

**MINUTES OF THE REGULAR MEETING
BOARD OF TRUSTEES
VILLAGE HALL
NOVEMBER 14, 2018
7:00 PM**

PRESENT:

| | |
|---|--|
| Mayor Daniel F. DeVita | Howard Avrutine, Village Attorney |
| Trustee Kevin Jusko | Elizabeth Kaye, Clerk / Treasurer |
| Trustee Jeffrey Nemshin (until 8:15 pm) | Nancy Popper, Deputy Clerk / Court Clerk |
| Trustee Martin Novick | James Antonelli, Village Engineer |
| Trustee Richard Nicklas | Michael McNerney, Superintendent of Building Dept. |
| Trustee Nicholas Tsafos | |

Excused: Trustee Jeffrey Miritello

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 October, 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 | 1 | 4 | 9 |
| Auto Accidents Property Damage | 6 | 35 | 19 |
| Aided Cases Resulting from Auto Accidents | 1 | 14 | 14 |
| Aided Cases Other | 6 | 49 | 56 |
| Arrests | 0 | 0 | 1 |
| Summonses - Moving Violations | 28 | 206 | 279 |
| Summonses - Parking | 1 | 51 | 45 |
| Fire Calls | 0 | 8 | 4 |
| Patrol Mileage | 4,650 | 45,600 | 45,600 |
| Offenses - Case Reports - Page 2 | 1 | 7 | 11 |
| Suspicious Autos | 1 | 22 | 27 |
| Suspicious Persons | 1 | 9 | 12 |
| Suspicious Phone Calls | 0 | 2 | 0 |
| Recorded Alarms | 25 | 148 | 193 |
| Vacant Houses | 3 | 53 | 59 |

| | | | |
|----------------------------|---|----|----|
| Disturbances | 4 | 29 | 25 |
| Malicious Mischief | 0 | 1 | 0 |
| Non-Case Incidents | 1 | 3 | 5 |
| Animal Nuisance Complaints | 0 | 9 | 14 |
| Assist from NCPD | 0 | 0 | 0 |

| | | |
|--------------------------------|----|--|
| Stop signs | 2 | |
| Cell Phone | 0 | |
| Speeding | 3 | |
| Unlicensed Operation | 4 | |
| Uninspected mv | 3 | |
| DWI | 0 | |
| No Insurance | 9 | |
| Expired Registration | 2 | |
| Disobey Traffic Control Device | 1 | |
| Fail to signal-rt-turn | 0 | |
| Defective lights | 4 | |
| Pass no pass-zone | 0 | |
| No U turn | 0 | |
| No Parking | 1 | |
| Village Ord. Violation | 0 | |
| No Seatbelt | 0 | |
| Total | 29 | |

Sergeant Mergel discussed his concern with the lack of visibility of the stop sign on Moore's Hill Road, at Ridge Road, heading toward Route 25A, because of the curvature in the road. After discussion, the Board recommended that a second stop sign be placed on the opposing side and that the Highway Superintendent be instructed to carry this out.

BUILDING DEPARTMENT REPORT

Building Department Superintendent McNerney reported on the following:

Permit #2776 for Homeowner Reese; request to reactivate application for a new home at Ridge Road (No Street #)

A Building permit application was filed on 12/15/2015 to erect a principal building on a vacant parcel. Applications for variances and slope approval were granted by the BZA on 8/15/2017. The BZA decision was protested by a neighbor, and the matter was tied up in Court until last month. The matter was brought to the Board's attention on 1/11/2017, and the Board suspended the clock on the building permit application until it was ready for action.

Trustee Nemshin moved to reactivate permit # 2776 for twelve months, seconded by Trustee Jusko, approved by all present.

Permit #2815 for homeowner Novick; request to extend permit for gas line with hook-ups to BBQ, generator and fire pit at 1306 Ridge Road

A permit was issued on 7/25/2016. A pressure test was performed on 8/4/2016, but project was not completed when the permit expired on 1/25/2018. Upon request of the homeowner and payment of one-half the original permit fee, the permit was extended for nine months as permitted by Village Code. The permit again expired on 10/25/2018 and another extension is being requested by the homeowner.

Original Fee= \$285; ½ Fee = \$142.50

Trustee Tsafos moved to grant a nine-month extension and collect one-half the original fee, seconded by Trustee Novick, approved by all present.

Permit #3012 for homeowner Merola; request for a waiver of the penalty for starting work on a new spa at 1 Springwood Path

A permit application was filed on 10/25/2018. On the same day, a new spa was delivered to the home, to be installed within the existing enclosure that was originally built to house the pool. The pool was removed without benefit of a permit, and a new paver floor was installed. A permit for a new spa was issued by the building department on 10/30/2018. Penalty fees in the amount of \$630 were collected, as required by Village Code when a project commences before a building permit is obtained. The homeowner is requesting that the penalty fee be waived (application fees were \$1195, including the \$630 penalty portion.)

No action was taken by the Board.

ENGINEER'S REPORT

Road Paving Project Update--American Paving & Masonry Corp. President, Angelo Stanco, was in attendance to address the Board's concerns with the road work being performed throughout the Village. The Board's main concerns were with the length of time it is taking to complete the work and with unsatisfactory work on some roads. Mr. Stanco explained that the base on certain roads required more leveling work than was anticipated. The Board advised Mr. Stanco that the remaining work on Cherry Lane and the punch-list items must be completed within two weeks. The Board agreed to pay two claims from American Paving for work completed. Trustee Jusko moved to approve a claim for \$240,886.80 for Phase I and \$38,309.20 for Laurel Hollow Road and Route 25A, seconded by Trustee Tsafos, all approved.

UPDATE ON CROWN CASTLE CELLULAR ANTENNA APPLICATION

Mayor DeVita recommended canceling the Crown Castle hearing scheduled for November 28, 2018, as the latest submission was not received in time for the Board and the public to do a proper review, and continuing at the scheduled December 4th hearing in addition to the following new hearing dates:

Wednesday, January 16, 2019 at 7:00 pm
Wednesday, February 6, 2019 at 7:00 pm
Tuesday, February 26, 2019 at 7:00 pm

Tuesday, March 19, 2019 at 7:00 pm

The new hearing dates were approved on motion of Mayor DeVita, seconded by Trustee Nemshin and unanimously carried subject to the availability of the Hawkins Meeting Room at the Cold Spring Harbor Lab and of CMS, the Village's Consultant.

ENGINEER'S REPORT CONTINUED

Village Engineer Antonelli also reported on the following:

Sea Wall – Mr. Antonelli met with a contractor who recommended repairing the wall and then placing large stones in front to dissipate the waves. Mayor DeVita spoke with the Huntington Historian about listing the wall on the National Historical Register as a landmark, but was told it must have an innovative design to qualify. Mr. Antonelli was instructed to proceed with putting together specifications and a bid package for the work.

Semi-Annual Stormwater Report – Mr. Antonelli reported that the semi-annual Stormwater Report is due to be delivered to the NYS DEC by December 1, 2018. As of yet, the DEC has not removed Laurel Hollow from the mid-year reporting requirement.

The **MINUTES** of the October 9, 2018 meeting of the Board were approved as amended by all present on a motion by Mayor DeVita, seconded by Trustee Jusko.

The **FINANCIAL REPORTS** for October, 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

Trustee Tsafos moved, seconded by Trustee Jusko, and all approved, that the following abstracts of vouchers be approved for payment:

- Abstract # 2 T (Trust & Agency) in the amount of \$15,565.26
- Abstract #1060 H (Capital Fund) in the amount of \$13,305.21
- Abstract #1061 H (Capital Fund) in the amount of \$279,196.00
- Abstract #1066 Prepaid in the amount of \$16,235.95
- Abstract # 1067 in the amount of \$964,843.47

Trustee Jusko queried the high unit cost of propane from Paraco Gas. The Clerk was instructed to call other propane companies for a price comparison.

STREET SWEEPING BIDS

The Clerk was asked to prepare and solicit street sweeping bids for the 2019 season.

TREE REMOVAL PERMITS

Discussion ensued regarding the Village's tree removal regulations and their application in the context of new home construction. The current process often leads to removal of trees that otherwise could have been preserved when a new home is being constructed. Mayor DeVita suggested forming a site plan review committee to make recommendations to the Planning Board before deciding applications for tree removal when new homes are being constructed. Discussion to continue at a later date.

INTERPRETER SERVICES FOR VILLAGE COURT

Trustee Jusko moved to authorize the Mayor to execute an agreement with Language Line for interpreter services at Village Court proceedings at a rate of \$0.75 per minute, seconded by Trustee Tsafos, all approved. Village Attorney Avrutine had already reviewed and approved, as to form, the proposed agreement.

TECHNOLOGY UPDATE

The Clerk updated the Board on technology items; back-up software is in place, and two new server hard drives were ordered on the strong recommendation of the Technology Consultant.

2019 LOCAL GOVERNMENT RECORDS MANAGEMENT IMPROVEMENT FUND GRANT

Trustee Jusko moved to authorize the Clerk to apply for the 2019 Local Government Records Management Improvement Fund Grant (LGRMIF) to cover services for document conversion and to purchase records management software. The Grant would cover conversion of permanent records such as the property files and/or personnel records (payroll, retirement and personnel files), seconded by Mayor DeVita, all approved.

FLOOD INSURANCE RENEWAL

Approval of the flood insurance policy for the Village Hall, due to expire on December 25, 2018, was held over until the December meeting. The Board asked the Clerk to ascertain the amount of the deductible and whether flood insurance is required. Trustee Nicklas indicated he would contact the Village's insurance broker, Salerno Brokerage Corp. regarding same.

SEXUAL HARASSMENT POLICY

Mayor DeVita reported that NYS requires that all employers adopt a sexual harassment policy by October 9, 2018. Rather than amending the Village's existing policy, Mayor DeVita modified the NYS Model Policy for use by the Village and recommended its adoption. Mayor DeVita noted that all elected and appointed officials must receive a copy of the policy and receive training within a year. Mayor DeVita moved to adopt the new Sexual Harassment Policy as presented, seconded by Trustee Jusko, all approved. The Clerk was instructed to update the Employee Handbook accordingly.

CROWN CASTLE APPLICATION--STANDARD VALUATION SERVICES AGREEMENT

Mayor DeVita moved to approve signing an agreement with Standard Valuation Services, a real estate appraisal company, to study the impact upon the values of properties within the Village resulting from the installation of cellular antenna "nodes" and related equipment on both new and existing utility poles located within rights of way (along roadways) located within the Village as contemplated by the Crown Castle application. The payment for these services would be deducted from Crown Castle's escrow deposit for consultants' fees as authorized by the Village's Telecommunications Law. The motion was seconded by Trustee Tsafos, all approved.

COLD SPRING HARBOR LAB UNDERGROUND TANK LEASE AGREEMENT

The attorney for Cold Spring Harbor Laboratory, James Murphy, Esq., will be drafting a new agreement to be reviewed by the Village Attorney.

UPGRADE OF WATER FILTRATION SYSTEM FOR VILLAGE HALL

This item was tabled to the next meeting.

STONY BROOK UNIVERSITY WATER MONITORING AGREEMENT

Village Attorney Avrutine reported that water samples were taken in August, and he was promised results by the end of the month. Sample analysis is being done by Cornell Cooperative Extension.

There being no further business to come before the Board, Trustee Jusko moved to adjourn the meeting at 10:20 pm, seconded by Trustee Novick, all approved.

Elizabeth Kaye

Elizabeth Kaye, Clerk / Treasurer

ALSO PRESENT:

Sgt. Mergel
Chris Hadjandreas
Randy Jones
Angelo Stanco

Oyster Bay Cove Police Department
Chairman, Planning Board
Cold Spring Harbor Lab
American Paving & Masonry

THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES WILL BE HELD AT 7:00 P.M. ON WEDNESDAY, DECEMBER 12, 2018.