

**MINUTES OF THE REGULAR MEETING  
BOARD OF TRUSTEES  
VILLAGE HALL  
MARCH 13, 2019  
7:00 PM**

**PRESENT:**

Mayor Daniel F. DeVita  
Trustee Kevin Jusko  
Trustee Jeffrey Miritello  
Trustee Jeffrey Nemshin  
Trustee Richard Nicklas  
Trustee Martin Novick  
Trustee Nicholas Tsafos

Howard Avrutine, Village Attorney  
Elizabeth Kaye, Clerk / Treasurer  
  
James Antonelli, Village Engineer  
Michael McNerney, Building Inspector  
Nancy Popper, Deputy Clerk/ Court Clerk

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

**RECOGNITION OF POLICE OFFICERS**

Mayor DeVita introduced all Laurel Hollow Board members and staff, Mayor Goulding and Trustee Sheehan from the Village of Oyster Bay Cove, and members of the Oyster Bay Cove Police Department.

Nassau County Legislator Josh Lafazan was in attendance to present citations to Sergeant Mergel, Officer DiStefano, and Officer Rourke from the Oyster Bay Cove Police Department for their efforts in having saved a resident's life.

**POLICE REPORT**

The Board reviewed the Oyster Bay Cove Police Department Monthly Report for February, 2019, which was distributed to the Board upon receipt. Statistics are as follows:

	Totals this Month	Totals year-to-date	Totals prior year- to- date
Auto Accidents Personal Injury	1	1	1
Auto Accidents Property Damage	2	5	3
Aided Cases Resulting from Auto Accidents	1	1	1
Aided Cases Other	3	5	7
Arrests	0	0	0
Summonses-Moving Violations	32	52	42
Summonses-Parking	0	2	2
Fire Calls	1	1	0
Patrol Mileage	4,200	8,850	8,850
Offenses -Case Reports	2	2	2

Suspicious Autos	2	3	3
Suspicious Persons	0	0	2
Suspicious Phone Calls	0	0	2
Recorded Alarms	12	29	29
Vacant Houses	2	7	6
Disturbances	3	8	1
Malicious Mischief	0	0	1
Non-Case Incidents	0	1	0
Animal Nuisance Complaints	0	1	0
Assist from NCPD	0	0	0

Stop Signs	7
Cell Phone	0
Speeding	7
Unlicensed Operation	3
Uninspected mv	4
DWI	0
No Insurance	5
Expired Registration	3
Disobey Traffic Control Device	0
Following Too closely	1
Defective lights	1
Pass no pass-zone	0
No U turn	0
No Parking	2
Village Ord. Violation	0
No Seatbelt	0
Total	32

## **BUILDING DEPARTMENT REPORT**

### **BP # 2913 DeRosa - Request to Extend Permit**

The building permit for an addition/alteration was issued on 8/17/2017, and it expired (for the first time) on 2/16/2019. The original permit fee was \$20,010. Since the permit was not renewed prior to its expiration, it may be extended only by the Trustees. A 9-month extension is typically granted for one-half of the original permit fee- in this case= \$10,005. Any permit extension would be retroactive to 2/16/19, when the permit expired.

Trustee Jusko moved to extend BP #2913 for nine months from 2/16/19 at one-half the original fee, seconded by Trustee Novick, and unanimously approved.

### **BP # 2961 Pultz - Request to Extend Permit**

The building permit was issued on 8/6/2018, but the project was not started. Per Section 23-3(K) of the Village Code: "A permit under which no work is commenced within six months after issuance shall expire by limitation." The applicant is requesting that the permit be kept active as he would like to move forward at this time. Furthermore, he invested much time, energy, and funds in obtaining approval from the BZA (for slope disturbance).

Mayor DeVita moved to reactivate Permit # 2961 at its existing expiration date of 2/6/2020, 18 months from the issue date, seconded by Trustee Miritello, and unanimously approved.

## **ENGINEER'S REPORT**

### **Seawall**

Village Engineer Antonelli reported that the NYSDEC issued a permit on March 1, 2019 to repair the seawall. Applications are under review by the US Army Corps of Engineers and the NYS Department of State, which reviews are required prior to any construction.

### **Phase I Road Work**

Village Attorney Avrutine updated the Board on his communications with the attorney for American Paving regarding the completion of open items. The Village Attorney and Village Engineer will formulate a letter outlining those road work items that require total reconstruction and those that can be repaired.

Trustee Jusko suggested hiring an independent third party to determine whether the work was performed in accordance with the contract and contract specifications.

### **Phase II Road Work**

Village Engineer Antonelli reported that engineering work is progressing on Phase II, and he will be reviewing the bid package with the Village Attorney.

The **MINUTES** of Board of Trustees meetings held on February 13, as amended, March 2 and March 6, 2019, were approved by all present on a motion by Trustee Nemshin and seconded by Mayor DeVita.

The **FINANCIAL REPORTS** for February, 2019 and the **REPORT OF UNPAID TAXES** were distributed to the Board. Bank statements and reconciliations were reviewed by Trustee Tsafos prior to the meeting.

### **APPROVAL OF ABSTRACTS**

Trustee Novick moved, seconded by Trustee Tsafos, and approved by all present that the following abstracts of vouchers be approved for payment, with the claim by Center for Municipal Solutions on hold for pending receipt of documentation for disbursements:

• Abstract # 6	Trust & Agency	\$ 8,188.78
• Abstract # 1065	Capital Fund	\$ 52,100.21
• Abstract # 1074	Prepaid	\$ 13,582.32
• Abstract # 1075		\$ 157,964.10

### **BUDGET TRANSFER**

Mayor DeVita moved to approve the following budget transfer, seconded by Trustee Nemshin, and approved by all present, to cover a higher than budgeted expenditure in Tax Refunds:

From: A1990 Contingency	\$5000
To: A1964.4 Tax Refunds	\$5000

### **FILING OF 2019-20 TENTATIVE BUDGET – SCHEDULE PUBLIC HEARING**

Mayor DeVita announced the filing of the 2019-20 Tentative Budget, a copy of which will be affixed to and made a part of these minutes.

It was moved by Mayor DeVita, seconded by Trustee Miritello and unanimously carried, that a public hearing on the 2019-2020 Tentative Budget be scheduled for Wednesday, April 10, 2019 at 7:00 p.m. or as soon as possible thereafter, and that the Clerk / Treasurer be authorized to publish the required legal notice.

### **PROPOSED NEW WEBSITE**

This item was tabled to the next meeting.

### **GREATER LONG ISLAND RUNNING CLUB**

The Board re-considered the request by the Greater Long Island Running Club to route a portion of the bike leg of the Triathlon scheduled for August 25, 2019 on certain Village roads. Mayor DeVita reiterated his concern with the Phase II road work occurring at the same time, but indicated that Mr. Polansky was willing to re-route the bike leg at the last minute pending the construction schedule. Mayor DeVita moved to approve the request, seconded by Trustee Miritello, approved by all present, subject to last minute changes due to road construction.

### **SALE OF SURPLUS HIGHWAY EQUIPMENT**

Trustee Nemshin moved to declare the Highway Department's York rake tractor attachment as surplus equipment and to authorize its sale for the highest competitive price or to sell for salvage value, seconded by Trustee Nicklas, and unanimously approved.

#### **PURCHASE OF HIGHWAY STORAGE SHED**

Trustee Jusko presented specifications for a 15' x 15' steel shed, which the Highway Department needs for storage of miscellaneous equipment. Mayor DeVita moved to authorize the purchase of a storage shed as proposed for up to \$7,500, subject to soliciting of two additional quotes as required by the Procurement Policy and to be paid out of the Capital Fund Highway Equipment budget line, seconded by Trustee Jusko, and unanimously approved.

#### **RENEWAL OF WATER TESTING SERVICES AGREEMENT**

Mayor DeVita moved to approve the renewal agreement with Maximum Environmental Services for water testing of the beach and Village Hall water, seconded by Trustee Jusko, and unanimously approved, at the following rates:

Annual Start-up Disinfection	\$ 950.00		
Back Flow Prevention (RPZ Valves)	\$ 125.00 each test		
Filtration System Annual Service	\$ 850.00 each system		
Nitrate * <i>Will be collected in May with Bacteria</i>	\$ 70.00	1	\$ 70.00
Total Coliform / E. Coli ( <i>Includes Collection</i> )	\$ 145.00	3	\$ 435.00

#### **SET DATES FOR CROWN CASTLE PUBLIC HEARINGS**

Mayor DeVita moved to set the following public hearings on the Crown Castle special use permit application, seconded by Trustee Novick, and unanimously approved, subject to confirmation by the Village's consultant and availability of the Hawkins Room at Cold Spring Harbor Lab:

April 15, 2019  
May 7, 2019  
May 23, 2019  
June 4, 2019

All hearings are to be held at 7:00 pm.

#### **UPGRADE OF WATER FILTRATION SYSTEM FOR VILLAGE HALL**

This item was tabled to the Board's March meeting.

#### **COLD SPRING HARBOR LAB AGREEMENT**

Village Attorney Avrutine reported that negotiations on the tank agreement contract renewal are ongoing.

#### **ROAD TESTING & INSPECTION COMPANY**

Mayor DeVita moved to authorize retaining Universal Testing & Inspection Services, Inc., for a fee of up to \$5,000, for consulting services to determine whether road improvements performed under Phase I of the road project were performed in accordance with the executed contract and in accordance with contract specifications, seconded by Trustee Jusko, and unanimously approved, subject to Village Attorney review of the agreement.

There being no further business to come before the Board, Trustee Jusko moved to adjourn the meeting at 9:35 pm, seconded by Mayor DeVita, approved by all present.

*Elizabeth Kaye*

Elizabeth Kaye, Clerk / Treasurer

ALSO PRESENT:

Legislator Josh Lafazan  
Sgt. Mergel  
Chief Kevin Cronin  
Police Officer Rourke  
Police Officer DiStefano

Nassau County  
Oyster Bay Cove Police Department  
Oyster Bay Cove Police Department  
Oyster Bay Cove Police Department  
Oyster Bay Cove Police Department

Randy Jones  
Mayor Charles Goulding  
Trustee George Sheehan  
Seth Lublin

Cold Spring Harbor Lab  
Village of Oyster Bay Cove  
Village of Oyster Bay Cove  
Oyster Bay Cove Police  
Commissioner

THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES WILL BE HELD AT 7:00 P.M. ON WEDNESDAY, APRIL 10, 2019 AT WHICH TIME WILL ALSO BE HELD A PUBLIC HEARING ON THE 2019-2020 TENTATIVE BUDGET.