

**MINUTES OF THE REGULAR MEETING  
BOARD OF TRUSTEES  
HELD VIA ZOOM VIDEOCONFERENCE  
(due to COVID-19 public assembly restrictions)  
STENOGRAPHICALLY RECORDED  
SEPT. 14, 2021, 6:30 PM**

**PRESENT:**

Mayor Daniel F. DeVita

Trustee Kevin Jusko

Trustee Jeffrey Miritello

Trustee Jeffrey Nemshin

Trustee Richard Nicklas

Trustee Martin Novick

Howard Avrutine, Village Attorney

Elizabeth Kaye, Clerk / Treasurer

Michael F. McNerney, Supt. Of Buildings

Jim Antonelli, Village Engineer

**EXCUSED:**

Trustee Nicholas Tsafos

**MAYOR DE VITA** called the meeting to order at 6:30 p.m. with the Pledge of Allegiance.

**POLICE REPORT**

The August police report was distributed to the Board in advance of the meeting.

	Totals this Month	Totals year-to-date	Totals prior year- to-date
Auto Accidents Personal Injury	0	3	3
Auto Accidents Property Damage	1	9	3
Aided Cases Resulting from Auto Accidents	0	4	3
Aided Cases Other	2	31	40
Arrests	0	1	1
Summonses-Moving Violations	18	183	98
Summonses-Parking	5	37	88
Fire Calls	0	10	11
Patrol Mileage	4,650	36,450	36,600
Offenses -Case Reports	1	9	12
Suspicious Autos	1	13	32
Suspicious Persons	9	23	13
Suspicious Phone Calls	0	0	0

Recorded Alarms	17	97	110
Vacant Houses	5	30	31
Disturbances	6	33	23
Malicious Mischief	0	0	0
Non-Case Incidents	2	5	8
Animal Nuisance Complaints	4	15	4
Assist from NCPD	0	0	0

Stop Signs	2
Cell Phone	0
Speeding	0
Unlicensed Operation	2
Uninspected MV	1
DWI	0
No Insurance	5
Expired Registration	2
Disobey Traffic Control Device	1
Vio. Village Ordinance	0
Reckless Driving	0
Fail to Move Right	0
Fail to Signal	0
No Parking	5
Equipment Violation	5
No Seatbelt	0
Total	23

## BUILDING REPORT

Amato – Christian Soller, Esq. spoke on behalf of Mr. Amato, requesting an extension of his permits #3148 & 3149 to legalize a shed and basement. Mayor DeVita moved to extend the permits for 90 days to 12/8/2021, with no associated fee, seconded by Trustee Nicklas, and approved by the following poll of the Board:

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

Cowen – request for refund under the Amnesty Program for BPA # 3132. Mayor DeVita moved to approve the refund of \$250.00 under the Amnesty Program, 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	Excused

Carter – request for extension to commence work under BP #3330 to install propane tanks connected to a pool heater. Mayor DeVita moved to extend the permit to June 1, 2022, with no associated fee, 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	Excused

## **COLD SPRING HARBOR LAB-MASTER PLAN UPDATE**

Mr. Steve Monez, Vice President/Chief Facilities Officer of the Cold Spring Harbor Lab spoke to the Board about changes the Lab would like to propose to the Master Plan, including a parking garage and housing for the scientists to be used while they're attending conferences. Mr. Monez indicated that he will be coming back to the Board at a later date to request permission to complete these projects.

## **ENGINEER'S REPORT**

Village Engineer Antonelli updated the Board on the spring 2021 road project.

Street Opening Permit SOP # 2-2019 – The former owners of 6 Springwood Path requested a refund of their \$3000 cash bond. Upon inspection by Highway Superintendent Porcaro, the road restoration after the 180-day waiting period was determined not to be to Village standards, and thus no refund would be forthcoming. Mayor DeVita moved not to refund the \$3000 cash bond for Street Opening Permit #2-2019 due to unsatisfactory restoration of the road opening, seconded by Trustee Nicklas, and approved by the following poll of the Board:

Mayor DeVita	Aye
Trustee Jusko	Aye

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Trustee Miritello	Aye
Trustee Nemshin	Aye
Trustee Nicklas	Aye
Trustee Novick	Aye
Trustee Tsafos	Excused

**MINUTES** of the Board of Trustees meetings of May 12, 2021, and July 14, 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	Aye
Trustee Tsafos	Excused

The Clerk/Treasurer discussed the August 2021 **FINANCIAL REPORT** and the **REPORT OF UNPAID TAXES**.

## **BUDGET TRANSFERS**

Mayor DeVita moved to approve the following 2020-2021 budget transfers to cover overspending on certain budget lines, seconded by Trustee Nicklas, and approved by the following poll of the Board:

	BUDGET TRANSFERS				
	5/31/2021				
				OVERAGE	
ACCOUNT	NAME			5/31/21	FROM
A1320.41	GASB COMPLIANCE			1,800.00	
A1325.49	TREASURER MISCELLANEOUS			274.64	
A1410.13	DEPUTY CLERK (REGULAR SALARY)			2,359.03	
A1410.41	CLERK – POSTAGE			427.67	
A1410.44	CLERK-STENO/LEGALS			1,278.48	
A1410.45	CLERK - GENERAL CODE			728.88	
A1410.46	CLERK - PRINT/STAT/SUPPLIES			1,137.69	
A1410.49	CLERK – MISCELLANEOUS			126.65	
A1420.44	ATTORNEY-PROSECUTOR			3,202.35	
A1440.41	ENGINEER			3,020.00	
A1450.4	ELECTION EXPENSES			479.14	
A1620.42	VILLAGE HALL-HEATING OIL/PROPANE			355.86	
A1620.44	VILLAGE HALL-WATER TESTING			1,820.00	
A1620.49	VILLAGE HALL-MISCELLANEOUS			3,452.28	
A1964.4	REFUND OF REAL PROPERTY TAXES			29,692.77	
A3120.41	PRIOR YEAR CONTRACT ADJUSTMENT			5,750.78	

A3120.49	POLICE-MISCELLANEOUS			44.30	
A3620.49	SAFETY INSPECTION- MISCELLANEOUS			449.33	
A5110.11	OVERTIME PAY			227.70	
A5110.13	HIGHWAY SUPERVISOR			1,821.60	
A5110.14	EMPLOYEE 1			209.76	
A5110.15	EMPLOYEE 2			10,260.00	
A5110.16	EMPLOYEE 3			577.99	
A5110.47	SAND REMOVAL/CARTING			960.00	
A5110.5	MACHINERY REPAIRS			2,519.88	
A5110.54	ELECTRIC			298.00	
A5110.55	MAINT OF HWY BLDGS AND GROUNDS			980.21	
A5142.1	SNOW REMOVAL-SALARIES			2,820.05	
A7140.	RECREATION AND PARKS			93.64	
A7140.49	PARKS AND REC- MISCELLANEOUS			2,401.69	
A9030.8	SOCIAL SECURITY			1,276.08	
A9060.8	HEALTH INSURANCE-ACTIVE EMPLOYEES			876.98	
A9060.81	HEALTH INSURANCE-RETIRED EMPLOYEES			1,202.97	
A1910.4	UNALLOCATED INSURANCE				1500.22
A1990.0	CONTINGENT ACCOUNT				30,426.18
A1420.41	ATTORNEY				28,000.00
A1420.43	ATTORNEY-LITIGATOR				23,000.00
				82,926.40	82,926.40

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

## APPROVAL OF ABSTRACTS

Mayor DeVita moved that the following abstracts of vouchers be approved for payment excluding a duplicate claim for Lawrence Hill Service, Inc. and to ratify the Abstracts for claims paid in August, seconded by Trustee Jusko, and approved by the following poll of the Board:

- Abstract # 43 Trust & Agency \$28,735.94
- Abstract # 1092 Capital Projects \$6,400.00
- Abstract # 1144 Prepaids \$15,845.99
- Abstract # 1145 Prepaids \$566.78
- Abstract # 1146 General Fund \$210,366.89

## AUGUST ABSTRACTS

- Abstract # 41 Trust & Agency \$37,874.23

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- Abstract # 1091 Capital Fund \$8,560.00
- Abstract # 1142 Prepaids \$1,367.99
- Abstract # 1143 General Fund \$22,394.57

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

### **APPOINTMENT OF JUSTICE D'ELIA**

Mayor DeVita announced that Justice D'Elia would be moving out of the Village but will continue to live in Nassau County until December, which entitles him to continue to sit as Village Justice. Mayor DeVita moved to appoint Joseph D'Elia as Village Justice until such time as he is no longer a Nassau County resident in or around December 2021, 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	Excused

### **2021-2022 JCAP GRANT**

Deputy Mayor Nemshin moved to adopt the following resolution in connection with the 2021-2022 JCAP Grant, seconded by Trustee Miritello, and approved by the following poll of the Board:

The Laurel Hollow Village Board of Trustees authorizes the Laurel Hollow Village Court to apply for a Justice Court Assistance Program (JCAP) grant in the 2021-2022 cycle up to \$30,000.00 for the purpose of obtaining funds: to enhance security around the public restroom corridor of the Courthouse and to equip the new Village Justice.

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

### **UPDATE ON GRANTS**

The Clerk/Treasurer updated the Board on several Grants either in the process of approval or already approved.

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### **CHANGE OF MEETING DATE**

Mayor DeVita moved to change the June 2022 meeting date from June 15, 2022, to June 22, 2022, 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

### **USE OF MARIJUANA ON VILLAGE PROPERTY AND OPT OUT OF RETAIL SALES**

Mayor DeVita indicated that Scarsella's Nursery is the only retail business in the Village that could conceivably sell marijuana products. A Supreme Court Order from the 1990s sets forth precisely what can be sold at Scarsella's. The Village Attorney will review that Order and report back to the Board. Discussion was tabled to the next meeting.

### **25A TRIANGLE**

Discussion tabled to the next meeting.

### **ADJOURN TO EXECUTIVE SESSION**

At 8:19 pm, the Board adjourned to Executive Session to discuss contracts and personnel matters.

The Board returned to public session at 9:30 with no action taken.

There being no further business to come before the Board, the meeting was adjourned at 9:30 pm.

THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES WILL BE HELD AT 6:30 P.M. ON WEDNESDAY, OCTOBER 13, 2021.

*Elizabeth Kaye*  
Elizabeth Kaye, Clerk / Treasurer

#### **ALSO, PRESENT:**

Steve Monez

James Murphy, Esq

Christian Soller, Esq.

Cold Spring Harbor Lab

Murphy & Lynch for CSHL

for Amato