

**MINUTES OF THE REGULAR MEETING
BOARD OF TRUSTEES
December 14, 2022, 6:30 PM**

PRESENT:

Mayor Daniel F. DeVita
Deputy Mayor Kevin Jusko
Trustee Richard Nicklas
Trustee Jeffrey Miritello
Trustee Jeffrey Nemshin
Trustee Nancy Jones

Howard Avrutine, Village Attorney via Zoom
Nancy Popper, Clerk/Court Clerk
Renee Fenton, Deputy Clerk
Elizabeth Kaye, Treasurer via Zoom
Michael McNerney, Building Inspector
James Antonelli, Village Engineer

EXCUSED:

Trustee Nicholas Tsafos

MAYOR DEVITA called the meeting to order at 6:35pm with the Pledge of Allegiance.

POLICE REPORT: The Board reviewed the Oyster Bay Cove Police Department Monthly Report for November 2022, which was distributed to the Board prior to the meeting. Police Officer Michael Failla 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	1	3	4
Auto Accidents Property Damage	2	28	20
Aided Cases Resulting from Auto Accidents	1	6	5
Aided Cases Other	7	58	48
Arrests	0	1	1
Summonses - Moving Violations	22	239	249
Summonses - Parking	2	36	45
Fire Calls	2	12	15
Patrol Mileage	4,500	50,100	50,100
Offenses - Case Reports	1	21	14
Suspicious Autos	2	30	24
Suspicious Persons	0	26	30
Suspicious Phone Calls	0	1	0
Recorded Alarms	22	195	134
Vacant Houses	4	38	42
Disturbances	0	15	36
Malicious Mischief	0	0	0
Non-Case Incidents	0	8	6
Animal Nuisance Complaints	3	10	17
Assist From NCPD	0	0	0

Stop Signs	3
Cell Phone	0
Speeding	4
Unlicensed Operation	2
Uninspected Motor Vehicle	2
DWI	0
No Insurance	5
Expired Registration	1
Disobey Traffic Control Device	0
Village Ordinance	0
Reckless Driving	0
Fail to Move Right	0
Unsafe Pass	0
No Parking	2
Equipment Violation	5
No Seatbelt	0
Total	24

BUILDING REPORT – REQUEST BY SAL AKBULUT FOR REFUND OF PERMIT FEES

UNDER BP #3128: The Building Inspector reported that Mr. Akbulut of 428D Harbor Road has discontinued his construction project and seeks a refund of the building permit fees paid in the sum of \$24,097.50. A detailed history of the project was provided including a description of the extensive amount of time expended by the Building Department in assisting with applications, making inspections, fielding questions, and reviewing plans etc. It was moved by Mayor DeVita, seconded by Deputy Mayor Jusko, and approved by all present that the Village retain \$20,000 of the permit fees paid and refund the balance of \$4097.50 along with the damage deposit of \$15,000 subject to erosion control measures and fencing being restored and maintained on the property.

BUILDING REPORT – REQUEST BY ARMANDO AND LISA D’ARDUINI TO CONSOLIDATE THE DAMAGE DEPOSITS DUE UNDER BP #S: 3381 & 3451:

The Building Inspector reported that the Village is holding a damage deposit of \$25,000 in connection with a permit to construct a new principal dwelling and that a second damage deposit of \$10,000 is due in connection with a permit to install a swimming pool. It was moved by Mayor DeVita, seconded by Trustee Nemshin, and approved by all present that the additional damage deposit of \$10,000 be waived and that the \$25,000 deposit be held until both projects are completed with no damage to Village property and both final certificates are issued.

BUILDING REPORT – REQUEST BY THE LAUREL GROUP TO WAIVE RENEWAL FEE FOR

BRODY BP #3203: The Building Inspector reported that the tennis court project has been completed, but Village pavement was damaged during its construction and has not yet been repaired. The building permit will expire on January 5, 2023. It was moved by Deputy Mayor Jusko, seconded by Mayor DeVita, and approved by all present that: the tennis court permit be kept open, the renewal fee be waived, the damage deposit be retained until the street is repaired, that the pavement be repaired by May 1st, 2023, and that the \$12,000 deposit under the

Street Opening Permit be retained for 180 days after completion of said road repairs to the satisfaction of the Village.

VILLAGE ENGINEER REPORT – STATUS OF ROAD PROJECTS: The Village Engineer reported that he met with National Water Main Cleaning Company on November 15, 2022 as they cleaned and inspected the catch basins and drainage pipes on Laurel Hollow Road. In doing so, they found indications that drywells may be full, but could not establish the exact locations of these drywells. It was moved by Mayor DeVita, seconded by Trustee Nemshin, and approved by all present that Jim Longo, who years ago was involved with the installation of the drainage system, be paid \$2000 to identify the location of the drywells.

MINUTES of the Board of Trustees Regular Meeting on October 12, 2022 was distributed to the Board prior to the meeting for review. It was moved by Mayor DeVita, seconded by Trustee Nicklas, and approved by those present with Trustee Jones abstaining that the minutes be approved.

MINUTES of the Board of Trustees Special Meeting on November 1, 2022 was distributed to the Board prior to the meeting for review. It was moved by Trustee Nicklas, seconded by Mayor DeVita and approved by all present that the minutes be approved.

MINUTES of the Board of Trustees Regular Meeting on November 9, 2022 were distributed to the Board prior to the meeting for review. Due to a lack of quorum of members present for that meeting, the vote was deferred.

MINUTES of the Board of Trustees Regular Meeting on July 13, 2022 included an incorrect meeting date. It was moved by Trustee Nicklas, seconded by Mayor DeVita, and approved by Deputy Mayor Jusko and Trustee Jones with Trustees Miritello and Nemshin abstaining that the July 13, 2022 Minutes be amended to correct the Board of Trustees meeting date from December 7th to December 14th, 2022.

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 the Treasurer reported on them.

APPROVAL OF ABSTRACTS: The abstracts were distributed to the Board prior to the meeting for review. It was moved by Mayor DeVita, seconded by Deputy Mayor Jusko and approved by all present that the following abstracts of vouchers be approved for payment subject to clarification on the invoice submitted by National Installation & GC Corp. that the extra cost of \$5765.25 was for replacement and repair of rotted and defected lumber and sheathing.

- Abstract # 1184 \$ 15,520.98
- Abstract # 1185 \$ 145,829.19

TERMINATION OF SUPPORT FOR IMPACT ACCOUNTING AND TAX SOFTWARE: The Treasurer reported to the Board that Harris Computer Systems will discontinue support for the Village's existing accounting and tax software on January 10, 2023. Harris provided a proposal for a new system, known as Spectrum. The Board requested that the Treasurer contact other Villages to obtain information about potential alternatives to the Spectrum software and to obtain a quote from another company.

BUDGET WORK SESSION: The Board agreed to schedule a special meeting for Saturday, February 11, 2023 at 9am to prepare a draft budget for the '23-'24 fiscal year

SAFETY COMMITTEE: The Clerk reported to the Board, which is also the Safety Committee of the Village, that there were no incidents this quarter.

FLOOD INSURANCE: The memo from Nicole Morton of Salerno Brokerage describing the 2022-2023 renewal rates for flood insurance was distributed to the Board for review. Trustee Nicklas described the options to the Board. It was moved by Trustee Nicklas, seconded by Trustee Nemshin and approved by all present that Option 1, as described in the quotation from Salerno Brokerage, be approved.

FIRE CONTRACTS: A proposed contract between the Inc. Village of Laurel Hollow and the Oyster Bay Fire Department Inc. and the Atlantic Steamer Fire Company No. 1 and the proposed Inter-Municipal Agreement with respect to fire protection services in the area located North of NYS Route 25A were distributed to the Board for review. The Village Attorney described the revised provisions of the proposed contract and Inter-Municipal Agreement. It was moved by Trustee Miritello, seconded by Mayor DeVita and approved by all present that a public hearing be conducted on January 11, 2023 at 6:30 pm to consider and take action on the fire protection contract with Oyster Bay Fire Department Inc. & Atlantic Steamer Fire Company No. 1 and the proposed Inter-Municipal Agreement in connection with same.

SEPTIC SYSTEMS: Mayor DeVita distributed materials to the Board regarding the harmful effects to the environment, especially in waterfront areas, caused by excessive amounts of nitrogen migrating from improperly functioning septic systems. The materials also included information regarding Nassau County's S.E.P.T.I.C. Program, which provides grants for the replacement of conventional or failing septic systems with Alternative Onsite Wastewater Treatment Systems (OWTS). This matter will be addressed further during future Board meetings.

RATIFY ACTION TO MODIFY APPROVED WORKING HOURS UNDER FILM PERMIT #1-2022 Filming under Permit #1-2022 was aborted before it could be completed and a modified application to resume filming on December 8th was distributed to the Board for review and preliminary approval. It was moved by Trustee Nicklas, seconded by Trustee Nemshin, and approved by all present that the modified permit #1-2022 to resume filming based on the December 5th email polling of the Trustees, be ratified.

SHIRT BUDGET FOR VILLAGE HALL STAFF: Mayor DeVita explained to the Board that the \$250 shirt budget approved by the Board at the September 14th meeting is not adequate to cover the costs of warmer apparel, safety vests for the Planning and Zoning Boards, and embroidery of the Village name on these items. It was moved by Mayor DeVita, seconded by Deputy Mayor Jusko, and approved by all present to authorize an increase of this budget item to cover the \$741.87 invoice for embroidered Laurel Hollow shirts for the Code Enforcement Official and Village Hall staff and embroidered safety vests for the members of the Laurel Hollow Zoning & Planning Boards and that this invoice be added to the Abstracts approved for payment.

KAYAK AND DINGHY REMOVAL/STORAGE FEES: Harbormaster Miritello and Mayor DeVita reported to the Board that even after two written reminders were sent to Village boaters about removing their vessels from the Village boat racks, approximately two dozen vessels remain there. After discussing the problem, which appears to worsen each year, the Board took action to increase storage and removal fees. It was moved by Mayor DeVita, seconded by Deputy Mayor Jusko, and approved by all present that the following fees be imposed: removal fee of \$200, initial storage fee of \$200, and additional storage fee of \$200 per month. Further, no new permits including, but not limited to parking and dinghy permits, will be issued to owners of unclaimed vessels.

12/14/2022

BACK-UP SNOWPLOW OPTION: Deputy Mayor Jusko reported that based on discussions with Nicole Morton of the Salerno Insurance Brokerage Firm, he is eligible to assist with snow plowing in the event of an emergency due to his training and experience.

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

THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES WILL BE HELD AT 6:30 P.M. ON WEDNESDAY, JANUARY 11, 2023.

Nancy Popper

Nancy Popper, Village Clerk

ALSO PRESENT:

PO Michael Failla, OBCPD

Sal Akbulut, Resident, 428D Harbor Road