

**MINUTES OF THE REGULAR MEETING
BOARD OF TRUSTEES
HELD VIA ZOOM VIDEOCONFERENCE
(due to COVID-19 public assembly restrictions)
STENOGRAPHICALLY RECORDED
MAY 12, 2021, 6:00 PM**

PRESENT:

Mayor Daniel F. DeVita	Howard Avrutine, Village Attorney
	Elizabeth Kaye, Clerk / Treasurer
Trustee Jeffrey Nemshin	Michael F. McNerney, Supt. Of Buildings
Trustee Richard Nicklas	Jim Antonelli, Village Engineer
Trustee Martin Novick	Deputy Clerk Nancy Popper
Trustee Nicholas Tsafos	

EXCUSED:

Trustee Jeffrey Miritello, Trustee Kevin Jusko

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 6:02 pm. Village Attorney Avrutine reported that no progress has been made, and the hearing was to be continued at the June meeting.

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

POLICE REPORT

The April 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	3	5	2
Aided Cases Resulting from Auto Accidents	0	0	0
Aided Cases Other	2	17	25
Arrests	0	0	1
Summonses-Moving Violations	32	106	79

Summonses-Parking	4	9	3
Fire Calls	1	3	3
Patrol Mileage	4,500	18,000	18,150
Offenses -Case Reports	1	3	5
Suspicious Autos	1	5	10
Suspicious Persons	2	4	10
Suspicious Phone Calls	0	0	0
Recorded Alarms	7	30	46
Vacant Houses	3	14	15
Disturbances	2	9	7
Malicious Mischief	0	0	0
Non-Case Incidents	1	2	6
Animal Nuisance Complaints	1	4	3
Assist from NCPD	0	0	0

Stop Signs	1
Cell Phone	0
Speeding	9
Unlicensed Operation	2
Uninspected MV	4
DWI	0
No Insurance	10
Expired Registration	0
Disobey Traffic Control Device	0
Following Too Closely	0
Defective Lights	6
Fail to Move Right	0
Fail to Signal	0
No Parking	4
Equipment Violation	0

No Seatbelt	0
Total	36

BUILDING REPORT

- BP# 2950-Expired permit, Dinuzzo, 275 Stillwell Lane – an extension of permit #2950 was requested in order to resolve various open items. Mrs. Dinuzzo explained that the pandemic delayed construction and caused hardship to the family. Mayor DeVita moved to approve a three-month extension to August 15, 2021, and to waive the fee, seconded by Trustee Tsafos, and approved by the following poll of the Board:

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

- Street Opening Permit, Gileno, 86 Cherry Lane – request for a road opening permit at 86 Cherry Lane to allow for new water service. The Board indicated that the road opening must be completed by June 4, 2021, in advance of the road work to be performed on Cherry Lane. Deputy Mayor Nemshin moved to approve the road opening permit on the condition that it be completed by June 4, 2021, seconded by Trustee Nicklas, and approved by the following poll of the Board:

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

- Cold Spring Harbor Laboratory, Tree Permit & Landscaping Plan in connection with renovation of cabins. Mr. Steve Monez presented and explained the plan. He indicated that the tree roots are intertwined with the existing old retaining wall, and that the roots would have to be removed when the wall is removed. Mayor DeVita indicated that his site visit revealed, and Mr Monez verified, that the tree removal would not affect any views of Village residents. Mayor DeVita moved to approve the tree removal and landscaping plan as presented, seconded by Trustee Tsafos, and approved by the following poll of the Board:

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

- Building Amnesty – the Board discussed a proposed Building Amnesty Program to encourage residents to apply for building permits to maintain construction performed without required permits in order to bring these conditions into compliance. Discussion ensued. Mayor DeVita moved to adopt the following resolution, seconded by Trustee Nicklas, and approved by the following poll of the Board:

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

The imposition and collection of the additional building permit fees required by Sec. 23-3(F)(1)(e) of the Village Code, which are imposed for work performed without the necessary building permit(s), shall be suspended from June 1, 2021, until November 30, 2021. During this period, all other fees imposed pursuant to Sec. 23-3(F) shall remain in full force and effect. This suspension shall apply only with respect to building projects completed before June 1, 2021, without the required permits.

Suspension of the fees as set forth above shall not be available to:

- (1) any applicant for a building permit to whom a Notice of Violation or Village Court Appearance Ticket has been issued concerning the construction work in connection with such application and such matter remains pending at the time such application is made.
- (2) any applicant for a building permit who has been assessed a monetary fine in the Village Court concerning the construction work in connection with such application and such fine remains unpaid in whole or in part.
- (3) any homeowner who has not fully paid all Village taxes due and owing at the time the application for a building permit is filed.

Any building permittee who paid the additional building permit fees required by Sec. 23-3(F)(1)(e) of the Village Code after December 1, 2020, shall be eligible for a refund in the amount of \$250 of the additional fees that were paid in full pursuant to that section. This refund shall not be available to a contractor, but only to the homeowner. If the building permittee no longer owns

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the otherwise eligible premises, then no refund shall be allowed to the former owner who in fact paid the additional fees.

Any applicant for a building permit who believes that the provisions of this resolution create an undue hardship may apply in writing to the Board of Trustees for relief.

- Solar Panels – due to an increased interest in installing solar panels, Mayor DeVita discussed whether the appearance of the panels should be regulated. The Board believed that regulation is not necessary at this time.

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ENGINEER'S REPORT

Village Engineer Antonelli reported on the following:

- Roadwork update – the bid for road paving work to be performed on Cherry Lane, The Hollows, and Springwood Path this Spring was awarded to United Paving, and the contract was signed.
- MS4 Annual Report – the annual MS4 stormwater management report was presented, indicating that the Village has satisfied the required control measures for stormwater management through public outreach, education, and other steps. Trustee Nicklas moved to authorize Mayor DeVita to sign the MS4 report, due June 1st, and to submit the report to the NYS DEC, seconded by Trustee Nicklas, and approved by the following poll of the Board:

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

MINUTES of the Board of Trustees meeting held on April 14, 2021, as amended, was 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	Excused
Trustee Miritello	Excused
Trustee Nemshin	Aye
Trustee Nicklas	Aye
Trustee Novick	Aye
Trustee Tsafos	Aye

The **FINANCIAL REPORT** for April 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.

APPROVAL OF ABSTRACTS

Mayor DeVita moved that the following abstracts of vouchers be approved for payment, with the exception of the claim for payment from Power Equipment Direct for purchase of the generator for Village Hall in advance of its receipt which purchase was rejected by the Board, seconded by Trustee Nicklas, and approved by the following poll of the Board:

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

- Abstract # 37 \$15,181.58
- Abstract # 1089 \$1,360.00
- Abstract # 1132 Prepays \$1,576.81
- Abstract # 1133 General Fund \$37,332.44

GENERATOR

The Board voted to purchase the generator from a NYS-approved vendor and for the state-contract price. Mayor DeVita moved to approve the purchase of the generator for Village Hall from Grainger under the NYS Contract, seconded by Trustee Tsafos, and approved by the following poll of the Board:

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

TAX LEVY WARRANT FISCAL 2021-2022

Mayor DeVita moved, seconded by Trustee Nicklas, and approved by a poll of the Board, that the following resolution be adopted:

TAX WARRANT

TO ELIZABETH KAYE, CLERK-TREASURER

YOU ARE HEREBY COMMANDED to receive and collect from the several persons named in the tax roll hereunto annexed, the several sums stated in the last column hereof opposite their respective names, being a total of \$2,936,108 for the following purposes:

For the Current Budget \$ 2,936,108

YOU ARE FURTHER COMMANDED to receive and collect such sums without additional charge between the first day of June 2021 and the thirty-first day of July 2021, both inclusive; and

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thereafter to collect with such of the sums as have not been theretofore collected, an additional charge as prescribed by the New York State Real Property Tax Law for each month or fraction hereof until paid.

YOU ARE FURTHER COMMANDED to file the tax roll and warrant in your office on or before the first day of February 2022, and to deliver to the Board of Trustees at the same time an account of the taxes remaining due and unpaid; describing each parcel of real property upon which taxes are unpaid, showing the person or persons to whom the parcel is assessed and showing as to each parcel in the amount of tax unpaid.

Dated: May 12, 2021,

Daniel F. DeVita, Mayor

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

APPROVAL TO PAY OYSTER BAY COVE POLICE BILL DUE JUNE 1ST FOR 2021-2022 FISCAL YEAR IN ADVANCE OF JUNE 16 MEETING

Mayor DeVita moved to approve payment of the 1st half Oyster Bay Cove Police Department bill, due June 1, 2021, in advance of the June meeting, seconded by Trustee Nicklas and approved by the following poll of the Board:

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

MUNISTAT AGREEMENT RENEWAL 4/2021-4/2022

Mayor DeVita moved to renew the agreement with Munistat, Financial Advisor, to file the Village's Annual Disclosure Statement for a fee of \$1,350.00, seconded by Trustee Nicklas, and approved by the following poll of the Board:

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

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SST COMMUNICATIONS/RENEWAL CONTRACT FOR TELEPHONE SYSTEM 5/30-2021-5/30/2022

Mayor DeVita moved to renew the contract with SST Communications for the Village's telephone system at a cost of \$344.00, seconded by Deputy Mayor Nemshin, and approved by the following poll of the Board:

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

RENEWAL OF LIFE & AD&D WITH RELIANCE STANDARD

Mayor DeVita moved to renew the Life Insurance & AD&D coverage with Reliance Standard for active full-time employees at the same rates as the current year, seconded by Trustee Nicklas, and approved by the following poll of the Board:

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

ROUTE 25A TRIANGLE

Mayor DeVita indicated that he would be contacting landscape architects he had identified to propose both a design and cost for maintenance of the Route 25A Triangle.

ADJOURN TO EXECUTIVE SESSION

At 7:27 pm, the Board adjourned to Executive Session to discuss personnel matters:

Due to the pandemic, the Clerk/Treasurer and Deputy Clerk/Court Clerk have been unable to use all of their vacation days. As a result, the Board voted to allow carryover of remaining vacation days, provided they are taken on or before Labor Day 2021, seconded by Trustee Nicklas, and approved by the following poll of the Board:

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

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The Board returned to public session at 7:50.

There being no further business to come before the Board, the meeting was adjourned at 7:50 pm.

Elizabeth Kaye
Elizabeth Kaye, Clerk / Treasurer

ALSO, PRESENT:

Steve Monez

Cold Spring Harbor Lab

Michael Gurtowski

Cold Spring Harbor Lab

Luigi Gileno

86 Cherry Lane

Lou Caliendo

for Gileno Street Opening applic.

Mrs. Dinuzzo

275 Stillwell Lane

THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES WILL BE HELD AT 6:00 P.M. ON WEDNESDAY, JUNE 16, 2021.