

**MINUTES OF THE SPECIAL MEETING  
BOARD OF TRUSTEES  
HELD VIA ZOOM VIDEOCONFERENCE  
(due to COVID-19 public assembly restrictions)  
MON., MARCH 22, 2021  
6:00 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  
Michael F. McNerney, Supt. of Building  
Department (arr. 7 pm)  
Jim Antonelli, Village Engineer

**EXCUSED:**

Mayor DeVita called the meeting to order at 6:00 p.m. with the Pledge of Allegiance.

**PUBLIC HEARING ON COLD SPRING HARBOR LABORATORY SLOPE DISTURBANCE  
PERMIT APPLICATION S1-2021 FOR CONSTRUCTION OF THE EAST HOUSE**

Mayor DeVita opened the public hearing at 6:02 pm on Slope Disturbance Permit Application S1-2021 filed by Cold Spring Harbor Laboratory in connection with construction of the East House on the Laboratory's property.

Village Attorney Avrutine read the following exhibits into the record:

- Copy of legal ad as it appeared in the Oyster Bay Guardian, stating that the legal notice was published on March 12, 2021.
- Affidavit from Elizabeth Kaye stating that the legal notice was posted at the Village Hall on March 15, 2021
- Confirmation that the Notice of Public Hearing was published to the Village of Laurel Hollow website on March 15, 2021.
- Confirmation that the Notice of Public Hearing was sent to Village website NEWS subscribers on March 15, 2021.
- Affidavit of Mailing stating that the notice of public hearing was sent to property owners on March 15, 2021.
- Letter from the Nassau County Planning Commission, dated March 15, 2021, stating that the matter was being referred to the Village of Laurel Hollow Board of Trustees to act as it deems appropriate.

Mr. James Murphy, Esq. introduced the representatives of the Laboratory. Mr. Stephen Monez, Vice President/Chief Facilities Officer, presented the documents in connection with the project. Mayor DeVita commented that this is to replace the home that was destroyed in a storm. Questions from the Board addressed lighting and the septic system. Mr. Monez indicated that there will be minimal downward facing lighting, and the home will be connected to the Lab's sewer system that connects to Syosset's sewer system. Village Engineer Antonelli indicated that slope

disturbance will be minimal, and that the DEC provided a letter stating that the DEC has no jurisdiction over the project.

There being no further questions from the Board or public, Mayor DeVita closed the public hearing at 6:21 pm.

Mayor DeVita then moved to declare the Village lead agency under SEQRA, seconded by Trustee Tsafos, and approved by the following poll of the Board:

Mayor DeVita	Aye
Trustee Jusko	Aye
Trustee Miritello	Aye
Trustee Nemshin	Aye
Trustee Nicklas	Aye
Trustee Novick	Aye
Trustee Tsafos	Aye

Mayor DeVita then moved to declare the matter an unlisted action under SEQRA, seconded by Trustee Nicklas, and approved by the following poll of the Board:

Mayor DeVita	Aye
Trustee Jusko	Aye
Trustee Miritello	Aye
Trustee Nemshin	Aye
Trustee Nicklas	Aye
Trustee Novick	Aye
Trustee Tsafos	Aye

Village Attorney Avrutine indicated that the Short Environmental Assessment Form was filed by the applicant, and Village Engineer Antonelli recommended that the application be determined an unlisted action under SEQRA and that a negative declaration be adopted under SEQRA determining that there will be no adverse environmental impact. Mayor DeVita moved to declare a negative declaration of the matter, seconded by Trustee Novick, and approved by the following poll of the Board:

Mayor DeVita	Aye
Trustee Jusko	Aye
Trustee Miritello	Aye
Trustee Nemshin	Aye
Trustee Nicklas	Aye
Trustee Novick	Aye
Trustee Tsafos	Aye

Mayor DeVita moved to approve the application as submitted, seconded by Deputy Mayor Nemshin, and approved by the following poll of the Board:

Mayor DeVita	Aye
Trustee Jusko	Aye
Trustee Miritello	Aye
Trustee Nemshin	Aye
Trustee Nicklas	Aye
Trustee Novick	Aye
Trustee Tsafos	Aye

**PUBLIC HEARING ON COLD SPRING HARBOR LABORATORY SPECIAL USE PERMIT  
FOR RENOVATION OF EXISTING CABINS INTO YEAR-ROUND LIVING SPACE**

Mayor DeVita opened the public hearing at 6:26 pm on Special Use Permit Application SUP #1-2021, filed by the Cold Spring Harbor Laboratory in connection with the renovation of existing cabins at the Laboratory into year-round living space.

Village Attorney Avrutine read the following Exhibits into the record:

- Copy of the legal ad as it appeared in the Oyster Bay Guardian, stating that the legal notice was published on March 12, 2021.
- Affidavit from Elizabeth Kaye stating that the legal notice was posted at the Village Hall on March 15, 2021
- Confirmation that the Notice of Public Hearing was published to the Village of Laurel Hollow website on March 15, 2021.
- Confirmation that the Notice of Public Hearing was sent to Village website NEWS subscribers on March 15, 2021.
- Affidavit of Mailing stating that the notice of public hearing was sent to property owners on March 15, 2021.
- Letter from the Nassau County Planning Commission, dated March 15, 2021, stating that the matter was being referred to the Village Board of Trustees to act as it deems appropriate.

Mr. Stephen Monez, Vice President/Chief Facilities Officer of the Laboratory, presented the documents in connection with the plan. Mayor DeVita inquired about the septic system. Mr. Monez confirmed that the cabins are connected to the Lab's existing sewer system, which connects to Syosset's sewer system. Mayor DeVita asked about additional traffic from the cabins. Mr. Monez indicated that the residents will enter from Route 25A and that traffic will be reduced as the guests will be able to stay on site instead of in local hotels.

Village Engineer Antonelli indicated that he has no comments on the application as no site work is involved.

Mr. Monez indicated that a landscaping plan will include evergreen screening.

Mrs. Whitman, who resides adjacent to the Laboratory on Moore's Hill Road, inquired whether the cabins will be accessible from Moore's Hill Road. Mr. Monez responded that they will only be accessible from Route 25A.

Village Attorney Avrutine stated for the record that the matter is deemed Type II under SEQRA and, therefore, that no further environmental review is required.

There being no further questions from the Board and the public, Mayor DeVita closed the public hearing at 6:44 pm.

Mayor DeVita moved to approve the application, with the condition that landscaping include evergreen screening especially toward 1638 Moore's Hill Road, seconded by Trustee Nicklas, and approved by the following poll of the Board:

Mayor DeVita	Aye
Trustee Jusko	Aye
Trustee Miritello	Aye
Trustee Nemshin	Aye
Trustee Nicklas	Aye
Trustee Novick	Aye
Trustee Tsafos	Aye

### **STREET OPENING PERMITS**

The Board reviewed Street Opening Permit Application #1-2021, for 31 White Oak Tree Road, to disconnect existing water service in connection with a house demolition. Mayor DeVita stated that the disconnect and reconnect must be done at the same time in order that only one road opening take place. Mayor DeVita moved to approve the permit with the following conditions, seconded by Trustee Nicklas, and approved by the following poll of the Board:

- 1-Cash bond of \$5,000 to be deposited with the Village and held for one year from date of restoration.
- 2- Only one road opening for water service, disconnect and reconnect.
- 3- All work to be done in accordance with Village Engineer specifications.
- 4-Village Engineer to be present during performance of the work with the cost to be paid by the homeowner.
- 5-All work to be completed by April 15, 2021.

Mayor DeVita	Aye
Trustee Jusko	Aye
Trustee Miritello	Aye
Trustee Nemshin	Aye
Trustee Nicklas	Aye
Trustee Novick	Aye
Trustee Tsafos	Aye

The Board reviewed Street Opening Permit Application #2-2021, for 95 Cherry Lane, in connection with demolition of the existing home. Mayor DeVita moved to approve the permit, seconded by Trustee Nicklas, with the following conditions, and approved by the following poll of the Board:

- 1-Cash bond of \$5,000 to be deposited with the Village and held for one year from date of restoration.
- 2- Only one road opening for water service, disconnect and reconnect.
- 3- All work to be done in accordance with Village Engineer specifications
- 4-Village Engineer to be present during performance of the work with the cost to be paid by the homeowner.
- 5-All work to be completed by April 15, 2021.

[NEED TO ADD IN THE BOARD VOTE]

#### **GOVERNMENT RESOLUTION FOR PURCHASE OF NEW CATERPILLAR PAYLOADER**

To finance the purchase of the new Caterpillar payloader, the Board must pass a resolution indicating that, in doing so, the purchase would not impede government functions and is in compliance with NYS General Municipal law.

**WHEREAS**, the laws of the State of New York (the "State") authorize VILLAGE OF LAUREL HOLLOW (the "Governmental Entity"), a duly organized political subdivision, municipal corporation or similar public entity of the State, to purchase, acquire and lease personal property for the benefit of the Governmental Entity and its inhabitants and to enter into any necessary contracts; and

the Governmental Entity wants to lease, purchase and/or finance equipment ("Equipment") from **Caterpillar Financial Services Corporation** and/or an authorized Caterpillar dealer ("Caterpillar") by entering into that certain Governmental Equipment Lease-Purchase Agreement (the "Agreement") with Caterpillar; and

the form of the Agreement has been presented to the governing body of the Governmental Entity at this meeting.

**RESOLVED**, that: (i) the Agreement, including all schedules and exhibits attached to the Agreement, is approved in substantially the form presented at the meeting, with any Approved Changes (as defined below), (ii) the Governmental Entity enter into the Agreement with Caterpillar and (iii) the Agreement is adopted as a binding obligation of the Governmental Entity; and

that changes may later be made to the Agreement if the changes are approved by the Governmental Entity's counsel or members of the governing body of the Governmental Entity signing the Agreement (the "Approved Changes") and that the signing of the Agreement and any related documents is conclusive evidence of the approval of the

changes; and that the persons listed below, who are the incumbent officers of the Governmental Entity:

Daniel F. DeVita, Mayor

be, and each is, authorized, directed, and empowered, on behalf of the Governmental Entity, to (i) sign and deliver to Caterpillar, and its successors and assigns, the Agreement, and any related documents, and (ii) take or cause to be taken all actions he/she deems necessary or advisable to acquire the Equipment, including the signing and delivery of the Agreement and related documents; and

that the signatory below is authorized to attest to these resolutions and affix the seal of the Governmental Entity to the Agreement, these resolutions, and any related documents; and

that nothing in these resolutions, the Agreement or any other document imposes a pecuniary liability or charge upon the general credit of the Governmental Entity or against its taxing power, except to the extent that the payments payable under the Agreement are special limited obligations of the Governmental Entity as provided in the Agreement; and

that a breach of these resolutions, the Agreement or any related document will not impose any pecuniary liability upon the Governmental Entity or any charge upon its general credit or against its taxing power, except to the extent that the payments payable under the Agreement are special limited obligations of the Governmental Entity as provided in the Agreement; and

that the authority granted by these resolutions will apply equally and with the same effect to the successors in office of the Authorized Persons.

Daniel F. DeVita of VILLAGE OF LAUREL HOLLOW, certifies that the resolutions above are a full, true, and correct copy of resolutions of the governing body of the Governmental Entity. I also certify that the resolutions were duly and regularly passed and adopted at a meeting of the governing body of the Governmental Entity. I also certify that such meeting was duly and regularly called and held in all respects as required by law, at the Governmental Entity's office. I also certify that at such meeting, a majority of the governing body of the Governmental Entity was present and voted in favor of these resolutions.

I also certify that these resolutions are still in full force and effect and have not been amended or revoked.

IN WITNESS of these resolutions, the signatory named below executes this document on behalf of the Governmental Entity.

Mayor DeVita moved to approve the foregoing resolution, seconded by Trustee Jusko, and approved by the following poll of the Board:

Mayor DeVita	Aye
Trustee Jusko	Aye
Trustee Miritello	Aye
Trustee Nemshin	Aye
Trustee Nicklas	Aye

Trustee Novick	Aye
Trustee Tsafos	Aye

There being no further business to come before the Board, Mayor DeVita moved to adjourn the meeting at 7:14 PM, seconded by Trustee Jusko, and approved by all present.

*Elizabeth Kaye*  
Elizabeth Kaye, Clerk / Treasurer

ALSO PRESENT:

James Murphy, Esq.

Stephen Monez

Lauren Schmidt

Michael Gurtowski

Lisa D'Arduini

Al Felicioni

Michael Boccio

Chris Whitman

on behalf of Cold Spring Harbor  
Laboratory

Cold Spring Harbor Laboratory

Cold Spring Harbor Laboratory

Cold Spring Harbor Laboratory

31 White Oak Tree Road

Enterprises Inc.

MDM Builders

1638 Moore's Hill Rd.

THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES WILL BE HELD AT 6:00 PM ON WEDNESDAY, APRIL 14, 2020.