

**MINUTES OF THE REGULAR MEETING
BOARD OF TRUSTEES
HELD VIA ZOOM VIDEOCONFERENCE
(due to COVID-19 public assembly restrictions)
STENOGRAPHICALLY RECORDED
NOVEMBER 10, 2021, 6:30 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
Nancy Popper, Clerk
Elizabeth Kaye, Treasurer
Renee Fenton, Deputy Clerk
Michael F. McNerney, Supt. Of Buildings

MAYOR DEVITA called the meeting to order at 6:30 p.m. with the Pledge of Allegiance.

POLICE REPORT

The Board reviewed the Oyster Bay Cove Police Department Monthly Report for October 2021, which was 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	4
Auto Accidents Property Damage	6	17	7
Aided Cases Resulting from Auto Accidents	0	5	6
Aided Cases Other	8	42	42
Arrests	0	1	1
Summonses-Moving Violations	20	227	145
Summonses-Parking	5	44	96
Fire Calls	0	14	13
Patrol Mileage	4650	45,600	45,750
Offenses -Case Reports	3	13	18
Suspicious Autos	4	23	37
Suspicious Persons	0	26	16
Suspicious Phone Calls	0	0	1
Recorded Alarms	11	121	136

Vacant Houses	4	37	40
Disturbances	0	34	30
Malicious Mischief	0	0	0
Non-Case Incidents	1	5	8
Animal Nuisance Complaints	1	17	5
Assist from NCPD	0	0	0

Stop Signs	5
Cell Phone	0
Speeding	2
Unlicensed Operation	0
Uninspected MV	1
DWI	0
No Insurance	6
Expired Registration	0
Disobey Traffic Control Device	0
Village Ordinance	0
Reckless Driving	0
Fail to Move Right	0
Fail to Signal	0
No Parking	5
Equipment Violation	5
No Seatbelt	1
Total	25

PUBLIC HEARING ON PROPOSED CONTRACT FOR POLICE SERVICES BETWEEN THE INC. VILLAGE OF LAUREL HOLLOW AND THE INC. VILLAGE OF OYSTER BAY COVE

Mayor DeVita opened the public hearing at 6:32 pm.

Village Attorney Avrutine read the following exhibits into the record:

- Notification from the Nassau County Planning Commission (NCPC), dated November 5, 2021 that the proposed action is deferred to the Laurel Hollow Board of Trustees to take action as it deems appropriate
- Legal notice of Public Hearing dated October 20, 2021
- Affidavit of Posting from Deputy Clerk that the legal notice was posted conspicuously on the bulletin board at the main entrance to the Village Hall on October 21, 2021
- Affidavit of Publication stating that the legal notice was published in the Oyster Bay Guardian on October 29, 2021
- Document indicating that the notice of public hearing was posted on the Village of Laurel Hollow website on October 20, 2021
- Existing Agreement for Police Protection Services for the 5-year period running from June 1, 2017 - May 31, 2022
- Proposed Agreement for Police Protection Services for the 5-year period running from June 1, 2022 - May 31, 2027.

Mayor DeVita explained that while the new five-year agreement for Police Protection Services remains largely the same as the prior agreement, there is a significant change in and simplification of the fee structure. For the 1st year of the proposed 5-year contract, the cost of police services will be \$1,750,000, which is approximately \$300,000 less than the Village is now paying and in each subsequent year, there will be an increase of 2.75% above the payment made in the prior year. This new fee structure is an improvement over the current one, which is complex and results in variable, hard-to-predict costs. The other change involves providing 9 months (instead of 6 months) of lead time to the Village of Oyster Bay Cove if Laurel Hollow chooses not to renew at the end of the five-year term.

There being no further questions from the Board or public, the public hearing was closed at 6:47pm upon motion by Mayor DeVita, second 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

Deputy Mayor Nemshin then moved to approve the contract and to authorize the Mayor to sign the contract. This motion was 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

BUILDING REPORT

Barriola BP# 2776– Building Inspector McNerney reported that Mr. Barriola is requesting a temporary Certificate of Occupancy for his new single-family dwelling. The building has been deemed safe for occupancy by the Building Inspector. The DEC will not allow a final certificate to be issued while a silt fence is still in place. The silt fence is needed to provide erosion control until landscaping on the property becomes established. Mayor DeVita moved to allow issuance of the temporary Certificate of Occupancy with an expiration date of May 15, 2022. The motion was 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

Biton BP# 3365– Building Inspector McNerney reported that a permit to install a fence was issued to Mr. Biton despite the existence of outstanding violations and open Village Court appearance tickets on this property. Village policy dictates that no applications be processed when there are outstanding violations. However, in this case, the permit was issued so that the fence may provide visual relief to the neighbors. Trustee Nicklas moved to ratify the Building Inspector's action to issue the fence permit. The motion was seconded by Trustee Miritello 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

ENGINEER'S REPORT

Village Engineer Antonelli was excused from the meeting tonight as there was no monthly report.

MINUTES of the Board of Trustees meetings of October 5, 2021 and October 13, 2021 were reviewed by the Board and approved on a motion by Mayor DeVita, 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

FINANCIAL REPORT and the REPORT OF UNPAID TAXES.

The Treasurer discussed the October 2021 Financial Report and the Report of Unpaid Taxes and indicated the financial status is the same as last year at this time. The Treasurer also discussed the accounting of funds and expenses under the American Rescue Plan Act (ARPA).

BUDGET TRANSFERS

The Treasurer reported that no transfers were made.

APPROVAL OF ABSTRACTS

The Board reviewed the Abstracts and the Treasurer explained that the increase in pension payment this year will be corrected next year with a comparable decrease. Trustee Tsafos moved that the following abstracts of vouchers be approved for payment seconded by Mayor DeVita, and approved by the following poll of the Board:

- Abstract # 46 Trust & Agency \$5,171.82
- Abstract # 1094 Capital Projects \$400.00
- Abstract # 1149 Prepays \$1,984.06
- Abstract # 1150 General Fund \$1,113,800.23

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

PROPOSAL BY KAISER TO REPLACE LARGE SECTION OF VILLAGE DOCK

The Board discussed the proposal by Kaiser Marine, Inc. to build a new pressure treated float to replace the existing worn and storm-battered section of the dock at a cost of \$8160. Mayor DeVita explained that Kaiser is considered to be a “sole source provider” because there is a lack of competition in this line of work and the Village cannot obtain multiple bids. Trustee Miritello moved to accept the proposal and have the Mayor sign the contract. This motion was 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

UPDATE ON GRANTS

The Treasurer updated the Board on the status of several grants either in the process of approval or already approved. The Treasurer reported that ½ funding was received in connection with a grant to convert Village property files into an electronic document management system. The grant award included a total of \$250 for the Village to hire a person to assist with the project's implementation. The Clerk and Deputy Clerk pointed out that \$250 would only support 12.5 hours of a new hire, which would not be sufficient to undertake this massive endeavor. Trustee Nicklas moved to approve an additional \$3000 be allocated for this purpose. The motion was seconded by Mayor DeVita 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

Upon a motion by Mayor DeVita, seconded by Trustee Novick and approved by the following poll of the Board, Danielle McNerney will be offered the new, temporary position of Secretary to the Board, at an hourly rate of \$20, not to exceed \$3250 in total to do work under the grant for the electronic document management system.

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

USE OF CANNABIS ON VILLAGE PROPERTY AND OPT OUT OF RETAIL SALES

Following review and discussion of draft legislation prepared by the Village Attorney to allow the Village to opt out of having retail cannabis dispensaries and on-site cannabis consumption establishments, Mayor DeVita moved to set a public hearing at 6:30 pm on December 8, 2021. The motion was 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

Following review and discussion of draft legislation prepared by the Village Attorney to prohibit use of alcohol and cannabis consumption on Village property, Mayor DeVita moved to set a public hearing at 6:30 pm on December 8, 2021. Motion was seconded by Trustee Miritello 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

RENEWAL OF FLOOD INSURANCE

Trustee Nicklas explained that the rates to renew the Village Flood Policy are significantly lower as a result of the Village obtaining an Elevation Certificate for Village Hall. Trustee Nicklas reviewed two options for coverage and recommended that the Village approve Option 1 (with the lower limits) at the quoted premium of \$6198. Mayor DeVita moved to renew the flood insurance policy, Option 1, as recommended by Trustee Nicklas. The motion was 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

NORTHWELL HEALTH EMERGENCY RESPONSE SERVICES

James Neitz and Alan Schwalberg made a presentation to the Board about the operations of Northwell Health in enhancing the emergency medical response systems for local communities. They described how their intent is not to supplant the existing providers, but to work in “partnership” with them. Northwell continuously monitors and analyzes the call volume and behavior patterns with the objective of modifying deployment based on needs. There is no cost to the Village for using services provided by Northwell; invoices are sent directly to the insurance companies of those patients being transported to hospitals.

LETTER OF SUPPORT FOR JERICHO WATER

Upon motion by Trustee Tsafos with second by Trustee Miritello and approval by the following poll of the Board, Mayor DeVita was authorized to sign a letter in support of Jericho Water District’s pursuit of grant money to offset the costs associated with installing treatment facilities to remove contaminants from the water supply.

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

RENEWAL OF CONTRACT WITH CARDIAC LIFE FOR VILLAGE HALL DEFIBRILLATOR

The Clerk reported that the current contract with Cardiac Life is nearing expiration and a new agreement is needed so that the Village will stay compliant with all applicable laws involving maintenance of the defibrillator located at Village Hall. Various renewal options were presented to the Board. Upon a motion by Trustee Miritello, seconded by Mayor DeVita, and approved by the following poll of the Board, the most cost-effective option was selected: a 5-year renewal which also includes the replacement of one battery and one set of adult electrodes for a total cost of \$1400.

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

RENEWAL OF CONTRACT WITH VILLAGE ENGINEER

The Board reviewed correspondence from James Antonelli, P.E., whereby he proposed renewal of his consulting engineering services to the Village. The Board noted that Mr. Antonelli proposed no change in his billing rate of \$160 per hour from prior years. Upon motion by Trustee Novick, seconded by Mayor DeVita and approved by the following poll of the Board, the contract will be renewed.

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

SETTING PUBLIC HEARING FOR FIRE PROTECTION

Mayor DeVita moved to set a public hearing on the renewal of the fire protection contract with Oyster Bay Fire Department & Atlantic Steamer for December 8, 2021, 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

ADJOURN TO EXECUTIVE SESSION

At 9:09 pm, the Board adjourned to Executive Session to discuss contract negotiations.

RETURN TO PUBLIC SESSION

The Board returned to public session at 9:19 PM.

There being no further business to come before the Board, the meeting was adjourned at 9:20 pm.

THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES WILL BE HELD AT 6:30 P.M. ON WEDNESDAY, DECEMBER 8, 2021.

Nancy Popper

Nancy Popper, Village Clerk

ALSO, PRESENT:

Sgt. Mergel, OBCPD
Manuel Barriola, Resident
Christopher Melito, Resident
John Moutopolous, Resident
Michele Coco, Resident
James Neitz, Northwell
Alan Schwalberg, Northwell
2 Anonymous Zoom Attendees