

**MINUTES OF THE REGULAR MEETING  
BOARD OF TRUSTEES  
HELD VIA ZOOM VIDEOCONFERENCE  
(due to COVID-19 public assembly restrictions)  
STENOGRAPHICALLY RECORDED  
JANUARY 12, 2022, 6:30 PM**

**PRESENT:**

Mayor Daniel F. DeVita	Howard Avrutine, Village Attorney
Trustee Kevin Jusko	Nancy Popper, Clerk
Trustee Jeffrey Miritello	Elizabeth Kaye, Treasurer
Trustee Jeffrey Nemshin	Renee Fenton, Deputy Clerk
Trustee Richard Nicklas	Michael F. McNerney, Supt. Of Buildings
Trustee Martin Novick	James Antonelli, Village Engineer
Trustee Nicholas Tsafos	

**MAYOR DEVITA** called the meeting to order at 6:34 p.m. with the Pledge of Allegiance.

**SET PUBLIC HEARING ON COLD SPRING HARBOR LABORATORY APPLICATION FOR MASTER PLAN REVISION, SPECIAL USE PERMIT, AND OTHER RELIEF**

Mayor DeVita reported that the Village is now in receipt of all the documents needed in order to proceed with the public hearing on the application of the Cold Spring Harbor Laboratory to revise its Master Plan, for a Special Use Permit and for other relief. The Mayor proposed a hearing date of January 31, 2022, which is the earliest possible date as a result of public notice requirements and stated that all documents in connection with this hearing will be posted on the Village website by the end of the day on January 13, 2022. Steve Monez, Vice President and Facilities Director of the Lab invited all interested neighbors to contact his office if they are interested in scheduling a guided walk-through of the facility. He further encouraged neighbors to forward their concerns to the Lab so that they may be addressed during the hearing, if not before. Upon a motion by Mayor DeVita, seconded by Deputy Mayor Nemshin, and approved by the following poll of the Board, a public hearing was scheduled in connection with the application of the Cold Spring Harbor Laboratory to revise its Master Plan, for a Special Use Permit and for other relief for January 31, 2022 at 6:30pm.

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

**PUBLIC HEARING SCHEDULED FOR LOCAL LAW B-2022 – TAX CAP OVERRIDE**

Mayor DeVita explained that General Municipal Law, §3-c limits increases in property tax levies to no more than 2% over the previous year's tax levy. The Village is proposing legislation to allow an override of this tax cap as a prophylactic measure because the Board has not yet completed the budget for the next fiscal year and does not yet know whether the state-imposed tax cap can be met. Mayor DeVita further explained that this legislation is passed every year at this time to avoid the imposition of penalties in the event that relief provided by the legislation becomes necessary. It was moved by Mayor DeVita, seconded by Trustee Nicklas, and approved by the following poll

of the Board, that a public hearing be scheduled for February 9, 2022 at 6:30 p.m. in connection with this local law and that the Clerk be authorized and directed to publish and post the required notice of public hearing.

*(Please note that there is no Local Law A-2022 and this local law is "B" so it will correspond with its future reference as Local Law 2-2022. The Cannabis Opt-Out legislation adopted by the Board in December 2021 was subject to a permissive referendum, was not formally enacted until January 10, 2022 and, therefore, became Local Law 1 of 2022.)*

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

## POLICE REPORT

The Board reviewed the Oyster Bay Cove Police Department Monthly Report for December 2021, which was distributed to the Board upon receipt. Sergeant Mergel was present to answer questions. Statistics for the month are as follows:

	Totals this Month	Totals year-to-date	Totals prior year- to-date
Auto Accidents Personal Injury	3	7	4
Auto Accidents Property Damage	3	23	10
Aided Cases Resulting from Auto Accidents	3	8	6
Aided Cases Other	4	52	48
Arrests	0	1	2
Summonses-Moving Violations	8	257	178
Summonses-Parking	2	47	97
Fire Calls	2	17	14
Patrol Mileage	4650	54,750	54,900
Offenses -Case Reports	3	17	20
Suspicious Autos	5	29	44
Suspicious Persons	1	31	21
Suspicious Phone Calls	0	0	1
Recorded Alarms	8	142	158
Vacant Houses	6	48	51

Disturbances	2	38	34
Malicious Mischief	0	0	0
Non-Case Incidents	1	7	8
Animal Nuisance Complaints	0	17	7
Assist from NCPD	0	0	0

Stop Signs	0
Cell Phone	0
Speeding	0
Unlicensed Operation	0
Uninspected MV	3
DWI	0
No Insurance	3
Expired Registration	0
Disobey Traffic Control Device	0
Village Ordinance	0
Reckless Driving	0
Fail to Move Right	0
Unsafe Pass	0
No Parking	1
Equipment Violation	3
No Seatbelt	0
Total	10

#### **BUILDING REPORT – No Monthly Report**

#### **ENGINEER’S REPORT – No Monthly Report**

**MINUTES** of the Board of Trustees Regular Meeting of December 8, 2021 were distributed to the Board prior to the meeting for review and upon a motion by Mayor DeVita and seconded by Trustee Miritello, the Minutes were 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

**MINUTES** of the Board of Trustees Special Meeting of December 16, 2021 were distributed to the Board prior to the meeting for review and upon a motion by Mayor DeVita and seconded by Trustee Nicklas, the Minutes were 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 **FINANCIAL REPORT** and the **REPORT OF UNPAID TAXES** were distributed to the Board prior to the meeting for review. The Treasurer indicated the Village is ahead of where it was last year at this time. The Report of Unpaid Taxes is largely unchanged since last month.

## **BUDGET TRANSFERS**

The Treasurer reported that no transfers were made.

## **WARRANT OF UNPAID TAXES FOR FISCAL 2021-2022**

The Board reviewed the ACCOUNT OF 2021-2022 UNPAID TAXES prepared by the Treasurer pursuant to §1436 of the Real Property Tax Law of the State of New York. The Board elected not to conduct a tax lien sale at this time because of the high legal rate of interest that accrues on unpaid taxes and which will be paid upon the sale of the property, if not sooner. Board members will individually certify the report, and a copy of the report will be attached to and made a part of these minutes.

## **APPROVAL OF ABSTRACTS**

The Board reviewed the Abstracts and the Treasurer reported that the final bill from United Paving was paid. She also pointed out that an additional \$350 will be paid to Betsy Bibla, Village Arborist, in connection with a second inspection she conducted on a property. Mayor DeVita moved that the following abstracts of vouchers be approved for payment, seconded by Trustee Tsafos, and approved by the following poll of the Board:

- Abstract # 48 Trust & Agency \$16,244
- Abstract # 1096 Capital Fund \$45,890.27
- Abstract # 1154 Prepaids \$17,530.18
- Abstract # 1154a General Fund \$32,985.44

Mayor DeVita	Aye
Trustee Jusko	Aye
Trustee Miritello	Aye

Trustee Nemshin	Aye
Trustee Nicklas	Aye
Trustee Novick	Aye
Trustee Tsafos	Aye

## **ANNUAL SAFETY REPORT**

The Board, sitting as the Safety Committee, reviewed the annual NYS Department of Labor Report SH – 900.1, Summary of Work- Related Injuries and Illnesses, prepared by the Treasurer, which indicated that there was one injury to one employee during 2021 and as a result of this injury, three days of work were missed.

## **RESOLUTION ON SETTING OFFICES TO BE FILLED, DATE, & TIME OF ELECTION**

The following resolution was moved by Mayor DeVita, seconded by Trustee Jusko:

RESOLVED that the offices to be filled at the next general election and the terms thereof are as follows:

TRUSTEE	Two Years
TRUSTEE	Two Years
TRUSTEE	Two Years
VILLAGE JUSTICE	Two Years (remaining term of retired Justice)

and,

BE IT FURTHER RESOLVED, that, pursuant to §15-104(3) of the Election Law of the State of New York, said election shall be held on Tuesday, June 21, 2022; from noon to 9:00 p.m. at Village Hall, and

BE IT FURTHER RESOLVED that the Village Clerk shall cause this resolution to be published as required by law.

The Mayor polled the Board as follows:

In favor:	Mayor DeVita	Aye
	Trustee Jusko	Aye
	Trustee Miritello	Aye
	Trustee Nemshin	Aye
	Trustee Nicklas	Aye
	Trustee Novick	Aye
	Trustee Tsafos	Aye

## **RESOLUTION ON RESIDENCY REQUIREMENT FOR ELECTION INSPECTORS**

The Clerk informed the Board of a Village residency requirement for election inspectors. To expand options in finding and securing election inspectors, the Board sought to waive this requirement. Upon a motion by Mayor DeVita, seconded by Trustee Nicklas, and approved by the following poll of the Board, a resolution was adopted to allow election inspectors and their alternates to reside outside of the Village, so long as they reside within the County in which the Village is situated.

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

## **RENEWAL – FIDELITY BOND**

Upon motion by Mayor DeVita, seconded by Trustee Novick, and approved by the following poll of the Board, renewal of the Fidelity Bond is conditionally approved subject to Trustee Nicklas's receipt and approval of updated pricing information.

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

## **INSURANCE RENEWAL – VEHICLES**

The memo from Nicole Morton of Salerno Brokerage dated 1/11/2022 describing the 2022-2023 renewal rates for automobile policies was distributed to the Board for review. Trustee Nicklas discussed the package. Mayor DeVita moved to approve renewal of the vehicle insurance policy, as described in the quotation from Salerno brokerage, 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

## **INSURANCE RENEWAL – STORAGE TANKS**

The memo from Alex Doran of Salerno Brokerage including 2022-2023 quotations for insurance renewal package was distributed to the Board for review. Trustee Nicklas discussed the package. Mayor DeVita moved to approve renewal of the storage tank liability policy, as described in the quotation from Salerno brokerage, 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

### **APPROVAL OF CPR & AED TRAINING FOR VILLAGE OFFICIALS/EMPLOYEES**

The Deputy Clerk reminded the Board that Village CPR certifications will expire in March 2022 and that these certifications must be current for the Village to be compliant with the laws for having an automatic defibrillator onsite. The Deputy Clerk obtained 3 proposals for providing the required training and circulated this information to the Board for review. The Board agreed that the proposal by American Heart Saver was the most cost-effective and approved their hiring upon a motion by Mayor DeVita, 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

### **RENUMBERING OF CANNABIS OPT OUT LOCAL LAW**

The Clerk notified the Board that she was advised by legal counsel of the New York Conference of Mayors (NYCOM), that the Local Law 3-2021 adopted by the Village Board on December 8, 2021 would need to be filed as Local Law 1-2022. The Cannabis Opt-Out legislation adopted by the Board in December 2021 was subject to a permissive referendum, was not formally enacted until January 10, 2022 and, therefore, became Local Law 1 of 2022.

### **RATIFY MAYOR'S APPROVAL OF AGREEMENT WITH WELSBACH ELECTRIC**

The Village price agreement with Welsbach Electric, in connection with maintaining approximately six streetlights in the Village, had expired. Welsbach Electric provided a renewal agreement with a lower hourly rate: reduced from \$138/hour to \$125/hour and the Mayor signed the agreement prior to the meeting because one of the streetlights was out. Upon motion by Trustee Miritello and seconded by Trustee Jusko, and approved by the following poll of the Board, the Mayor's action in signing this agreement was ratified by the Board.

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

### **APPROVAL OF RESOLUTION HONORING RETIRING VILLAGE JUSTICE D'ELIA**

Upon motion by Mayor DeVita, seconded by Deputy Mayor Nemshin, and approved by the following poll of the Board, the following resolution was unanimously adopted.

Mayor DeVita	Aye
Trustee Jusko	Aye

Trustee Miritello	Aye
Trustee Nemshin	Aye
Trustee Nicklas	Aye
Trustee Novick	Aye
Trustee Tsafos	Aye

*WHEREAS, JOSEPH D'ELIA*, a resident of the Incorporated Village of Laurel Hollow for over 35 years with his wife Ann and their family, and

*WHEREAS, JOSEPH D'ELIA* has served this Village with the utmost distinction, having been appointed as Acting Village Justice in November 1995 and then elected as Village Justice in November 1996, and then re-elected seven more times, and serving as Village Justice for more than 25 years, and

*WHEREAS, JOSEPH D'ELIA'S* years of service have been marked by unwavering dedication to justice, the rule of law, and to the Village of Laurel Hollow community, and

*WHEREAS, JOSEPH D'ELIA'S* love and sacrifice for the Laurel Hollow community and dedication to the Village Justice Court have been steadfast even through times of great personal tragedy, and

*WHEREAS, JOSEPH D'ELIA* has earned the respect and admiration of all with whom he has served, presided over, and with whom he has come into contact,

*NOW, THEREFORE, BE IT RESOLVED* that this Board of Trustees, on behalf of all our citizens, hereby extends to *JOSEPH D'ELIA* our sincere appreciation for his selfless dedication to the Incorporated Village of Laurel Hollow and to the Laurel Hollow Village Court.

Adopted the 12th day of January 2022 by unanimous vote of the Board of Trustees of the Incorporated Village of Laurel Hollow, New York. In witness thereof I hereby set my hand and the seal of the Incorporated Village of Laurel Hollow.

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Daniel F. DeVita  
Mayor

## **RESOLUTION TO PROHIBIT FILMING & RECORDING IN VILLAGE FACILITIES**

Mayor DeVita reported to the Board about what he learned at a meeting of the Nassau County Village Officials Association (NCVOA). There are individuals who have been filming and recording at municipal offices around the State. Their actions are intended to trigger confrontation, which is then posted on the Internet to promote viewing of their videos. To ensure the security and safety of Village employees and officials and the public in Village facilities, and



to further protect the privacy of individuals conducting Village business, the Board of Trustees is adopting a policy to prohibit filming or recording in any Village facility, except during public meetings conducted by the Board of Trustees, the Planning Board, or the Zoning Board of Appeals. This prohibition includes filming while the Village Justice Court is in session. Signs will be posted at Village facilities stating, "Filming or Recording Not Allowed In This Facility". Upon motion by Mayor DeVita, seconded by Trustee Nicklas, and approved by the following poll of the Board, this resolution was adopted.

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

#### **ADJOURNMENT TO EXECUTIVE SESSION**

At 8:08 pm, the Board adjourned to Executive Session to discuss personnel and litigation matters.

#### **RETURN TO PUBLIC SESSION**

The Board returned to public session at 8:25 pm with no action taken during Executive Session.

There being no further business to come before the Board, the meeting was adjourned at 8:27 pm.

THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES WILL BE HELD AT 6:30 P.M. ON WEDNESDAY, FEBRUARY 9, 2022.

*Nancy Popper*

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Nancy Popper, Village Clerk

#### **ALSO PRESENT:**

Steve Monez, CSHL  
Sally Ingraham, Resident  
John Tuke

Debbie Arenare, CSHL  
Todd Andrews, Architect for CSHL