the agenda until such time as an application is received.

RATIFY ACTION TAKEN – CONSOLIDATED FUNDING APPLICATION / PROPOSAL FOR ENERGY AUDIT REPORTS

It was moved by Trustee Novick, seconded by Trustee Tsafos and unanimously carried, with Trustee Miritello not present, that the action taken by Deputy Clerk Nancy Popper in completing and executing the Consolidated Funding Application (CFA) on behalf of the Village, for a \$2,500.00 grant under the Cleaner Greener Communities Phase II

Category 1PV, CFA 70677, be ratified, and further, that the action taken by Mayor DeVita in executing the February 6, 2017 proposal from Collaborative Energy Group to perform an Energy Audit at the Village Hall and Barn at a cost of \$1,800.00, be ratified.

The CFA was approved, and on March 6, 2017, the Village received a \$2,500.00 award from NYSERDA for adopting a resolution authorizing the use of the Unified Solar Permit Application, which is now available on the Village website.

Trustee Jusko reported to the Board on the status of his efforts to obtain a NYSERDA Clean Energy Communities (CEC) grant. To date, documentation that the Village has undertaken three of four High Impact Actions: Benchmarking, Energy Code Enforcement Training, and the Unified Solar Permit have been submitted to and approved by NYSERDA.

As approved above, Collaborative Energy Group will conduct an Energy Audit that will calculate the greenhouse gas savings resulting from clean energy upgrades and insulation installation already undertaken. If the greenhouse gas savings are equal to or greater than the threshold required by NYSERDA, the report will be submitted and the Village will have met the fourth High Impact Action; Clean Energy Upgrades. Once the designation is received, the Village will have three months to submit a proposal, which may include solar and LED conversions, and the matter will appear on future agendas for authorization to submit the grant application.

U.S. COMMUNITIES / AMAZON BUSINESS

The Clerk / Treasurer reported that she was working to create an Amazon Business account through a U.S. Communities contract issued by Prince William County. Upon approval, the Village will be able to make tax exempt purchases on Amazon Business based on public entity contract pricing, and with payments made via check, net 30 days.

APPROVAL OF ABSTRACTS

It was moved by Trustee Novick, seconded by Trustee Tsafos and unanimously carried, with Trustee Miritello not present, that the following abstracts of vouchers be approved for payment:

- #1024 for prepaid items from 02/09/2017 to 03/15/2017 in the amount of \$13,621.91
- #1025 in the amount of \$131,175.94

AGREEMENT WITH STONY BROOK UNIVERSITY: WATER TESTING FOR BEACH

No action was taken and the matter will appear on the agenda for the April 6th meeting.

VERIZON FIOS FRANCHISE RENEWAL

No action was taken and the matter will appear on the agenda for the April 6th meeting.

PROCEEDS OF COURT GRANT

Board members continued discussion on use of the balance of the proceeds of the Village Justice Court Grant.

The Clerk / Treasurer reported that grant proceeds, \$15,425.00, were received on February 13, 2017. Of that, \$1,945.00 was already expended for the buzzer/intercom system. No action was taken and the matter will appear on the agenda for April 6th.

*Trustee Miritello arrived at 8:40 p.m.

FILING OF TENTATIVE BUDGET – SCHEDULE PUBLIC HEARING ON BUDGET FOR 2017-2018

The Board discussed the 2017-2018 Preliminary Budget, previously discussed at a special meeting on March 7th. The Tentative Budget was filed and a copy will be affixed to and made a part of these minutes.

It was moved by Trustee Nemshin, seconded by Trustee Tsafos and unanimously carried, that a public hearing on the 2017-2018 Tentative Budget be scheduled for Thursday, April 6, 2017 at 7:30 p.m. or as soon as possible thereafter, and that the Clerk / Treasurer be authorized to publish the required legal notices.

PENALTIES FOR UNPAID PARKING TICKETS / TRACS

Board members reviewed the March 10th report from the Court Clerk regarding Nassau County TRACS and Penalties for Unpaid Parking Tickets.

No action was taken regarding TRACS.

Mayor DeVita asked the Village Attorney to prepare a draft amendment to establish penalties for unpaid parking tickets and the matter will appear on the agenda for April 6th.

EXECUTIVE SESSION

At 8:45 p.m. it was moved by Trustee Tsafos, seconded by Trustee Nemshin and unanimously carried, that the Board adjourn to executive session to discuss police contract negotiations with the Village of Oyster Bay Cove. No action was taken and the Board returned to the open meeting.

There being no further business to come before the Board, the meeting was adjourned at 9:40 p.m.

Karen A. Navin

Karen A. Navin, Clerk / Treasurer

ALSO PRESENT:

Daniel Karpen
Chris Hadjandreas
Art Brings
Sgt. Tully

Professional Engineer
1592 Laurel Hollow Road
Cold Spring Harbor Laboratory
Oyster Bay Cove Police Department

THE NEXT MEETING OF THE BOARD OF TRUSTEES WILL BE HELD AT 7:30 P.M.
ON THURSDAY, APRIL 6, 2017