

**MINUTES OF THE REGULAR MEETING
BOARD OF TRUSTEES
HELD VIA ZOOM VIDEOCONFERENCE
(due to COVID-19 public assembly restrictions)
STENOGRAPHICALLY RECORDED
FEBRUARY 10, 2021
6:00 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
Elizabeth Kaye, Clerk / Treasurer
Jim Antonelli, Village Engineer

EXCUSED:

MAYOR DE VITA called the meeting to order at 6:00 p.m. with the Pledge of Allegiance.

RESIDENTS' CONCERNS

Mr. Joe Cesar, Waylor Lane, spoke to the Board about his concern that the Highway crew had plowed the snow in front of his driveway instead of at the head of the cul-de-sac. Mayor DeVita indicated that the plows cannot be raised at each driveway but said that this matter will be discussed with the Highway Superintendent.

PUBLIC HEARING ON LOCAL LAW 1-2021 (introductory Local Law A-2021)

Mayor DeVita opened the public hearing at 6:12 pm on Local Law 1-2021, authorizing a property tax levy in excess of the limit established in General Municipal Law §3-c.

Mayor DeVita explained that the law has been passed every year whether or not utilized, in the event the State-mandated tax cap is exceeded for the next fiscal year's budget and to protect the Village in case of an unforeseen need to exceed the tax cap. Enactment of the law requires a vote by a super majority of the Board.

Village Attorney Avrutine read the following Exhibits into the record:

- Copy of legal ad as it appeared in the Oyster Bay Guardian, stating that the legal notice was published on January 22, 2021.
- Affidavit from Elizabeth Kaye, stating that the legal notice was posted at the Village Hall on January 15, 2021
- Email from the Village Clerk to the Mayor and Board of Trustees sent on January 29, 2021, with local law in final form attached.
- Confirmation that the Notice of Public Hearing was published to the Village of Laurel Hollow website on January 15, 2021.
- Confirmation that the Notice of Public Hearing was sent to NEWS subscribers on February 8, 2021.

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- Letter from the Nassau County Planning Commission, dated Feb. 9, 2021, stating that the local law is deferred to the Village to act as deemed appropriate.

There being no comments from the Board or public, Mayor DeVita moved to close the public hearing on Local Law 1-2021 at 6:21 pm, 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

Village Attorney Avrutine reported that this matter is a Type II action under SEQRA, and no further environmental review is needed.

Mayor DeVita moved to adopt Local Law 1-2021, 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

PUBLIC HEARING ON OYSTER BAY FIRE COMPANY & ATLANTIC STEAMER CO. #1 CONTRACT RENEWAL

Mayor DeVita opened the public hearing at 6:23 pm on the Oyster Bay Fire Company & Atlantic Steamer Co. #1 contract renewal.

Village Avrutine read the following Exhibits into the record:

- Copy of legal ad as it appeared in the Oyster Bay Guardian, stating that the legal notice was published on January 22, 2021.
- Affidavit from Elizabeth Kaye, stating that the legal notice was posted at the Village Hall on January 15, 2021
- Confirmation that the Notice of Public Hearing was published to the Village of Laurel Hollow website on January 15, 2021.
- Confirmation that the Notice of Public Hearing was sent to NEWS subscribers on February 8, 2021.

Mayor DeVita indicated that he asked for additional information that has not been made available for this hearing, so the matter is being adjourned to the March 10th meeting. In the meantime, the

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Village will continue to pay at the 2020 contract rates. Mayor DeVita moved to adjourn the public hearing to March 10, 2021, seconded 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

POLICE REPORT

The January Report was distributed to the Board prior to the meeting. No oral report was given.

	Totals this Month	Totals year-to-date	Totals prior year- to-date
Auto Accidents Personal Injury	0	0	0
Auto Accidents Property Damage	0	0	0
Aided Cases Resulting from Auto Accidents	0	0	0
Aided Cases Other	4	4	5
Arrests	0	0	0
Summonses-Moving Violations	13	13	25
Summonses-Parking	2	2	1
Fire Calls	0	0	2
Patrol Mileage	4,650	4650	4650
Offenses -Case Reports	1	1	0
Suspicious Autos	3	3	3
Suspicious Persons	1	1	2
Suspicious Phone Calls	0	0	0
Recorded Alarms	6	6	10
Vacant Houses	4	4	5
Disturbances	4	4	1
Malicious Mischief	0	0	0
Non-Case Incidents	0	0	0
Animal Nuisance Complaints	2	2	1

Assist from NCPD	0	0	0
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Stop Signs	0
Cell Phone	0
Speeding	3
Unlicensed Operation	1
Uninspected MV	2
DWI	0
No Insurance	3
Expired Registration	0
Disobey Traffic Control Device	0
Following Too Closely	0
Defective Lights	4
Fail to Move Right	0
Fail to Signal	0
No Parking	2
Equipment Violation	0
No Seatbelt	0
Total	15

BUILDING REPORT – none given

ENGINEER'S REPORT

Village Engineer Antonelli indicated that he is ready to go out to bid on the roads for the Spring, but he is waiting for the snow to melt.

RESOLUTION TO ADOPT NASSAU COUNTY HAZARD MITIGATION PLAN

Village Engineer Antonelli reported to the Board that a questionnaire had been distributed last summer, requesting municipalities to submit a 5-year hazard mitigation plan, which Laurel Hollow completed and submitted to the County. This plan, which included mitigation tasks to control flooding on Laurel Hollow Road and to protect the seawall, was submitted to the County for inclusion in its overall Hazard Mitigation Plan. The Board has been asked to adopt the County's Plan so that the Village may gain access to FEMA mitigation funds if they become available. Village Engineer Antonelli pointed out that an error was made in the Laurel Hollow section—it is

stated that the Village does not have an NFIP Ordinance when in fact it does in Chapter 57 of the Village Code. Trustee Nicklas moved to adopt the following resolution, which includes language that the County should revise the Laurel Hollow section of the Plan to correct for the error just noted, seconded by Trustee Tsafos, and approved by the following poll of the Board:

WHEREAS all of Nassau County has exposure to natural hazards that increase the risk to life, property, environment, and the County's economy; and

WHEREAS pro-active mitigation of known hazards before a disaster event can reduce or eliminate long-term risk to life and property; and

WHEREAS The Disaster Mitigation Act of 2000 (Public Law 106-390) established new requirements for pre- and post-disaster hazard mitigation programs; and

WHEREAS a coalition of Nassau County municipalities with like planning objectives has been formed to pool resources and create consistent mitigation strategies within Nassau County; and

WHEREAS the coalition has completed a planning process that engages the public, assesses the risk and vulnerability to the impacts of natural hazards, develops a mitigation strategy consistent with a set of uniform goals and objectives, and creates a plan for implementing, evaluating, and revising this strategy.

NOW, THEREFORE, BE IT RESOLVED that the Village of Laurel Hollow:

- 1) Adopts in its entirety, the Nassau County Hazard Mitigation Plan (the "Plan") as the Village of Laurel Hollow's Natural Hazard Mitigation Plan and resolves to execute the actions identified in the Plan that pertain to this Village.
- 2) Will use the adopted and approved portions of the Plan to guide pre- and post-disaster mitigation of the hazards identified.
- 3) Will coordinate the strategies identified in the Plan with other planning programs and mechanisms under its authority.
- 4) Will continue its support of the Mitigation Planning Committee as described within the Plan.
- 5) Will help to promote and support the mitigation successes of all participants in this Plan.
- 6) Will incorporate mitigation planning as an integral component of government and partner operations.
- 7) Will provide an update of the Plan in conjunction with the County no less than every five years.
- 8) The BOT approved the Nassau County Hazard Mitigation Plan, with the condition that the County revise the plan in the Village of Laurel Hollow section, where the table of

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Regulatory Tools, on page 3 of the Village section, indicates that the Village does not have an NFIP ordinance, when, indeed it does, in Chapter 57 of the Village Code

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 meeting held on January 13, 2021, as amended, were approved on a motion by Mayor DeVita and seconded by Trustee Novick, and the **MINUTES** of a Special Meeting of February 6, 2021 were approved on a motion by Mayor DeVita and seconded by Trustee Jusko, and both 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

The **FINANCIAL REPORT** for January 2021 and the **REPORT OF UNPAID TAXES** were distributed to the Board prior to the meeting for review. Bank statements and reconciliations were reviewed by Trustee Tsafos prior to the meeting.

PROPOSED DEBRIS/FIREWOOD ORDINANCE - The Board tabled discussion to the next meeting.

APPROVAL OF ABSTRACTS

Mayor DeVita moved that the following abstracts of vouchers be approved for payment, excluding a claim from Powerpro to be held pending explanation of excessive charges, 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

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|------------------|------------------|-------------|
| • Abstract # 32 | Trust & Agency | \$1,660.00 |
| • Abstract #1086 | Capital Projects | \$18,954.42 |
| • Abstract #1125 | Prepays | \$1,743.82 |
| • Abstract #1126 | General Fund | \$94,973.86 |

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ENGAGEMENT LETTER FOR FISCAL 2020-2021 AUDIT

Mayor DeVita moved to approve the engagement letter from Cullen & Danowski, CPAs, to perform the fiscal 2020-2021 audit for a fee of \$15,000, 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

EMERGENCY PUBLIC HEALTH PLAN

This matter was tabled to the next meeting to allow time for the Clerk and Emergency Committee to incorporate some of the missing information.

MAILBOXES AND SNOW

Trustee Jusko discussed complaints that were received from a couple of residents whose mailboxes were damaged during the recent snow plowing. The Village is not required to replace any mailbox placed in the right of way, but research from other municipalities indicated that a basic replacement mailbox is sometimes offered. Trustee Jusko will present a policy for the Board to consider.

VILLAGE HALL GENERATOR SERVICE CONTRACT RENEWAL

Deputy Mayor Nemshin reported that a Kohler representative will make a visit to Village Hall to assess the problem with the generator at no cost to the Village.

There being no further business to come before the Board, Mayor DeVita moved to adjourn the meeting at 7:25 pm, seconded by Trustee Novick, and approved by all present.

Elizabeth Kaye
Elizabeth Kaye, Clerk / Treasurer

ALSO, PRESENT:
Joe Cesar

15 Waylor Lane

THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES WILL BE HELD AT 6:00 P.M. ON WEDNESDAY, MARCH 10, 2021.