

**MINUTES OF THE REGULAR MEETING
BOARD OF TRUSTEES
HELD VIA ZOOM VIDEOCONFERENCE
(due to COVID-19 public assembly restrictions)
STENOGRAPHICALLY RECORDED
May 11, 2022, 6:30 PM**

PRESENT:

Mayor Daniel F. DeVita
Deputy Mayor Nemshin
Trustee Kevin Jusko
Trustee Jeffrey Miritello
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
James Antonelli, Village Engineer

EXCUSED:

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

POLICE REPORT

The Board reviewed the Oyster Bay Cove Police Department Monthly Report for April 2022, which was distributed to the Board prior to the meeting. Sergeant Mergel was present to answer questions. Statistics for the month are as follows:

	Totals this month	Totals this year	Totals prior year to date
Auto Accidents Personal Injury	0	0	0
Auto Accidents Property Damage	2	10	5
Aided Cases Resulting from Auto Accidents	0	0	0
Aided Cases Other	6	16	17
Arrests	0	0	0
Summonses - Moving Violations	22	88	106
Summonses - Parking	1	1	9
Fire Calls	0	1	3
Patrol Mileage	4,500	18,000	18,000
Offenses - Case Reports	3	10	3
Suspicious Autos	5	13	5
Suspicious Persons	2	10	4
Suspicious Phone Calls	0	1	0
Recorded Alarms	17	67	30
Vacant Houses	3	11	14
Disturbances	0	2	9
Malicious Mischief	0	0	0
Non-Case Incidents	2	5	2
Animal Nuisance Complaints	1	2	4
Assist From NCPD	0	0	0

Summons Report:

Stop Signs	4
Cell Phone	1
Speeding	7
Unlicensed Operation	0
Uninspected mv	4
DWI	0
No Insurance	4
Expired Registration	0
Disobey Traffic Control Device	0
Vio. Village Ordinance	0
Reckless Driving	0
Fail to Move Right	0
Unsafe Pass	0
No Parking	1
Equipment Violation	2
No Seatbelt	0
Total	23

ENGINEERING REPORT

The Village Engineer reported that the pavement on Cedarwood Court is failing in a number of locations and proposals were solicited from several companies to take and test samples of the road. Only one proposal was received and it was distributed to the Board for review prior to the meeting. It was moved by Mayor DeVita and seconded by Trustee Jusko to approve the proposal from Long Island Drilling Company to provide asphalt coring and testing per the itemized costs detailed in the contract. The motion was approved by the following poll of the Board:

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

The Village Engineer also reported that the Village's stormwater program is exemplary in that it actively chases down illicit discharges, which were identified through the use of drones.

BUILDING REPORT – REQUEST BY MORRIS FOR TEMPORARY CERTIFICATE OF OCCUPANCY – BP #3183

The Building Inspector reported that Mr. Morris is requesting that a temporary Certificate of Occupancy (TCO) be granted for his new residence at 1488 Laurel Hollow Road. The Morris family wants to take occupancy prior to paving the driveway so that potential damage to the new asphalt by moving trucks may be averted.

It was moved by Mayor DeVita and seconded by Deputy Mayor Nemshin, that the TCO be issued for a 60-day period subject to a successful inspection on May 17, 2022 by the Building Inspector. The motion was approved by the following poll of the Board:

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

BUILDING REPORT – STREET OPENING PERMIT for 1233 MOORES HILL ROAD

The Building Inspector reported that the Kokas are applying for a street opening permit to install new water mains at the residence, as per Jericho Water District. The water main is located on the far side of Moore's Hill Road and the applicant is proposing to missile under the road. However, if the missile fails, the applicant wants to trench across the entire width of the asphalt.

It was moved by Mayor DeVita and seconded by Trustee Nicklas that the street opening application be approved with the condition that the Village Engineer be present for any attempt to missile and/or open the road and restore the road and that all associated engineering fees be paid by the applicant. The motion was approved by the following poll of the Board:

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

BUILDING REPORT – EXTENSION OF PERMIT #3150 for BITON

The Building Inspector reported that the Bitons are requesting a 3-month extension of their driveway permit at 16 Springwood Path, which was previously extended by this Board in February. The Board discussed the numerous permit extensions, which were already granted at this property, and the importance of completing all work as soon as possible.

It was moved by Mayor DeVita and seconded by Trustee Novick, that the building permit be extended for six weeks with the following two stipulations: payment of the full renewal fee of \$1472.50 and that all work, including landscaping, be completed by June 25, 2022 Violations will be issued if the project is not complete by the deadline date and all matters pending in the Village Court will go forward. The motion was approved by the following poll of the Board:

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

REQUEST BY RESIDENT FOR RELIEF OF FEES

Mr. Jasuja requested that the Board waive fees charged in accordance with the Harbor Rules and Regulations, pertaining to the Village removal and storage of vessels, in connection with a kayak which was left on the boat racks after the season ended. After discussion, the Board agreed to waive storage fees for the last two months. It was moved by Trustee Miritello and seconded by Trustee Nicklas that the current fee of \$575 be reduced to \$425. The motion was approved by the following poll of the Board:

Mayor DeVita	Aye
Trustee Jusko	Aye
Trustee Miritello	Aye
Deputy Mayor 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 and presented by the Treasurer at the meeting.

The Treasurer reported that taxes were paid for one of the properties listed on the unpaid tax report.

MINUTES of the Board of Trustees Special Meeting of April 11, 2022 were distributed to the Board prior to the meeting for review. It was moved by Mayor DeVita and seconded by Trustee Nicklas that the minutes be approved. The motion was approved by the following poll of the Board:

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

MINUTES of the Board of Trustees Regular Meeting of April 13, 2022 were distributed to the Board prior to the meeting for review. It was moved by Mayor DeVita and seconded by Trustee Novick that the minutes be approved. The motion was approved by the following poll of the Board:

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

TAX LEVY WARRANT FISCAL 2022-2023

05/11/2022

It was moved by Trustee Nicklas and seconded by Deputy Mayor Nemshin that the Mayor sign the Tax Warrant authorizing the Village Treasurer to collect taxes for the fiscal year 2022-2023. The motion was approved by the following poll of the Board:

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

APPROVAL OF ABSTRACTS

It was moved by Mayor DeVita and seconded by Trustee Nicklas that the following abstracts of vouchers be approved for payment. The motion was approved by the following poll of the Board:

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

- Abstract Prepays # 1163 --- \$2,162.41
- Abstract General Fund #1164 --- \$121,521.89

BUDGET TRANSFERS

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

AUDIT ENGAGEMENT

It was moved by Mayor DeVita and seconded by Trustee Novick that the audit engagement agreement with outside accountants at a rate of \$16,000 per year be approved. The motion was approved by the following poll of the Board:

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

MUNISTAT AGREEMENT RENEWAL 4/2022-4/2023

It was moved by Mayor DeVita and seconded by Deputy Mayor Nemshin that the agreement with Munistat, Financial Advisor, at no rate increase, to file the Village's Annual Disclosure Statement, be approved. The motion was approved by the following poll of the Board:

05/11/2022

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

APPROVAL TO PAY OYSTER BAY COVE POLICE BILL DUE JUNE 1ST FOR 2022-2023 FISCAL YEAR IN ADVANCE OF JUNE 22 MEETING

It was moved by Mayor DeVita and seconded by Trustee Nicklas to approve payment of the first half of the Oyster Bay Cove Police Department bill, due June 1, 2022, in advance of the June meeting. The motion was 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

COLD SPRING HARBOR LABORATORY (CSHL) INTERIM LANDSCAPING PLAN

An interim landscaping plan for the upper campus expansion was submitted to the Village by the CSHL and distributed to the Board prior to the meeting. A report by the Village Landscape Architect Consultant reviewing the Lab's interim landscaping plan was also distributed to the Board prior to the meeting. The Board did not approve the Lab's interim landscaping plan. It was moved by Mayor DeVita and seconded by Trustee Nicklas that the Board authorize Mayor DeVita, Planning Board Chairman Hadjandreas and Village Arborist Elizabeth Bibla to determine the sufficiency of a revised interim landscaping plan for Cold Spring Harbor Laboratory (CSHL) in a meeting to be set within the next week. The motion was 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

PERMA RENEWAL FOR WORKERS COMPENSATION BEGINNING 7/1/22

Options for renewing Workers Compensation insurance coverage, which include a credit for early renewal, were distributed to the Board prior to the meeting. Based on review of the options and discussion with Salerno Brokerage Corp., Trustee Nicklas reported that the 3-year Contract Option #1 was the best value. It was moved by Mayor DeVita and seconded by Trustee Nicklas to approve PERMA's 3-Year Renewal Option #1 for Workers Compensation. The motion was approved by the following poll of the Board:

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

RENEWAL OF LIFE & AD&D INSURANCE WITH RELIANCE STANDARD 7/1/2022-6/30-2022

It was moved by Mayor DeVita and seconded by Trustee Nicklas to renew the Life Insurance & AD&D insurance coverage with Reliance Standard for active full-time employees at the same rates as the current year. The motion was 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

VISION INSURANCE RENEWAL WITH SHELTER POINT

It was moved by Trustee Miritello and seconded by Mayor DeVita to approve renewal of Shelter Point's Vision insurance for active and retired employees, effective 8/1/2022, with no rate increase. The motion was 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

SST COMMUNICATIONS/RENEWAL CONTRACT FOR TELEPHONE SYSTEM

It was moved by Trustee Miritello and seconded by Mayor DeVita to renew the service contract with SST Communications, effective June 1, 2022, for the Village's telephone system with no rate increase. The motion was 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

ADDITION OF JUNETEENTH AS OFFICIAL VILLAGE HOLIDAY

05/11/2022

The federal government and the State of New York have designated Juneteenth as an official public holiday. It was moved by Mayor DeVita and seconded by Trustee Nicklas that the official Village list of holidays adopted at the July 2021 annual meeting be amended to include Juneteenth. The motion was 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

SUBSTITUTE ELECTION INSPECTORS

It was moved by Mayor DeVita and seconded by Trustee Novick that the Village Clerk be authorized to procure substitute election inspector(s) from the Nassau County Board of Election Roster of Certified Poll Workers in the event that the appointed inspectors either decline or are unable to serve on Election Day, June 21, 2022. The motion was 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

SIGNING OF DOCUMENTS IN CONNECTION WITH DASNY GRANT FOR NEW TRUCK

It was moved by Trustee Jusko and seconded by Trustee Miritello to ratify the action of the Mayor in signing the government documents in connection with the grant disbursement agreement with the Dormitory Authority of the State of New York to provide \$80,000 to the Village for the purchase of a new truck. The motion was 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 AGREEMENT WITH VILLAGE ATTORNEY FOR FY 2022-2023

It was moved by Mayor DeVita and seconded by Trustee Nicklas that the agreement with the Village Attorney effective June 1, 2022 be renewed with the new rate, as approved in the 2022-2023 budget. The motion was approved by the following poll of the Board:

Mayor DeVita	Aye
Trustee Jusko	Aye
Trustee Miritello	Aye

05/11/2022

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

APPROVAL OF RESOLUTION TO HONOR RETIRING VILLAGE TRUSTEE NOVICK

It was moved by Mayor DeVita and seconded by Trustee Nicklas that the following resolution be adopted in recognition of Trustee Martin Novick's devoted service to the community. The motion was 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

*WHEREAS, **MARTIN NOVICK*** has been a resident of the Village of Laurel Hollow since he and his wife, Barbara, purchased their home on Wildwood Drive in 1993; and

*WHEREAS, **MARTIN NOVICK*** has been a beloved member of the Laurel Hollow Community and the Harbor Ridge neighborhood where he has served two terms as President of the Harbor Ridge Homeowners Association; and

*WHEREAS, **MARTIN NOVICK*** has served this Village well as a member of the Board of Trustees since July 2013 and his nine years of service have been marked by meritorious dedication to the best interests of the Laurel Hollow and the Syosset and Oyster Bay communities; and

*WHEREAS, **MARTIN NOVICK*** has earned the respect and admiration of all with whom he comes into contact, and

*WHEREAS, **MARTIN NOVICK**'s* kind and gentle spirit have made a lasting impression on everyone with whom he has served, and the residents on whose behalf he has generously devoted his knowledge, experience, and business acumen, and

*WHEREAS, **MARTIN NOVICK**'s* unique and warm sense of humor will forever be fondly remembered;

NOW, THEREFORE, BE IT RESOLVED that this Board of Trustees, speaking on behalf of all our citizens, hereby extends to **MARTIN NOVICK** our sincere appreciation for his selfless dedication to the Incorporated Village of Laurel Hollow and the Syosset and Oyster Bay communities at large.

ADJOURNMENT TO EXECUTIVE SESSION

At 8:55 pm, the Board adjourned to Executive Session to discuss litigation and contract negotiations.

RETURN TO PUBLIC SESSION

The Board returned to public session at 9:05pm with no action having been taken while in Executive Session.

RETAIN SERVICES OF JOSEPH MACY, ESQ.

It was moved by Mayor DeVita and seconded by Trustee Novick that Joseph Macy, Esq., with Berkman Henoch et al., be retained to represent the Village in connection with a Grand Jury subpoena from the District Attorney's Office pertaining to American Paving, at the same rate being paid in other ongoing litigation matters. The motion was 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

There being no further business to come before the Board, the meeting was adjourned at 9:10pm.

THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES WILL BE HELD AT 6:30 P.M. ON WEDNESDAY, JUNE 22, 2022.

Nancy Popper

Nancy Popper, Village Clerk

ALSO PRESENT:

Sergeant Ted Mergel, OBCPD
Walter & Karen Morris, Residents

Stephen Monez, CSHL
Debbie Arenare, CSHL