

**MINUTES OF THE REGULAR MEETING
BOARD OF TRUSTEES
HELD VIA ZOOM VIDEOCONFERENCE
(due to COVID-19 public assembly restrictions)
STENOGRAPHICALLY RECORDED
JUNE 16, 2021, 6:00 PM**

PRESENT:

| | |
|---------------------------|---|
| Mayor Daniel F. DeVita | Howard Avrutine, Village Attorney |
| | Elizabeth Kaye, Clerk / Treasurer |
| Trustee Kevin Jusko | Michael F. McNerney, Supt. Of Buildings |
| Trustee Jeffrey Miritello | Jim Antonelli, Village Engainer |
| Trustee Jeffrey Nemshin | Deputy Clerk Nancy Popper |
| Trustee Richard Nicklas | |
| Trustee Martin Novick | |

EXCUSED:

Trustee Nicholas Tsafos

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

CONTINUATION OF PUBLIC HEARING, OYSTER BAY FIRE & ATLANTIC STEAMER CONTRACT RENEWAL

Mayor DeVita opened the hearing at 6:03 pm. Village Attorney Avrutine reported that a communication had been received from the Town of Oyster Bay proposing that the Town be allowed to make administrative decisions regarding the LOSAP agreement on behalf of the Villages. Mayor DeVita announced that Village Attorney Avrutine will have to reach out to the Town's attorney, and he said that the hearing would be continued at the July meeting.

POLICE REPORT

The May 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 | 5 | 2 |
| Aided Cases Resulting from Auto Accidents | 0 | 0 | 0 |
| Aided Cases Other | 2 | 19 | 28 |
| Arrests | 0 | 0 | 1 |
| Summonses-Moving Violations | 23 | 132 | 80 |
| Summonses-Parking | 4 | 13 | 39 |

| | | | |
|----------------------------|-------|--------|--------|
| Fire Calls | 0 | 3 | 3 |
| Patrol Mileage | 4,650 | 22,650 | 22,800 |
| Offenses -Case Reports | 0 | 3 | 8 |
| Suspicious Autos | 2 | 7 | 14 |
| Suspicious Persons | 0 | 4 | 12 |
| Suspicious Phone Calls | 0 | 0 | 0 |
| Recorded Alarms | 17 | 47 | 59 |
| Vacant Houses | 4 | 18 | 19 |
| Disturbances | 4 | 13 | 12 |
| Malicious Mischief | 0 | 0 | 0 |
| Non-Case Incidents | 0 | 2 | 6 |
| Animal Nuisance Complaints | 0 | 4 | 4 |
| Assist from NCPD | 0 | 0 | 0 |

| | |
|--------------------------------|---|
| Stop Signs | 1 |
| Cell Phone | 0 |
| Speeding | 2 |
| Unlicensed Operation | 3 |
| Uninspected MV | 6 |
| DWI | 0 |
| No Insurance | 5 |
| Expired Registration | 3 |
| Disobey Traffic Control Device | 0 |
| Following Too Closely | 0 |
| Defective Lights | 2 |
| Fail to Move Right | 0 |
| Fail to Signal | 0 |
| No Parking | 4 |
| Equipment Violation | 0 |
| No Seatbelt | 0 |

| | |
|-------|----|
| Total | 26 |
|-------|----|

BUILDING REPORT

- D'Ardudini – request for refunds. Building Inspector McNerney reported that Mr. & Mrs. D'Arduini, who had applied to build a new house at 31 White Oak Tree Road, had withdrawn their application as the cost exceeded what was anticipated, and they are requesting refunds of building, street opening, and Planning Board/Tree permit fees and deposits. Mayor DeVita moved to approve the refund of deposits and permit fees, net of review fees, 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 | Excused |

- Street Opening Permit #4-2021 – 41 Picardy Land. Building Inspector McNerney reported that Mr. Ayoub has requested approval of a Street Opening Permit to create a second curb cut for a proposed circular driveway. Mr. Ayoub confirmed that an ornamental tree would not be disturbed. The Village Attorney reported that the matter was Type II under SEQRA and would not require further environmental review. Mayor DeVita moved to approve Street Opening Permit #4-2021, 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 | Excused |

COLD SPRING HARBOR LAB TREE PERMIT APPLICATION

Mr. Steve Monez, VP/Chief Facilities Officer, presented the Tree Permit application T23-2021 for removal of three trees that were either diseased or dead: one on Bungtown Road, one on Richards Road, and one on Moore's Hill Road. Mayor DeVita reported that he had examined each tree with the head of the Lab's Landscaping Department. Village Attorney Avrutine reported that the matter was Type II under SEQRA and did not require further environmental review. Trustee Novick moved to approve tree permit T23-2021, seconded by Trustee Jusko, and approved by the following poll of the Board:

June 16, 2021

| | |
|-------------------|---------|
| Mayor DeVita | Aye |
| Trustee Jusko | Aye |
| Trustee Miritello | Aye |
| Trustee Nemshin | Aye |
| Trustee Nicklas | Aye |
| Trustee Novick | Aye |
| Trustee Tsafos | Excused |

COLD SPRING HARBOR LAB UPDATE ON MASTER PLAN

Mr. Steve Monez reported on future projects, including a parking garage, which would involve a re-location of Ring Road, removal of trees, and new buildings for neuroscientists. Mr. Monez proposed a possible public hearing in September to present the formal plans.

ENGINEER'S REPORT

Village Engineer Antonelli reported that United Paving would like to start road work during the week of July 4th.

BEACH GRASS

The Board discussed the invasive beach grass growing in the public beach area and requested that Village Engineer Antonelli prepare a comprehensive written report for the Board describing the species, as well as tick and other problems with the grass, so that the Board will have sufficient information to declare an emergency to excavate the grass if warranted.

MINUTES of the Board of Trustees meeting held on May 27, 2021, were approved on a motion by Mayor DeVita, 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 | Excused (Trustee Novick left the meeting at 7 pm) |
| Trustee Tsafos | Excused |

Approval of the Minutes of May 12, 2021 was tabled to the July meeting.

ELECTION RESULTS

The Clerk / Treasurer announced the following election results from the June 15, 2021, General Election:

Mayor DeVita – re-elected as Mayor for a two-year term.
Trustee Nicklas – re-elected as Trustee for a two- year term.
Trustee Nemshin – re-elected as Trustee for a two-year term.
Trustee Tsafos – re-elected as Trustee for a two-year term.

All Oaths of offices were sent to the duly elected for filing by the Village Clerk.

APPROVAL OF ABSTRACTS

Mayor DeVita moved that the following abstracts of vouchers be approved for payment, 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 Novick | Excused (Trustee Novick left the meeting at 7 pm) |
| Trustee Tsafos | Excused |

- Abstract # 38 T&A \$3,606.71
- Abstract # 1134 Prepaids fiscal 2020-21 \$15,775.30
- Abstract # 1135a Prepaids fiscal 2021-22 \$1,010,482.59
- Abstract # 1136 General Fund fiscal \$167,047.26

The **FINANCIAL REPORT** for May 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.

2021-2022 BUDGET AMENDMENT

Mayor DeVita moved to approve amendments to the 2021-2022 Budget, as follows, to accurately reflect the annual Right of Way fee from Crown Castle that was not included in the approved budget and a decrease in the Transfer from Capital Projects Fund budget line; the amendments were approved by the following poll of the Board:

Increase A2410 \$6750.00

Decrease A2801 Interfund Transfers \$6750.00

| | |
|-------------------|---|
| Mayor DeVita | Aye |
| Trustee Jusko | Aye |
| Trustee Miritello | Aye |
| Trustee Nemshin | Aye |
| Trustee Nicklas | Aye |
| Trustee Novick | Excused (Trustee Novick left the meeting at 7 pm) |
| Trustee Tsafos | Excused |

PERMA 3RD YEAR RATE FOR WORKERS COMPENSATION

Trustee Nicklas moved to approve PERMA's 3rd Year rate of \$23,311 for Workers Compensation, noting that it has increased due to an insurance claim within the last year, seconded by Mayor DeVita, and approved by the following poll of the Board:

| | |
|---------------|-----|
| Mayor DeVita | Aye |
| Trustee Jusko | Aye |

June 16, 2021

| | |
|-------------------|---|
| Trustee Miritello | Aye |
| Trustee Nemshin | Aye |
| Trustee Nicklas | Aye |
| Trustee Novick | Excused (Trustee Novick left the meeting at 7 pm) |
| Trustee Tsafos | Excused |

VISION INSURANCE RENEWAL WITH SHELTER POINT

Mayor DeVita moved to approve renewal of ShelterPoint's Vision insurance, effective 8/1/2021, with no rate increase, 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 | Excused (Trustee Novick left the meeting at 7 pm) |
| Trustee Tsafos | Excused |

SAFETY COMMITTEE UPDATE

The Board, sitting as the Safety Committee, reported that there were no safety incidents within the first two quarters of 2021.

ROUTE 25A TRIANGLE

Mayor DeVita tabled discussion to the July meeting.

REOPENING VILLAGE HALL

Mayor DeVita reported that his latest Pandemic Emergency Order expires on July 2, 2021 and given the Governor's recent announcement that NYS has reached a 70% vaccination rate, Village Hall will reopen to the public effective July 6, 2021, with a recommendation that unvaccinated people continue to wear masks.

STANDBY GENERATOR

Having received two bids in accordance with the Procurement Policy, Mayor DeVita moved to approve Maccarone Plumbing to install the new Generac generator based on its proposal dated May 25, 2021, for \$8,800.00, 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 | Excused (Trustee Novick left the meeting at 7 pm) |
| Trustee Tsafos | Excused |

June 16, 2021

ADJOURN TO EXECUTIVE SESSION

At 7:48 pm, the Board adjourned to Executive Session to discuss litigation matters.

The Board returned to public session at 7:55 with no action taken.

There being no further business to come before the Board, the meeting was adjourned at 7:55 pm.

Elizabeth Kaye

Elizabeth Kaye, Clerk / Treasurer

ALSO, PRESENT:

Steve Monez

Cold Spring Harbor Lab

Michael Gurtowski

Cold Spring Harbor Lab

Lisa D'Arduini

31 White Oak Tree Road

Belal Ayoub

41 Picardy Lane

THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES WILL BE HELD AT 7:00 P.M. ON WEDNESDAY, JULY 14, 2021.