

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

EXCUSED:

James Antonelli, Village Engineer

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

BUILDING DEPARTMENT REPORT

INFINITY POOL COMPLIANCE WITH VILLAGE CODE

Board members reviewed the Building Department Report as it relates to a proposed amendment to the code that would address infinity pools. It was moved by Trustee Tsafos, seconded by Trustee Novick and unanimously carried, that a public hearing be scheduled for February 8, 2017 at 7:30 p.m. or as soon as possible thereafter on Introductory Local Law B-2016 which would amend Chapter 145 of the Code as proposed by the Superintendent of Buildings.

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 report for February 8th.

EXPIRED APPLICATIONS PENDING BEFORE OTHER BOARDS OR JURISDICTIONS

Board members reviewed the Building Department Report as it relates to certain applications that have expired pursuant to §22-4(F) of the Village Code.

After discussing the matter it was moved by Trustee Nemshin, seconded by Trustee Jusko and unanimously carried, that the following action be taken:

- BPA#2775 Tone-expiration of the period set forth in Village Code Section 22-4(F) is hereby suspended until such time as the applicant completes her pending application to the Nassau County Department of Public works pursuant to N.Y. General Municipal Law Sec. 239-F.
- BPA#2776 Reese-expiration of the period set forth in Village Code Section 22-4(F) is hereby suspended until such time as the applicant completes his pending application to the Board of Zoning Appeals for variance relief and slope disturbance.

STREET OPENING PERMIT APPLICATION FORM

Board members reviewed the Building Department Report as it relates to proposed changes to the Application for Street Opening Permit form. Board members agreed that the changes as proposed are acceptable and the new form will be used from this point forward.

POLICE REPORT

The Board reviewed the Oyster Bay Cove Police Department Monthly Reports for December 2016, which had been distributed to the Board upon receipt. Statistics are as follows:

	DECEMBER	YTD	PRIOR YTD
Auto Accidents Personal Injury	1	7	5
Auto Accidents Property Damage	2	27	27
Aided Cases Resulting from Auto Accidents	2	8	6
Aided Cases Other	5	46	45
Arrests	0	0	1
Summonses - Moving Violations	3	230	178
Summonses - Parking	1	53	47
Fire Calls	0	4	8
Patrol Mileage	4650	54900	54100
Offenses - Case Reports	1	8	18
Suspicious Autos	7	36	34
Suspicious Persons	0	20	30
Suspicious Phone Calls	0	1	4
Recorded Alarms	13	257	250
Vacant Houses	4	82	120
Disturbances	4	25	44
Malicious Mischief	0	1	1
Non-Case Incidents	0	5	12
Animal Nuisance Complaints	1	11	14
Assist from NCPD	0	0	0

During the month of December four (4) tickets were issued, as follows:

Stop Signs	0	Expired Registration	0
Cell Phone	0	Disobey Traffic Control Device	0
Speeding	0	Improper U Turn	0
Unlicensed Operation	1	Defective Lights	2
Uninspected Motor Vehicle	0	No Passing Zone	0
No Insurance	0	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, including the low volume of tickets issued in December. Sgt. Tully reported that there were some computer issues and the number of tickets should increase in January.

The **MINUTES** of the December 14, 2016 meeting of the Board were unanimously approved on a motion by Trustee Jusko, seconded by Trustee Novick.

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

REPORT OF BID OPENING

Board members reviewed the email from the Village Clerk advising that bids for a FOUR (4) AND / OR FIVE (5) YEAR INSTALLMENT LEASE / PURCHASE OF ONE (1) 2012 STETCO 920SP CATCH BASIN CLEANER MOUNTED ON A 2012 (OR NEWER) FORD F550 CHASSIS WITH REMOTE CONTROL (OR APPROVED EQUAL) were opened at noon on January 10, 2017. Only one (1) bid was received, as follows:

Jack Doheny Companies / Leasing 2 \$100,000 financed over four (4) years @ 3.82%

The equipment proposed meets all requirements and it was moved by Trustee Jusko, seconded by Trustee Nicklas and unanimously carried, that, subject to receipt of confirmation that the warranty on the catch basin cleaner, excluding the chassis, will expire on August 31, 2017, the contract be awarded to Jack Doheny Companies / Leasing 2, with four (4) payments totaling \$109,728.96. The first payment will be due January 6, 2018.

INTRODUCTORY LOCAL LAW A-2017 – TAX CAP OVERRIDE

The Clerk presented a draft of Introductory Local Law A-2017 authorizing a property tax levy in excess of the limit established in the General Municipal Law, §3-c., after which it was moved by Trustee Nicklas, seconded by Trustee Miritello and unanimously carried, that a public hearing be scheduled for February 8, 2017 at 7:30 p.m. or as soon as possible thereafter on said local law, and that the Clerk be authorized and directed to publish and post the required notice of public hearing.

Although it is possible that the tax levy will not increase by an amount that would exceed the limit, it is clear that exceeding the limit without enacting the required override local law could result in adverse financial/Village tax issues for the residents of the Village.

TELECOMMUNICATION FEES

The Village Attorney reported that Chapter 145 of the Code already contains a provision for the Board of Trustees to vary fees to be collected for telecommunication permits and no further action was required of the Board.

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 February 8th.

APPROVAL OF ABSTRACTS

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

- #1020 for prepaid items from 12/14/2016 to 01/11/2017 in the amount of \$7,078.39
- #10219 in the amount of \$20,155.96

AGREEMENT WITH STONY BROOK UNIVERSITY: WATER TESTING FOR BEACH

No action was taken and the matter will appear on the agenda for the February 8th meeting.

PROPOSAL FOR NEW FLOATING DOCK SECTION

Board members reviewed the proposal dated January 3, 2017 from Kaiser Marine, Inc. to construct one (1) 6' X 20' section of floating dock, with connector sets, at a cost of \$3,830.00, after which it was moved by Trustee Nemshin, seconded by Trustee Tsafos that, once approved by Trustee Miritello, Kaiser Marine, Inc. be authorized to proceed as outlined in said proposal. Funds were appropriated for this purpose in the 2016-2017 budget.

TANK TESTING – UNDERGROUND STORAGE TANK AT POLICE BOOTH

The Clerk reported that a request for proposals to perform the tank testing on the underground gasoline storage tank at the police booth was sent to two (2) vendors, AARCO and Metro Environmental. The Board reviewed the one proposal received as follows:

- Metro Environmental Services, LLC \$525.00

After discussing the matter, it was moved by Trustee Tsafos, seconded by Mayor DeVita and unanimously carried, that Metro Environmental Services, LLC be authorized to perform the test, provided they can do so and provide results prior to February 6th.

INSURANCE RENEWALS

The Clerk / Treasurer advised the Board that she had not yet received a report from Salerno Brokerage regarding 2017 insurance renewals. It was moved by Trustee Novick, seconded by Trustee Miritello and unanimously carried, that Trustee Nicklas be authorized to review the renewal proposal and, if satisfactory, the Clerk / Treasurer be authorized to notify Salerno Brokerage that the Village will renew all policies with current carriers.

The Board authorized the Clerk to pay the premium invoices upon receipt.

CROWN CASTLE

No action was taken and the Village Attorney asked that the matter be removed from the agenda until a request for revised application fees is received from the applicant.

VERIZON FIOS FRANCHISE RENEWAL

No action was taken and the matter will appear on the agenda for the February 8th meeting.

VILLAGE ELECTION:

RESOLUTION SETTING OFFICES TO BE FILLED, DATE & TIME OF ELECTION

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

RESOLVED that the offices to be filled at the next general election and the terms thereof are as follows:

MAYOR	Two Years
TRUSTEE	Two Years
TRUSTEE	Two Years
TRUSTEE	Two Years
TRUSTEE	One Year

and,

BE IT FURTHER RESOLVED, that, pursuant to §15-104(3) of the Election Law of the State of New York, said election shall be held on Tuesday, June 20, 2017; from noon to 9:00 p.m. at Village Hall, and

BE IT FURTHER RESOLVED, that the Village Clerk shall cause this resolution to be published as required by law.

The Clerk polled the Board as follows:

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

AUDIT AGREEMENT – FISCAL YEAR ENDING MAY 31, 2017

It was moved by Trustee Tsafos, seconded by Trustee Novick and unanimously carried, that the firm of Cullen & Danowski, LLP be authorized to proceed with audit services as outlined in their engagement letter dated January 4, 2017, and that the Mayor be authorized to execute said letter of engagement.

DISCUSSION: COLLECTION & DISPOSAL OF MUNICIPAL SOLID WASTE

Mayor DeVita reported on action taken by the Village of Upper Brookville in creating a Special Benefit Assessment District for collection and disposal of municipal solid waste. No action was taken.

RETURN OF TAX ROLL / TAX LIEN SALE

The Board reviewed the ACCOUNT OF UNPAID TAXES prepared by the Clerk / Treasurer pursuant to §1436 of the Real Property Tax Law of the State of New York.

The Board did not elect to conduct a tax lien sale at this time. A copy of said report will be attached to and made a part of these minutes.

PROCEEDS OF COURT GRANT

The Board reviewed the January 10, 2017 report from the Court Clerk regarding partial approval of the application for funding under the 2016-2017 cycle of the Justice Court Assistance Program (JCAP).

The Village will receive a total of \$15,425.00 for security upgrades. The Village has already spent \$1,995.00 to install an electronic door lock / buzzer system, leaving a balance of \$13,430.00 which must be expended within 180 days of receipt. The matter will appear on the agenda for February 8th to discuss the additional security projects to be performed using grant proceeds.

REQUEST FROM JERICHO WATER DISTRICT FOR WAIVER OF FEES

Board members discussed the request from Jericho Water District for a waiver of fees associated with their Application for Street Opening Permit. No action was taken to waive the application fee. However it was moved by Mayor DeVita, seconded by Trustee Jusko and unanimously carried, that the professional fee deposit be waived.

EXECUTIVE SESSION

At 9:10 p.m. it was moved by Trustee Novick, 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 and fire contract negotiations with the Syosset Fire District. No action was taken and the Board returned to the open meeting.

AUTHORIZATION FOR CLERK / TREASURER TO WORK REMOTELY

It was moved by Trustee Novick, seconded by Trustee Tsafos and unanimously carried, that during the approximately five (5) week period that the Village Clerk / Treasurer is unable to drive due to foot surgery, she be authorized to utilize the Highway Department laptop to work remotely; and that she may come into to the office as necessary to perform duties that cannot be performed remotely.

PROPOSED CONTRACT FOR FIRE PROTECTION – SYOSSET FIRE DISTRICT

In anticipation of receipt of a proposed contract, it was moved by Trustee Miritello, seconded by Trustee Nicklas and unanimously carried, that a public hearing be scheduled for February 8, 2017 at 7:30 p.m. or as soon as possible thereafter, to consider the proposed contract with the Syosset Fire District for fire protection services.

EMPLOYEE MEDICAL ISSUES

Board members continued discussion on issues related to the increase in premiums and the employee payments for medical, hospital, prescription, dental and vision coverages, after which it was moved by Mayor DeVita, seconded by Trustee Novick and unanimously carried, that Section 800 of the Employee Handbook adopted by the Board of Trustees on November 15, 2011, be amended as follows:

- Section 806 Medical Insurance – Premium Payment (Full-Time Employees) – add “Commencing February 1, 2017, employees shall contribute 7.5% of the health insurance premium for the coverage option selected”.
- Section 807 Medical Insurance Buy-out – Amount of Buy-out – add “Commencing February 1, 2017, the cash payment for a waiver of family coverage shall be \$5,240.00 per year”.
- Section 809 Dental Plan - Premium Payment (Full-Time Employees) – add “Commencing February 1, 2017, employees shall contribute 7.5% of the dental insurance premium for the coverage option selected”.
- Section 810 Optical Plan - Premium Payment (Full-Time Employees) – add “Commencing February 1, 2017, employees shall contribute 7.5% of the vision insurance premium for the coverage option selected”.

There being no further business to come before the Board, the meeting was adjourned at 10:05 p.m.

Karen A. Navin

Karen A. Navin, Clerk / Treasurer

ALSO PRESENT:
Chris Hadjandreas
Sgt. Tully

1592 Laurel Hollow Road
Oyster Bay Cove Police Department

THE NEXT MEETING OF THE BOARD OF TRUSTEES WILL BE HELD AT 7:30 P.M. ON
WEDNESDAY, FEBRUARY 8, 2017