

**MINUTES OF THE REGULAR MEETING
BOARD OF TRUSTEES
VILLAGE HALL
JANUARY 9, 2019
7:00 PM**

PRESENT:

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

Howard Avrutine, Village Attorney
Elizabeth Kaye, Clerk / Treasurer
James Antonelli, Village Engineer

Excused:

Trustee Martin Novick

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

COLD SPRING HARBOR PROTECTION COMMITTEE

Mayor DeVita announced that the Cold Spring Harbor Protection Committee would be meeting on Tuesday, January 15, at the Friends of the Bay office in Oyster Bay, at which time representatives from the Flowers Oyster Company and the Baymen would present their issues.

POLICE REPORT

The Board reviewed the Oyster Bay Cove Police Department Monthly Report for December 2018, 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	0	4	9
Auto Accidents Property Damage	2	41	27
Aided Cases Resulting from Auto Accidents	0	14	14
Aided Cases Other	4	55	67
Arrests	0	0	1
Summonses - Moving Violations	20	243	313
Summonses - Parking	3	61	47
Fire Calls	1	15	6
Patrol Mileage	4,650	54,750	54,750
Offenses - Case Reports	0	7	13
Suspicious Autos	1	24	38
Suspicious Persons	0	9	14
Suspicious Phone Calls	0	2	0

Recorded Alarms	14	185	224
Vacant Houses	5	61	70
Disturbances	2	35	26
Malicious Mischief	0	1	0
Non-Case Incidents	1	4	6
Animal Nuisance Complaints	3	12	17
Assist from NCPD	0	0	0

Stop signs	2	
Cell Phone	0	
Speeding	0	
Unlicensed Operation	2	
Uninspected mv	2	
DWI	0	
No Insurance	6	
Expired Registration	0	
Disobey Traffic Control Device	5	
Fail to signal-rt-turn	0	
Defective lights	3	
Pass no pass-zone	0	
No U turn	0	
No Parking	3	
Village Ord. Violation	0	
No Seatbelt	0	
Total	23	

Sergeant Mergel was present and spoke to the Board regarding recent events.

PUBLIC HEARING ON OYSTER BAY FIRE DEPARTMENT & ATLANTIC STEAMER FIRE COMPANY NO. 1 CONTRACT RENEWAL – HEARING ADJOURNED

Village Attorney Avrutine reported that the public hearing was being adjourned. Negotiations are ongoing and the Village continues to operate under the previous contract which expired on December 31, 2018. Trustee Jusko moved to reschedule the public hearing for the February

meeting, seconded by Mayor DeVita, approved by all present. The Board discussed the problem with response time to emergencies by the Oyster Bay Fire Department.

BUILDING DEPARTMENT REPORT

There was no Building Department report this month.

ENGINEER'S REPORT

Village Engineer Antonelli reported that American Paving completed the paving work in connection with Phase I of the road repair project and submitted an invoice for \$154,298.60. Mr. Antonelli recommended withholding the contractual retainage plus an additional amount to cover items that were not performed satisfactorily. After discussion, the Board deferred consideration of the claim until the February meeting because numerous open items still need to be addressed.

The Board authorized Mr. Antonelli to begin surveying work for Phase II of the road work project.

INVESTING FUNDS

The Board instructed the Clerk/Treasurer to re-invest the \$1,000,000 Treasury bill maturing on January 10, 2019 in the Capital Fund for six-months and to transfer \$750,000 of General Funds currently with First National Bank Long Island to NYCLASS to take advantage of its favorable rates.

SEA WALL

Trustee Nemshin reported that he spoke to a contractor regarding repairing the sea wall. The contractor recommended placing screens along the wall's harbor side. Plans would be required to be filed with the NYS DEC.

Mayor DeVita moved to accept the Village Engineer's proposal of \$12,000 to prepare specifications for repairing the sea wall and to file all necessary permit applications with the NYS DEC and other agencies as required by law, seconded by Trustee Nemshin, and approved by all present.

The **MINUTES** of the December 12, 2018 meeting of the Board were approved, as amended by all present on a motion by Trustee Nemshin, seconded by Trustee Miritello.

The **FINANCIAL REPORTS** for December, 2018 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

Mayor DeVita moved, seconded by Trustee Tsafos, and approved by all present except Trustee Jusko, who recused himself from the vote regarding Wells Fargo Equipment Finance, that the following abstracts of vouchers be approved for payment:

- Abstract # 4 Trust & Agency \$ 3,500.00
- Abstract # 1063 Capital Fund \$ 32,312.24
- Abstract # 1070 Prepaid \$ 14,699.77
- Abstract # 1071 \$ 15,696.20

RETURN OF TAX ROLL

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. Board members individually certified the report and a copy of the report will be attached to and made a part of these minutes.

INTRODUCTORY LOCAL LAW A-2019 – TAX CAP OVERRIDE

The Clerk presented a draft of Introductory Local Law A-2019, 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 Miritello, seconded by Trustee Tsafos and unanimously carried, with Trustee Novick not present, that a public hearing be scheduled for February 13, 2019 at 7:00 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.

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

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

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

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 18, 2019; 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	Aye
	Trustee Jusko	Aye
	Trustee Miritello	Aye
	Trustee Nemshin	Aye
	Trustee Nicklas	Aye
	Trustee Tsafos	Aye

Trustee Novick was not present.

INSURANCE RENEWALS

The Clerk/Treasurer advised the Board that she had not yet received a report from Salerno Brokerage regarding 2019 insurance renewals. It was moved by Mayor DeVita, seconded by Trustee Nicklas and approved by all present, to renew the insurance policies with Salerno Brokerage for the upcoming period subject to approval by Mayor DeVita and Trustee Nicklas of the proposed rates.

Trustee Jusko recommended that the New Holland trailer be removed from the auto policy since it is only used at the Highway Department yard. This would save the Village approximately \$965.00 per year in insurance rates. Highway Superintendent Porcaro would have to turn in the license plates.

RENEWAL OF RETIREE DENTAL COVERAGE WITH HEALTHPLEX

Mayor DeVita moved to renew retiree dental coverage with Healthplex at the current rates in effect, seconded by Trustee Jusko, approved by all present.

TECHNOLOGY UPDATE

Trustee Nicklas reported that he is continuing to look into a new website design.

ANNUAL SAFETY REPORT

The Board of Trustees, sitting as the Safety Committee, reported that there were no safety incidents for the last quarter of 2018 or for the entire year.

COLD SPRING HARBOR LABORATORY-- NEW LEASE AGREEMENT REGARDING UNDERGROUND FUEL STORAGE TANK AND PUMP AT POLICE BOOTH

Village Attorney Avrutine reported that work on a new lease agreement is in progress and that the Village and the Cold Spring Harbor Laboratory are continuing to work under the previous agreement which expired in October 2018. Mayor DeVita recommended increasing the administrative fee to partially offset high electric bills at the police booth partly attributable to use of the gasoline pump by the Laboratory. Mr. Randy Jones, on behalf of the Cold Spring Harbor Laboratory, stated that the Laboratory would have no objection to such an increase.

UPGRADE OF WATER FILTRATION SYSTEM FOR VILLAGE HALL

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

DAMAGE DEPOSITS

This item was tabled to the Board's February meeting. Mayor DeVita indicated that he would confer with Building Inspector McNerney about establishing an erosion control fee to cover the cost of the Highway Crew cleaning Village roads after rain events.

EXECUTIVE SESSION

Mayor DeVita moved to adjourn to Executive Session at 9:25 pm to discuss litigation issues, seconded by Trustee Jusko, approved by all present.

RETURN TO PUBLIC SESSION

No action taken.

There being no further business to come before the Board, Trustee Tsafos moved to adjourn the meeting at 9:55 pm, seconded by Trustee Jusko, approved by all present.

Elizabeth Kaye
Elizabeth Kaye, Clerk / Treasurer

ALSO PRESENT:

Sgt. Mergel
Randy Jones

Oyster Bay Cove Police Department
Cold Spring Harbor Lab

THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES WILL BE HELD AT 7:00 P.M. ON WEDNESDAY, FEBRUARY 13, 2019.