

**MINUTES OF THE REGULAR MEETING
BOARD OF TRUSTEES
VILLAGE HALL
DECEMBER 12, 2018
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
Nancy Popper, Deputy Clerk / Court Clerk
James Antonelli, Village Engineer
Michael McNerney, Superintendent of Building Dept.

Excused:

Trustee Martin Novick

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 November, 2018, which had been 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	4	39	23
Aided Cases Resulting from Auto Accidents	0	14	14
Aided Cases Other	2	51	64
Arrests	0	0	1
Summonses - Moving Violations	17	223	301
Summonses - Parking	7	58	47
Fire Calls	6	14	4
Patrol Mileage	4,500	50,100	50,100
Offenses - Case Reports	0	7	13
Suspicious Autos	1	23	34
Suspicious Persons	0	9	13
Suspicious Phone Calls	0	2	0
Recorded Alarms	23	171	206
Vacant Houses	3	56	66
Disturbances	4	33	25

Malicious Mischief	0	1	0
Non-Case Incidents	0	3	5
Animal Nuisance Complaints	3	12	16
Assist from NCPD	0	0	0
Stop signs	6		
Cell Phone	0		
Speeding	1		
Unlicensed Operation	0		
Uninspected mv	0		
DWI	0		
No Insurance	5		
Expired Registration	0		
Disobey Traffic Control Device	1		
Fail to signal-rt-turn	1		
Defective lights	3		
Pass no pass-zone	0		
No U turn	0		
No Parking	7		
Village Ord. Violation	0		
No Seatbelt	0		
Total	24		

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

BUILDING DEPARTMENT REPORT

Building Department Superintendent McNerney reported on the following:

BPA #2942- Quantum Realty Development Request for Permit Extension

The building permit application was filed on 12/15/2017. An application for tree removal is pending before the Planning Board and an application for demolition is pending before the Building Department. Fees paid to Village are approximately \$34,500 (\$13,141 for demolition plus \$21,395 for new construction). The applicant is requesting an extension of the permit application.

Trustee Tsafos moved to extend the permit application for four months for a fee of one-third the original permit fee, seconded by Trustee Nicklas, and approved by all present.

BP # 2816- Demerec Lab Renovations for a Permit Extension

The building permit was issued on 7/13/2017. Construction cost was estimated to be \$15 Million and the Village collected a permit fee of \$226,325.00. The permit will expire on January 12th, 2019, but the applicant is requesting an additional six months to complete the work, which is nearly complete.

Trustee Nicklas moved to extend the permit six months at no fee, seconded by Trustee Jusko, and approved by all present, except for Trustee Nemshin, who stepped away from the meeting temporarily.

BPA #2988 –Cold Spring Harbor Laboratory/Request to demolish Gale House on an Emergency Basis

Based on the inspection report from the Building Inspector, the Board determined that emergency action should be taken in order to avoid further damage to the property or coastline. James Murphy, Esq., attorney for the Cold Spring Harbor Laboratory, confirmed that he had received a DEC permit for the sea wall and would like to move forward to avoid further damage. Trustee Tsafos moved that demolition work under Building Permit Application #2988 should proceed on an emergency basis, and the demolition permit is hereby authorized for issuance without first obtaining approvals for slope and wetland disturbances, conditioned upon satisfactory erosion control and demarcation of limits of disturbance of both sloped areas and wetlands; seconded by Trustee Jusko and approved by all present, except for Trustee Nemshin, who stepped away from the meeting temporarily.

ENGINEER'S REPORT

Village Engineer Antonelli updated the Board on the **PHASE I ROAD PROJECT**. Several punch-list items remain to be done as well as some contract work.

Village Engineer Antonelli submitted a proposal for engineering services in connection with repair of the sea wall, not to exceed \$15,000, which would include submitting plans to the NYS DEC, Army Corps of Engineers, preparing specs, bidding documents, and related items as well as time expended for inspections during the construction phase. Mayor DeVita requested that the maximum fee charged under the agreement not exceed \$12,000, which was agreed to by Mr. Antonelli. Further discussion was tabled until the next meeting.

CAPITAL PROJECT FUND TRANSFERS

Trustee Tsafos moved to close the Stewart Lane Capital Project account within the budget with all work having been completed satisfactorily and all maintenance bonds released, and to transfer the remaining balance of \$131,397.35 as follows:

- \$54,864.48 to H9785.6 to fund the January, 2018 and January, 2019 installment payments for the Catch Basin Truck
- \$29,474.85 to H5197.2 to cover the cost of paving the highway garage road and parking area.
- \$47,058.02 to a new Capital Project account for the Sea Wall

The foregoing was seconded by Trustee Jusko and approved by all present.

The **MINUTES** of the November 14, 2018 meeting of the Board and the December 3, 2018 special meeting of the Board were approved as amended by all present on a motion by Trustee Miritello, seconded by Trustee Nicklas.

The **FINANCIAL REPORTS** for November, 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 all approved, that the following abstracts of vouchers be approved for payment:

- Abstract # 3 Trust & Agency \$1,450.00
- Abstract # 1062 Capital Fund \$ 8,787.73
- Abstract # 1068 Prepaid \$ 14,304.43
- Abstract # 1069 \$67,045.38

FISCAL 2017-18 INDEPENDENT AUDIT

Trustee Tsafos moved to accept the independent audit performed by Cullen & Danowski, LLP of the Village's books and records and the Justice Court Fund for the fiscal year ended May 31, 2018, seconded by Mayor DeVita and approved by all present.

Trustee Nicklas moved to authorize Mayor DeVita to sign the Representation Letter dated November 22, 2018, as amended, seconded by Trustee Nemshin, approved by all present.

EXTEND STREET SWEEPING AGREEMENT WITH COASTAL CONSTRUCTION

Trustee Nemshin moved to exercise the one - year extension option for street sweeping services with Coastal Construction, as permitted in the agreement dated December 8, 2017, seconded by Trustee Jusko, approved by all present.

APPROVE INSURANCE SETTLEMENT FOR 2006 JEEP CHEROKEE

Trustee Nemshin moved to accept the settlement of \$5,930.86 from Glatfelter Insurance for the 2006 Jeep Cherokee, which was deemed a "total loss" in connection with an accident caused by a mechanical failure on November 19, 2018, seconded by Trustee Jusko and approved by all present except Mayor DeVita who recused himself from both the discussion and the vote.

JOIN BOCES COOPERATIVE BIDDING PROGRAM FOR PURCHASE OF REPLACEMENT VEHICLE FOR JEEP CHEROKEE

Trustee Jusko reported on his research for the purchase of a new vehicle to replace the 2006 Jeep Cherokee. He recommended joining the Nassau County BOCES Cooperative Program, which offers the most competitive rates and satisfies the procurement requirements for competitive bidding. Trustee Nemshin moved the following resolution, subject to Village Attorney review of the agreement, seconded by Trustee Jusko, approved by all present.

**GENERAL RESOLUTION FOR
THE PURPOSE OF
PARTICIPATING IN A COOPERATIVE BID COORDINATED BY
THE BOARD OF COOPERATIVE EDUCATION SERVICES OF NASSAU COUNTY
FOR VARIOUS COMMODITIES
AND/OR SERVICES**

WHEREAS, the Inc. Village of Laurel Hollow within New York State (the "Village") wishes to participate in a Cooperative Bidding Program conducted by The Board of Cooperative Educational Services of Nassau County ("Nassau BOCES") for the purchase of various commodities and/or services as authorized by and in accordance with the Education Law and General Municipal Law, Section 119-o; and

WHEREAS, the Village, more particularly, wishes to participate in the joint cooperative bids as listed in the agreement for the purchase under the category of Automobiles—Passenger Cars/Vans/Trucks.

NOW THEREFORE, BE IT RESOLVED that the Village hereby appoints Nassau BOCES as its representative and agent in all matters related to the Cooperative Bidding Program, including but not limited to responsibility for drafting of specifications, advertising for bids, accepting and opening bids, tabulating bids, reporting the results to the Village and making recommendations thereon; and

BE IT FURTHER RESOLVED that Nassau BOCES is hereby authorized to award cooperative bids on behalf of the Village to the bidder deemed to be the lowest responsible bidder meeting the bid specifications and otherwise complying with Article 5-A of the General Municipal Law of the State of New York relating to public bids and contracts and to enter into contracts for the purchase of the commodities and/or services as authorized herein; and

BE IT FURTHER RESOLVED, that the Village hereby authorizes its designated Trustee on behalf of the Village to participate in cooperative bidding conducted by Nassau BOCES and if requested to furnish Nassau BOCES an estimated minimum number of units that will be purchased and such other documents and information which may be reasonably necessary or useful in conducting the Cooperative Bidding Program; and

BE IT FURTHER RESOLVED that the Village agrees to assume its equitable share of the administrative costs of the cooperative bidding program and all of its obligations and responsibilities pursuant to any contract that may be awarded by Nassau BOCES on behalf of the Village.

Trustee Nemshin moved to approve purchase of a new **FORD F-350** from Nassau County BOCES, not to exceed \$35,000, and to charge Capital Projects line H5111.2, Highway Equipment for the cost, seconded by Trustee Miritello, approved by all present.

FLOOD INSURANCE RENEWAL

Trustee Nicklas reported that a proposal to do an elevation study of the Village Hall and to issue an elevation certificate was received from Haubenreich, Hess & Shaw for a fee of \$1,100. The study would determine whether the Village Hall was above the FEMA flood levels, possibly resulting in a savings in flood insurance rates. The Board chose not to pursue the study at this time. Mayor DeVita moved to renew the flood insurance policy with the National Flood Insurance Program at the current coverage levels at a cost of \$8,181, seconded by Trustee Nicklas, approved by all present.

TECHNOLOGY UPDATE

Trustee Nicklas reported that the Village had received a quote from CivicCMS, which was referred by the Village of Oyster Bay Cove, to re-design the Village's website at a one-time implementation fee of \$5,990 plus annual maintenance. The Board decided to table the discussion to another meeting.

COLD SPRING HARBOR LAB UNDERGROUND TANK LEASE AGREEMENT

Village Attorney Avrutine reported that James Murphy, Esq., attorney for the Cold Spring Harbor Laboratory, is working on the new agreement.

RENEWAL OF OYSTER BAY FIRE CONTRACTS

Mayor DeVita moved to schedule the public hearing on renewal of the Oyster Bay Fire Company and Atlantic Steamer fire contracts, due to expire on December 31, 2018, for the next regular Board meeting on January 9, 2019 at 7:00 pm, seconded by Trustee Nemshin, approved by all present.

UPGRADE OF WATER FILTRATION SYSTEM FOR VILLAGE HALL

This item was tabled to the next meeting.

There being no further business to come before the Board, Mayor DeVita moved to adjourn the meeting at 10:00 pm, seconded by Trustee Tsafos, approved by all present.

Elizabeth Kaye

Elizabeth Kaye, Clerk / Treasurer

ALSO PRESENT:

Sgt. Mergel
Chris Hadjandreas
Randy Jones
James Murphy, Esq.

Oyster Bay Cove Police Department
Chairman, Planning Board
Cold Spring Harbor Lab
Cold spring Harbor Lab

THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES WILL BE HELD AT 7:00 P.M. ON WEDNESDAY, JANUARY 9, 2019.