

**MINUTES OF THE REGULAR MEETING
BOARD OF TRUSTEES
HELD VIA ZOOM VIDEOCONFERENCE
(due to COVID-19 public assembly restrictions)
STENOGRAPHICALLY RECORDED
OCT. 14, 2020
6:00 PM**

PRESENT:

Mayor Daniel F. DeVita	Howard Avrutine, Village Attorney
Trustee Kevin Jusko	Elizabeth Kaye, Clerk / Treasurer
Trustee Jeffrey Miritello	Michael F. McNerney, Supt. of Building Department
Trustee Jeffrey Nemshin	Nancy Popper, Deputy Clerk/Court Clerk
Trustee Richard Nicklas	Jim Antonelli, Village Engineer
Trustee Martin Novick	
Trustee Nicholas Tsafos	

EXCUSED:

MAYOR DE VITA called the meeting to order at 6:00 p.m. with the Pledge of Allegiance.

PUBLIC HEARING ON INTRODUCTORY LOCAL LAW H-2020, RENTAL REGISTRATION

At 6:09 pm, Mayor DeVita opened the public hearing with a discussion of Introductory Local Law H-2020 (proposed Local Law 8-2020), concerning a new Chapter 100 of the Village Code entitled Rental Registration.

The following Exhibits are appended to and made a part of these minutes:

- Affidavit from Elizabeth Kaye stating that the legal notice was posted at the Village Hall on Sept. 18, 2020
- Affidavit from the Oyster Bay Guardian showing that notice of the public hearing was published on Sept. 25, 2020
- Email from the Village Clerk to the Mayor and Board of Trustees sent on Oct. 5, 2020, with local law in final form attached
- Confirmation that the Notice of Public Hearing was published to the Village of Laurel Hollow website on Sept. 18, 2020
- Confirmation that the Notice of Public Hearing was sent to NEWS subscribers on Oct. 7, 2020
- Letter from the Nassau County Planning Commission, dated Sept. 30, 2020, stating that the local law is referred to the Village to take action as deemed appropriate.

Mayor DeVita described two instances in which squatters inhabited vacant homes, prompting the Board to propose this legislation which requires any Village homeowner who rents their home to register such rental with the Village. The law requires that a homeowner complete a registration form identifying the tenant(s), provide a copy of the rental agreement, and provide contact information for the absent homeowner. The law also requires real estate brokers who earn a commission on a rental to provide the registration information if the homeowner has not done so. Failure to comply can result in the issuance of summonses returnable in the Village Court and in

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the imposition of fines. Board members asked how residents' and tenants' personal information will be protected and how residents will find out about the law. Mayor DeVita indicated that residents' and tenants' personal information is exempt from Freedom of Information Law requests and will be kept confidential. The Mayor further indicated that he will inform residents of the new law via Swiftreach and by letter. There being no further questions, the Mayor moved to close the public hearing at 6:25 pm, seconded by Deputy Mayor Nemshin, and approved upon 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 this matter is a Type II action under SEQRA and that no further environmental review is required.

Mayor DeVita moved to adopt Local Law 8-2020, including changes previously provided to the Village Attorney, seconded by Trustee Nicklas, and approved upon 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

POLICE REPORT

The September Report was distributed to the Board prior to the meeting. No oral report was given.

	Totals this Month	Totals year-to-date	Totals prior year- to- date
Auto Accidents Personal Injury	0	3	4
Auto Accidents Property Damage	1	5	16
Aided Cases Resulting from Auto Accidents	0	3	6
Aided Cases Other	1	41	37
Arrests	0	1	0
Summonses-Moving Violations	31	129	193
Summonses-Parking	6	94	38

Fire Calls	2	13	8
Patrol Mileage	4,500	41,100	40,950
Offenses -Case Reports	1	13	11
Suspicious Autos	1	33	12
Suspicious Persons	1	14	15
Suspicious Phone Calls	0	0	0
Recorded Alarms	15	125	139
Vacant Houses	5	36	43
Disturbances	3	26	38
Malicious Mischief	0	0	0
Non-Case Incidents	0	8	8
Animal Nuisance Complaints	1	5	19
Assist from NCPD	0	0	0

Stop Signs	2
Cell Phone	0
Speeding	12
Unlicensed Operation	2
Uninspected MV	1
DWI	0
No Insurance	6
Expired Registration	0
Disobey Traffic Control Device	1
Following Too Closely	0
Defective Lights	7
Obstructed View	0
Fail to Signal	0
No Parking	6
Equipment Violation	0
No Seatbelt	0

Total	37
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BUILDING REPORT

DeMartin, 1532 Laurel Hollow Rd, Fill Permit Application # F4-2020- The Board considered a permit application to maintain 90 yards of wood chips in the front of the property. Village Engineer Antonelli observed the fill and indicated that there would be no grade or drainage issues. Village Attorney Avrutine indicated that this matter is a Type II action under SEQRA, and no further environmental review is required. Mayor DeVita moved to approve issuance of Fill Permit F4-2020, seconded by Trustee Jusko, and approved upon 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

Biton, 16 Springwood Path Fill Permit Application # F1-2020 - The Board then addressed Fill Permit Application #1-2020, an application to regrade property in the rear yard. Approximately 365 cubic yards of soil will be excavated and utilized on site for fill, and approximately 275 cubic yards of soil will be removed from the site. Mayor DeVita commented that run-off would have to be controlled with hay bales. Village Engineer Antonelli indicated that a utility pole would have to be moved to accommodate the proposed driveway onto Springwood Path. Mr. Rant, P.E. indicated he would move the driveway up-slope away from the pole so that the pole will not have to be moved. Village Attorney Avrutine indicated that this matter is a Type II action under SEQRA, and no further environmental review is required. Mayor DeVita moved to approve Fill Permit Application #F1-2020, with the condition that the driveway be re-located and the revision approved by the Village Engineer, seconded by Trustee Novick, and approved upon 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

ENGINEER REPORT

None given.

MINUTES of the Board of Trustees meetings, held on September 16 and 30, 2020, were approved on a motion by Mayor DeVita and seconded by Trustee Miritello upon the following poll of the Board:

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

The **FINANCIAL REPORT** for September 2020 and the **REPORT OF UNPAID TAXES** were distributed to the Board prior to the meeting for review. Bank statements and reconciliations were reviewed by Trustee Tsafos prior to the meeting.

APPROVAL OF ABSTRACTS

Mayor DeVita moved that the following abstracts of vouchers be approved for payment, seconded by Trustee Nicklas, and approved upon 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

- | | | | |
|--------------|-------|------------------|--------------|
| • Abstract # | 28 | Trust & Agency | \$24,204.56 |
| • Abstract # | 1083 | Capital Projects | \$870.00 |
| • Abstract # | 1117a | Prepays | \$1,502.92 |
| • Abstract # | 1117b | Prepays | \$99.00 |
| • Abstract # | 1117 | General Fund | \$152,288.08 |

OYSTER BAY FIRE AND ATLANTIC STEAMER FIRE PROTECTION CONTRACT EXPIRING

The fire protection contract for Oyster Bay Fire Co. #1 and Atlantic Steamer expires on December 31, 2020. Village Attorney Avrutine was asked to contact their attorney to negotiate a renewal.

BREACH NOTIFICATION POLICY

The Clerk advised the Board that a Breach Notification Policy is required by NYS, so that in the event the Village's computer system has been breached and sensitive information obtained, a policy is in place to notify impacted parties. A model resolution will be presented at the next meeting.

EMERGENCY TREE WORK

Mayor DeVita and Highway Superintendent Porcaro prepared a list of dead and dangerously leaning trees within Village rights of way, requiring removal. Having reached out to two local contractors, Joe Grace and Frank Suppa, the Board considered price and availability and determined that because time was of the essence because of the potential for bad weather, Mayor DeVita moved to contract with Frank Suppa Landscaping at \$3500.00/day, with five workers to be done right away, rather than Joe Grace Landscaping at \$2500.00/day, with three

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workers, but not available until the beginning of December, seconded by Trustee Jusko, and approved upon 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

ADJOURN TO EXECUTIVE SESSION

Mayor DeVita moved to adjourn to Executive Session at 7:19 pm to discuss litigation matters, seconded by Deputy Mayor Nemshin, 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

The Board returned to public session at 7:27 pm with no action taken.

There being no further business to come before the Board, Mayor DeVita moved to adjourn the meeting at 7:27 pm, seconded by Trustee Miritello, and approved by all present.

Elizabeth Kaye
Elizabeth Kaye, Clerk / Treasurer

ALSO PRESENT:

Michael Rant, P.E.
Jill Biton
Stephen DeMartin

NorthCoast Civil for Biton Fill permit
16 Springwood Path
1532 Laurel Hollow Rd.

THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES WILL BE HELD AT 6:00 P.M. ON THURSDAY, NOV. 12, 2020