

**MINUTES OF THE REGULAR MEETING  
BOARD OF TRUSTEES  
HELD VIA ZOOM VIDEOCONFERENCE  
(due to COVID-19 public assembly restrictions)  
STENOGRAPHICALLY RECORDED  
MARCH 9, 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
Deputy Mayor Jeffrey Nemshin	Renee Fenton, Deputy Clerk
Trustee Richard Nicklas	Michael F. Mc Nerney, Supt. Of Buildings
Trustee Martin Novick	
Trustee Nicholas Tsafos	

**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 February 2022, 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	0	0	0
Auto Accidents Property Damage	4	7	0
Aided Cases Resulting from Auto Accidents	0	0	0
Aided Cases Other	3	8	10
Arrests	0	0	0
Summonses-Moving Violations	27	35	49
Summonses-Parking	0	0	5
Fire Calls	1	1	2
Patrol Mileage	4200	8850	8850
Offenses -Case Reports	2	4	1
Suspicious Autos	5	5	3
Suspicious Persons	5	8	1
Suspicious Phone Calls	1	1	0
Recorded Alarms	14	30	16

Vacant Houses	4	6	7
Disturbances	1	1	4
Malicious Mischief	0	0	0
Non-Case Incidents	1	1	1
Animal Nuisance Complaints	0	0	2
Assist from NCPD	0	0	0

Stop Signs	6
Cell Phone	0
Speeding	4
Unlicensed Operation	1
Uninspected MV	8
DWI	0
No Insurance	7
Expired Registration	0
Disobey Traffic Control Device	0
Village Ordinance	0
Reckless Driving	0
Fail to Move Right	0
Unsafe Pass	0
No Parking	0
Equipment Violation	1
No Seatbelt	0
Total	27

### **BUILDING REPORT – STREET OPENING PERMIT at 31 WHITE OAK TREE ROAD**

The Building Inspector reported that the D'Arduinis were re-applying for a street opening permit for the purpose of disconnecting and reconnecting the water service at 31 White Oak Tree Road in regard to the construction of a new home. It was noted that a permit for this same purpose was approved on 3/22/2021, but due to circumstances at the time, the application was withdrawn and the work was never performed. Mr. and Mrs. D'Arduini and their contractor, Al Feliciano, were present for this discussion.

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Upon a motion by Mayor DeVita, seconded by Trustee Tsafos, and unanimous approval by all Trustees, the application for the Street Opening Permit was approved, as discussed and subject to the following conditions:

- \$3000 cash bond already deposited with Village shall be held for one year from the date of restoration
- Only one road opening may be conducted for both the disconnect and reconnect of the water service
- All work must be done according to Village Engineer specifications
- Village Engineer must be present while the work is conducted, including restoration, and the cost of his services must be paid by the homeowner.

### **BUILDING REPORT – STREET OPENING PERMIT for 265 LAUREL LANE**

The Building Inspector reported that the Suns are applying for a street opening permit for the purpose of disconnecting and reconnecting the water service at 265 Laurel Lane in regard to construction of a new home. Their contractor, Chris Windle, was present for this discussion, whereupon it was agreed that the service and sleeving will be performed by directional boring missiling under the road.

Upon motion by Mayor DeVita, seconded by Trustee Novick, and unanimous approval by all Trustees, the application for the Street Opening Permit was approved as discussed and subject to the following conditions:

- Service and Sleeving must be performed by directional boring missiling under the road
- \$3000 cash bond to be deposited with Village and held for one year from date of restoration
- Only one road opening may be conducted for both the disconnect and reconnect of the water service
- All work must be done according to Village Engineer specifications
- Village Engineer must be present while the work is conducted, including restoration, and the cost of his services must be paid by the homeowner.

**MINUTES** of the Board of Trustees Regular Meeting of February 9, 2022 were distributed to the Board prior to the meeting for review and upon a motion by Mayor DeVita, seconded by Trustee Nicklas, and unanimously carried, the Minutes were approved.

**MINUTES** of the Board of Trustees Special Meeting of February 12, 2022 were distributed to the Board prior to the meeting for review and upon a motion by Mayor DeVita, seconded by Trustee Tsafos, and unanimously carried, the Minutes were approved.

**MINUTES** of the Board of Trustees Special Meeting of February 15, 2022 were distributed to the Board prior to the meeting for review and upon a motion by Mayor DeVita, seconded by Trustee Novick, and unanimously carried, the Minutes were approved

### **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 and presented by the Treasurer at the meeting.

The Report of Unpaid Taxes was revised from last month to show that currently-due taxes have been paid with respect to one of the properties previously in arrears. The Treasurer noted that this same property has outstanding taxes due form the prior year. Upon consultation with

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NYCOM, the Treasurer was instructed to accept the current tax payment and apply that payment solely to the current tax obligation even though the prior taxes remain unpaid.

### **BUDGET TRANSFERS**

The Treasurer reported that no budget transfers were made this month.

### **APPROVAL OF ABSTRACTS**

The Abstracts were distributed to the Board prior to the meeting for review and presented by the Treasurer at the meeting. Upon motion by Mayor DeVita, seconded by Trustee Nicklas, and unanimously carried the following abstracts of vouchers with the added claims were approved for payment.

- Abstract # 1157      Prepays            \$ 17,352.14
- Abstract # 1156      General Fund      \$138,676.91

### **SET PUBLIC HEARING TO ADOPT TENTATIVE BUDGET FOR FISCAL YEAR 2022-2023**

The tentative budget for fiscal year 2022-2023 was filed with the Village and posted on the Village website. The Board met on two separate occasions to work out the details for the tentative budget and is prepared to decrease the amount of revenue collected from the amount collected in the prior fiscal year. Savings are primarily due to a reduction in the cost of police services. As a result, the average Village resident's tax bill will be lowered by approximately \$125. Mayor DeVita stated that the resultant budget is attributable to the astute and conservative budgeting practices of the Board members.

Mayor DeVita moved to schedule the public hearing on the Tentative Budget for April 13, 2022, at 6:30 pm, seconded by Trustee Miritello, and unanimously carried by the Board.

### **APPOINTMENT OF ELECTION INSPECTORS**

Trustee Nicklas moved to appoint the following Nassau County Certified Poll Workers to be Election inspectors and/or Alternates and to provide compensation for the two Inspectors at the rate of \$150 per day for service at the 2022 Village Election to be held on June 21, 2022, seconded by Mayor DeVita, and unanimously carried by the Board.

Jane Ames	604 Park Avenue, Woodbury (R)
Angela O'Neil	8 Greenway Circle, Syosset (I)
Dorothy Fitch – Alternate	20 Edward Avenue, Syosset (R)
Stewart Fleisig – Alternate	82 Circle Drive, Syosset (D)
Peter Goodman – Alternate	43 Circle Drive , Syosset, NY (D)

### **DESIGNATION OF SAFETY COMMITTEE REPRESENTATIVES**

The Board of Trustees, which is also the Safety Committee of the Village, designated Trustee Jusko as its representative for overseeing safety protocols for the Highway Department and Mayor DeVita as the representative for overseeing safety protocols at the Village Hall and Beach.

### **RENEWAL OF MAXIMUM ENVIRONMENTAL CONTRACT FOR WATER TESTING**

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The Clerk reported to the Board that Maximum Environmental Management, Inc. proposed to increase the price of their service for water testing and disinfection at the beach and in the Village Hall by \$385. However, the company subsequently agreed to keep the prices at the same rate it has been for the past three years. Mayor DeVita moved to renew the contract with Maximum Environmental Services with no rate increase, seconded by Trustee Jusko and unanimously carried by the Board.

### **LAUREL HOLLOW ROAD DRAINAGE PROJECT**

Trustee Jusko reported to the Board that he, the Mayor, the Village Engineer, and the Village Highway Supervisor have met several times to discuss improving the drainage system on Laurel Hollow Road. The project includes cleaning pipes and structures and adding catch basins and drywells. This project will be paid for by funds received under the American Rescue Plan Act (ARPA)

### **REQUEST TO CONDUCT SPECIAL EVENT – WEST SIDE RUN**

The Board reviewed the request from the West Side School to conduct the West Side Run on Sunday, May 15, 2022, after which it was moved by Mayor DeVita, seconded by Trustee Novick and unanimously carried, that the request be approved subject to conditions as outlined below, and any new conditions imposed at the suggestion of the Village's insurance consultant.

1. All race activities shall occur between the hours of 8:00 a.m. and 2:00 p.m.
2. The race sponsor/applicant shall ensure that there is NO parking or stopping on any Village roads, and the event shall not create any unreasonable disturbance to the residents of the Village.
3. The race sponsor/applicant shall be responsible for providing appropriate supervision and adequate protection for all participants, workers, volunteers, motorists and spectators.
4. The race sponsor shall provide to the Village a Certificate of Insurance for the event naming the Village as an additional insured in an amount not less than \$5,000,000. This certificate shall be delivered to the Laurel Hollow Village Clerk at least five (5) days in advance of the date of the event.
5. The race sponsor/applicant shall execute an Indemnification and Hold Harmless Agreement from any and all claims and liabilities which arise in connection with the issuance of this permit by any participants, workers, volunteers, motorists and spectators.
6. All roads in the Village used in connection with this event are to be used by each participant, worker, volunteer, motorist and spectator at his or her own risk. The sponsor shall be responsible for obtaining releases from all participants stating that all Village roads are to be used at the risk of each participant.
7. All activities occurring within the Village are to be coordinated with the Oyster Bay Cove Police Department. If the Oyster Bay Cove Police Department requires additional personnel to provide adequate protection, the sponsor shall pay for all costs and charges, including, but not limited to, overtime payment for all police officers used.
8. After the conclusion of the event, the race sponsor/applicant shall promptly remove from the Village of Laurel Hollow all signs and collect and remove all debris generated by race participants, workers, volunteers, motorists and spectators. The use of spray paint as a directional guide on Village roads is strictly prohibited.
9. Any breach of the foregoing conditions, or any violation of the local laws of the Village shall be, in and of itself, grounds for the Village to immediately revoke Village approval.

### **ADJOURNMENT TO EXECUTIVE SESSION**

At 7:31 pm, the Board adjourned to Executive Session to discuss personnel and litigation matters.

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**RETURN TO PUBLIC SESSION**

The Board returned to public session at 8:10 pm after addressing certain personnel and litigation issues.

There being no further business to come before the Board, the meeting was adjourned at 8:10 pm.

THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES WILL BE HELD AT 6:30 P.M. ON WEDNESDAY, APRIL 13, 2022.

*Nancy Popper*

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Nancy Popper, Village Clerk

**ALSO PRESENT:**

Steve Monez, CSHL

Matteo D'Arduini, Resident

Lisa Bella, Resident

Chris Windle, Contractor

Al Felicioni, Contractor