

**MINUTES OF THE REGULAR MEETING
BOARD OF TRUSTEES
HELD VIA ZOOM VIDEOCONFERENCE
(due to COVID-19 public assembly restrictions)
STENOGRAPHICALLY RECORDED
NOV. 12, 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.

BUILDING REPORT

Building Permit Amendment Fees and Unified Solar Permit Fees: Building Superintendent McNerney explained that when the Board increased the Building Department fees, the amendment fee and solar permit fees were not included. Mr. McNerney proposed that these fees now be increased as follows so that all Building Department fees will be uniform across the board:

- Unified Solar Permit – increase from \$370.00 to \$650.00 and the per \$1000 cost from \$15.00 to \$17.50
- Building Permit Amendment Fees – increase the amendment fee from the greater of \$250.00 flat fee or \$15.00 per \$1000 to greater of \$250.00 flat fee or \$17.50 per \$1000

Mayor DeVita moved to approve the foregoing fee increases as recommended, 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

Applications for Driveways: Building Superintendent McNerney explained that if a resident applies for a Building Permit for driveway work which touches the Village right of way, a separate Street Opening Permit is currently not required. As a result, the Village has no cash deposit to go against if damage occurs to the right of way. Mayor DeVita moved to require that any Building Permit application for driveway work which comes into contact with the right of way must be

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accompanied by a separate Street Opening Permit with all the required fees and cash bond, 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

Driveway work at 1499 Laurel Hollow Road: In connection with the previous discussion on driveway work, the resident at 1499 Laurel Hollow Road installed a Belgian block driveway apron that did not properly meet the public road as determined by Building Superintendent McNerney and Village Engineer Antonelli. The Board determined that United Paving shall perform the repair work and the cost of such repair work will be deducted from the resident's cash deposit.

FILM PERMIT

The Board considered a film permit application by Vertical Hold Productions LLC to film a scene from the television show "Prodigal Son" at 536 Cold Spring Road. Representatives of the applicant Shannon Blaney and Morgan Roche and Mr. Vincent Polsinelli, the homeowner, were in attendance to present the application. The applicant informed the Board of relevant particulars: (a) a separate private lot will be used to park large trucks, (b) some visual effects might be used to simulate fire, and (c) the property, which is on four acres, is large enough so that surrounding residents will not be disturbed. Police Chief Cronin suggested Fire Department presence and discussed the police fees. Further discussion ensued. There being no further discussion, Mayor DeVita moved to approve the permit to film at 536 Cold Spring Road for three days, for a permit fee of \$7,500.00 (\$2500 per day), and with extended time to midnight, with the following conditions:

- filming is not to extend past midnight
- if filming extends beyond three days, the per day charge is \$2,500 as per the ordinance
- permit holder is to be responsible for police costs as calculated in a separate agreement with the Village of Oyster Bay Cove,

The foregoing was 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

POLICE REPORT

The October 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
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Auto Accidents Personal Injury	1	4	4
Auto Accidents Property Damage	2	7	18
Aided Cases Resulting from Auto Accidents	3	6	6
Aided Cases Other	1	42	46
Arrests	0	1	0
Summonses-Moving Violations	16	145	215
Summonses-Parking	2	96	38
Fire Calls	0	13	10
Patrol Mileage	4,650	45,750	45,600
Offenses -Case Reports	5	18	13
Suspicious Autos	4	37	14
Suspicious Persons	2	16	15
Suspicious Phone Calls	1	1	0
Recorded Alarms	11	136	160
Vacant Houses	4	40	45
Disturbances	4	30	45
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	3
Unlicensed Operation	2
Uninspected MV	0
DWI	0
No Insurance	4
Expired Registration	0

Disobey Traffic Control Device	3
Following Too Closely	0
Defective Lights	2
Obstructed View	0
Fail to Signal	0
No Parking	2
Equipment Violation	0
No Seatbelt	0
Total	18

ENGINEER REPORT

None given.

MINUTES of the Board of Trustees meeting held on October 14, as amended, was approved on a motion by Mayor DeVita and seconded by Deputy Mayor Nemshin 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

The **FINANCIAL REPORT** for October 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.

DEBRIS ORDINANCE DISCUSSION

The Board discussed the absence of authority in the Code to enforce removal of debris on private property, such as piles of firewood visible in the front yard. Discussion ensued. Building Superintendent McNerney will research ordinances in other Villages and report back to the Board.

FEES FOR TEMPORARY STRUCTURES

The Board discussed whether to increase the fee on temporary structures (tents, canopies), with no action taken.

APPROVAL OF ABSTRACTS

Mayor DeVita moved that the following abstracts of vouchers be approved for payment, 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

- | | | | |
|--------------|------|----------------|----------------|
| • Abstract # | 29 | Trust & Agency | \$24,343.62 |
| • Abstract # | 1118 | Prepays | \$1,822.52 |
| • Abstract # | 1119 | Prepays | \$220.20 |
| • Abstract # | 1120 | General Fund | \$1,045,998.26 |

BUDGET TRANSFER

Trustee Miritello moved to authorize a budget transfer of \$8,000 from budget line A7140.1 (Lifeguard salaries), which had underspending, to A5110.45 (Tree Removals) to cover emergency tree removal work on Village rights-of-way, seconded by Trustee Tsafos, 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

STREET CLEANING AGREEMENT WITH TOWN OF OYSTER BAY

Deputy Mayor Nemshin moved to authorize Mayor DeVita to execute the Street Cleaning Agreement with Town of Oyster Bay, covering the period from July 1, 2020 through June 30, 2021, 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

SALT BARN

The Board instructed Trustee Jusko to solicit additional quotes to upgrade the salt barn in accordance with the Village's procurement policy and with Nassau County's grant requirements.

EXPIRATION OF OYSTER BAY FIRE AND ATLANTIC STEAMER FIRE PROTECTION CONTRACT

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Village Attorney Avrutine spoke to the attorney for the Oyster Bay Fire Company and Atlantic Steamer. Mr. Avrutine advised that the attorney will forward proposed contracts when they are prepared.

PROPOSED BREACH NOTIFICATION POLICY

This matter was tabled to the next meeting to allow Village Attorney Avrutine the opportunity to review the proposal.

VILLAGE HALL GENERATOR CONTRACT RENEWAL

The Board instructed the Clerk to obtain quotes from other contractors recommended by Board members and present at the next meeting.

ADJOURN TO EXECUTIVE SESSION

Mayor DeVita moved to adjourn to Executive Session at 7:46 pm to discuss litigation matters, 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

The Board returned to public session at 7:54 pm with no action taken.

There being no further business to come before the Board, Mayor DeVita moved to adjourn the meeting at 7:54 pm, seconded by Trustee Miritello, and approved by all present.

Elizabeth Kaye
Elizabeth Kaye, Clerk / Treasurer

ALSO PRESENT:

Chief Kevin Cronin
Sergeant Teddy Mergel
Shannon Blaney
Morgan Roche
Vincent Polsinelli

Oyster Bay Cove Police
Oyster Bay Cove Police
Vertical Hold Productions
Vertical Hold Productions
536 Cold Spring Rd.

THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES WILL BE HELD AT 6:00 P.M. ON WEDNESDAY, DEC. 9, 2020