

**MINUTES OF THE REGULAR MEETING
BOARD OF TRUSTEES
VILLAGE HALL
MAY 8, 2019
7:00 PM**

PRESENT:

Mayor Daniel F. DeVita	Howard Avrutine, Village Attorney
Trustee Kevin Jusko	Elizabeth Kaye, Clerk / Treasurer
Trustee Jeffrey Miritello	Michael McNerney, Building Inspector
Trustee Richard Nicklas	Nancy Popper, Deputy Clerk/ Court Clerk
Trustee Martin Novick	James Antonelli, Village Engineer
Trustee Nicholas Tsafos	

Excused: Trustee Jeffrey Nemshin

MAYOR DE VITA called the meeting to order at 7:00 p.m. with the Pledge of Allegiance.

PUBLIC HEARING – OYSTER BAY AND ATLANTIC STEAMER CONTRACT RENEWAL

At 7:05 p.m., Mayor DeVita opened the public hearing on the renewal of the Oyster Bay Fire Company #1 & Atlantic Steamer Fire Contract, which expired December 31, 2018. The hearing was stenographically recorded, and a copy of the transcript will be affixed to and made a part of these minutes.

The Village Attorney entered the following items into the record:

- Excerpt from minutes of April 10, 2019 meeting setting the public hearing
- Proposed Contract
- Notice of public hearing prepared by the Village Clerk
- Affidavit of Posting from Elizabeth Kaye, stating that the legal notice was posted on the bulletin board in front of Village Hall on April 16, 2019
- Affidavit of Publication, stating that the legal notice was published in the April 24th, 2019 issue of the North Shore Leader
- Evidence that the public notice was posted to the NEWS section of the website on April 16, 2019 and forwarded to subscribers on May 1, 2019

Village Attorney Avrutine reported that the contract is for a two-year period, with fees frozen at the same 2018 rate. A new state law requires that Fire Companies pay medical coverage for cancer, with the cost being passed through to the Village. Laurel Hollow would pay approximately \$2,404 annually.

There being no further comments from the Board or the public, Mayor DeVita moved to close the public hearing at 7:15 pm, seconded by Trustee Nicklas, approved by all present.

Trustee Tsafos moved to authorize Mayor DeVita to sign the agreement as presented, seconded by Trustee Novick, approved by all present.

POLICE REPORT

The Board reviewed the Oyster Bay Cove Police Department's Monthly Report for April 2019, which was distributed to the Board upon receipt. Statistics are as follows:

	Totals this Month	Totals year-to-date	Totals prior year- to- da
Auto Accidents Personal Injury	1	2	2
Auto Accidents Property Damage	1	7	7
Aided Cases Resulting from Auto Accidents	2	3	2
Aided Cases Other	6	15	11
Arrests	0	0	0
Summonses-Moving Violations	19	94	98
Summonses-Parking	1	3	6
Fire Calls	1	3	4
Patrol Mileage	4,500	18,000	18,000
Offenses -Case Reports	0	4	4
Suspicious Autos	2	5	8
Suspicious Persons	4	7	0
Suspicious Phone Calls	0	0	2
Recorded Alarms	14	57	57
Vacant Houses	3	11	16
Disturbances	2	12	6
Malicious Mischief	0	0	1
Non-Case Incidents	0	2	1
Animal Nuisance Complaints	2	3	3
Assist from NCPD	0	0	0

Summons Report

Stop Signs	1
Cell Phone	0
Speeding	4
Unlicensed Operation	0
Unlicensed MV	3

DWI	0
No Insurance	8
Expired Registration	2
Disobey Traffic Control Device	0
Following Too Closely	0
Defective Lights	1
Fail to Keep Right	0
No U Turn	0
No Parking	1
Village Ord. Violation	0
No Seatbelt	0
Total	20

Sergeant Mergel was present and spoke to the Board regarding recent events.

BUILDING DEPARTMENT REPORT

BPA# 2964 - Cold Spring Harbor Lab for Richards North Parking Lot, to Extend the Application

This application was received on 5/8/2018. A special use permit was approved by the Board of Trustees on 8/15/2018. A permit has not been issued because several items remain outstanding: additional sets of plans; payment of fees; and licenses/insurance certificates for contractor. Per Section 22-4(F), the application shall be deemed null and void one year from date of submission if it does not yet qualify for issuance of a building permit. Trustee Miritello moved to extend the application for one year until May 8, 2020 at no fee, seconded by Trustee Jusko, approved by all present.

BPA# 2962 – Biton, 16 Springwood Path, to Extend the Application for Addition/Alteration

This application was received on 4/25/2018. A permit has not been issued because several items remain outstanding: payment of fees; and license/insurance certificates for contractor. Per Section 22-4(F), the application shall be deemed null and void one year from date of submission if it does not yet qualify for issuance of a building permit. Trustee Miritello moved to extend the application for three months until July 25, 2019 at no fee, seconded by Trustee Jusko, approved by all present.

BPA# 2966 – Sun, 265 Laurel Lane, to Extend the Application for Extensive Addition-Alteration)

Mr. Ken Cheng, Architect, was in attendance for the applicant. The application was received on 5/10/2018. A permit has not been issued because the plan review comments are not yet fully addressed, and an application for a demolition permit must also be submitted. Per Section 22-4(F), the application shall be deemed null and void one year from date of submission if it does not yet qualify for issuance of a building permit. Trustee Jusko moved to extend the period within which the applicant must obtain a building permit to construct a new home until 8/31/19 at no fee and that an application for a demolition permit be applied for and perfected by 8/31/19, seconded by Trustee Miritello, approved by all present.

ENGINEER'S REPORT

Mr. Antonelli reported on the following:

Road Repair Work, Phase I

Independent testing was performed on the road work, and results are pending.

Road Repair Work, Phase II and Authorization to Bid

The Phase II road repair bid package will be ready to bid within the month. Mayor DeVita moved to authorize Village Engineer Antonelli to begin the bidding process for Phase II road work, with the actual dates to be determined, seconded by Trustee Novick, approved by all present.

Seawall at Village Hall

The Village received a letter of non-jurisdiction from the NYS Department of State. Issuance of a permit to perform the repair work is anticipated in the near future.

Village Stormwater Program

Board members reviewed the Engineer's Report as pertaining to the Village Stormwater Program. The Clerk/Treasurer reported that no comments had been received regarding the Draft Stormwater Management Program Annual Report Year 16, prepared by the Village Engineer. The draft report has been posted to the website and is available at Village Hall for public comment. Mayor DeVita moved that he be authorized to execute the MCC Form and that the Village Engineer be authorized to submit the Final Report on behalf of the Village, seconded by Trustee Nicklas, approved by all present.

PROHIBIT AMERICAN PAVING FROM BIDDING ON PHASE II ROAD WORK

As a result of failure to comply with project specifications, unfinished and incomplete work, poor workmanship, failure to complete work in a timely fashion, and unresponsiveness regarding Phase I of the Village's roadwork project, Mayor DeVita moved to disqualify American Paving & Masonry Corp. from bidding on Phase II of the Village's roadwork project, seconded by Trustee Jusko, approved by all present.

The **MINUTES** of the Board of Trustees meetings held on April 10 and April 15, 2019 were approved by all present on a motion by Trustee Novick and seconded by Trustee Miritello.

The **FINANCIAL REPORT** for April 2019 and the **REPORT OF UNPAID TAXES** were distributed to the Board. Bank statements and reconciliations were reviewed by Trustee Tsafos prior to the meeting.

INCREASE CASH BALANCE FOR USE BY COURT

Nancy Popper, Court Clerk, advised the Board that she often does not have sufficient cash and coins in order to make change for defendants paying fines by cash when Village Court is in session. Mayor DeVita moved to increase the Court Imprest Cash Balance from \$100.00 to \$300.00 with the additional \$200.00 to be used by the Justice Court for making change, seconded by Trustee Tsafos, approved by all present.

2019-2020 TAX LEVY

It was moved by Mayor DeVita, seconded by Trustee Novick, and approved by all present, that the following resolution be adopted:

WHEREAS §1420.1. of the Real Property Tax Law of the State of New York mandates that the Board of Trustees levy the tax for the ensuing year by May 15th, and

WHEREAS the Board of Trustees has adopted a budget for the period June 1, 2019 thru May 31, 2020 showing an amount to be raised by taxation of \$2,672,216 and

WHEREAS the taxable assessed value of the village for the period June 1, 2019 thru May 31, 2020 is as follows:

	AV	RATE
Class 1	1,646,028	\$161.9112
Class 3	12,522	25.0439
Class 4	25,885	15.3602
TOTAL TAV	1,684,435	

NOW, THEREFORE, BE IT RESOLVED, that there be levied and assessed against the real property of the Incorporated Village of Laurel Hollow the sums for Village Government and other charges for the fiscal year 2019-2020 at rates \$100 of assessed valuation, as follows:

Class 1	\$2,665,104
Class 3	3,136
Class 4	3,976

for a total to be raised of \$2,672,216.

VILLAGE ATTORNEY RETAINER AGREEMENT

The Board reviewed the proposal from Howard D. Avrutine to provide legal services for the 2019-2020 official year, providing for the same hourly rate as charged for the past 17 years, after which it was moved by Mayor DeVita, seconded by Trustee Nicklas and approved by all present,

that the Mayor be authorized to execute the retainer agreement with Howard D. Avrutine for the period June 1, 2019, thru May 31, 2020.

APPROVAL OF ABSTRACTS

Trustee Tsafos moved that the following abstracts of vouchers be approved for payment, with the exception of claims from Mr. Barry and Mr. Ross for sprinkler repairs, to be held for the next meeting pending clarification, seconded by Trustee Nicklas, and approved by all present:

- Abstract # 9 Trust & Agency \$116,061.00
- Abstract # 1068 Capital Fund \$ 3,200.00
- Abstract # 1077, 1078 Prepaids \$75.00 and \$150.00
- Abstract # 1079, 1080 \$47,013.45 and \$\$903,924.50

PREPAYMENT OF CLAIMS

Mayor DeVita moved to authorize prepayment of monthly health insurance, dental, vision and Life Insurance/Accidental Death & Dismemberment claims, which are generally due by the 1st of the month in order to avoid cancellation notices, seconded by Trustee Nicklas, approved by all present.

SST COMMUNICATIONS PHONE CONTRACT RENEWAL

Trustee Nicklas moved to renew the contract with SST Communications from 5/30/2019 to 5/31/2020 for the Village Hall's phone system, at a cost of \$344.00, seconded by Trustee Novick, approved by all present.

BUDGET TRANSFERS

Mayor DeVita moved to authorize the following budget transfers to cover higher than budgeted expenditures in certain budget lines, seconded by Trustee Jusko, approved by all present:

From: Contingency	A1990	\$7,325	
To: Prosecutor	A1420.44	\$2000	
	Unallocated Insurance	A1910.4	\$3000
	Atlantic Steamer	A3410.42	\$1200
	Oyster Bay Fire	A3410.43	\$550
	Snow Removal Salaries	A5142.1	\$ 575
From: Parks & Rec. Misc.	A7140.49	\$5100	
To: Equipment Rec & Parks	A7140.2	\$5100	

REPORT ON COPIES OF SMALL CLAIMS ASSESSMENT REVIEW PROCEEDINGS FILED

The Clerk/Treasurer reported that she had received twenty (20) copies to date of Small Claims Assessment Review Proceedings filed with Nassau County for the 2019-2020 Tax Year.

ACCEPT BID FOR SALE OF YORK RAKE

Trustee Jusko moved to accept the bid of \$1,050 for sale of the Highway Department York Rake from Absolute Auctions & Realty, seconded by Trustee Tsafos, approved by all present.

UPGRADE OF WATER FILTRATION SYSTEM FOR VILLAGE HALL

This item was tabled to the Board's June meeting.

COLD SPRING HARBOR LAB AGREEMENT

Village Attorney Avrutine reported that negotiations on the tank agreement contract renewal are ongoing.

There being no further business to come before the Board, Trustee Jusko moved to adjourn the meeting at 8:45 pm, seconded by Trustee Miritello, approved by all present.

Elizabeth Kaye, Clerk / Treasurer

ALSO PRESENT:

Sgt. Mergel
Randy Jones
Jill and Tomy Biton
Ken Cheng

Oyster Bay Cove Police Department
Cold Spring Harbor Lab
16 Springwood Path
on behalf of Sun, 265 Laurel Lane

THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES WILL BE HELD AT 7:00 P.M. ON WEDNESDAY, JUNE 19, 2019