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INCORPORATED VILLAGE OF LAUREL HOLLOW  
BOARD OF TRUSTEES  
PUBLIC HEARING  
February 13, 2019  
7:00 p.m.

VILLAGE HALL  
1492 Laurel Hollow Road  
Syosset, New York 11791-9603

PRESENT:

- DANIEL DeVITA, Mayor
- KEVIN JUSKO, Trustee
- JEFFREY MIRITELLO, Trustee
- MARTIN NOVICK, Trustee
- RICHARD M. NICKLAS, Trustee
- NICHOLAS TSAFOS, Trustee

ALSO PRESENT:

- HOWARD AVRUTINE, Village Attorney
- ELIZABETH KAYE, Clerk/Treasurer
- NANCY POPPER, Deputy Clerk

PUBLIC HEARING INTRODUCTORY LOCAL LAW A-2019

MARY ANNE COPPINS  
OFFICIAL COURT REPORTER

1 MR. AVRUTINE: This is the Public  
2 Hearing with respect to Local Law A of  
3 2019 which will, if adopted, become  
4 Local Law 1 of 2019. It is a Local Law  
5 authorizing a property tax levy in  
6 excess of the limit established in  
7 General Municipal Law Section 3-C.

8 The exhibits in connection with  
9 this hearing are as follows:

10 First, the affidavit from the North  
11 Shore Leader indicating that the Legal  
12 Notice was published in the Leader on  
13 January 16, 2019.

14 The next exhibit is an affidavit  
15 from Elizabeth Kaye that the Legal  
16 Notice was posted at the Village Hall on  
17 January 14, 2019.

18 The next exhibit is an e-mail from  
19 the Village Clerk to the Mayor and the  
20 Board of Trustees sent on January 28,  
21 2018 with the Local Law in final form  
22 attached.

23 The next exhibit is confirmation  
24 that the Notice of Public Hearing was  
25 published to the Village of Laurel

1           Hollow website on January 17, 2019.

2                   The next exhibit consists of  
3           confirmation that the Notice of Public  
4           Hearing was sent to the Village website  
5           NEWS subscribers on February 7, 2019.

6                   The next exhibit is a copy of the  
7           proposed Local Law e-mailed to the Board  
8           of Trustees.

9                   The next exhibit is a chart  
10          published by the Office of the State  
11          Comptroller showing that for those local  
12          governments with a fiscal year beginning  
13          June 1, 2018, the tax cap will be 2  
14          percent.

15                  And the final exhibit is a letter  
16          from the Nassau County Planning  
17          Commission dated February 13, 2019 that  
18          the Local Law -- that the Planning  
19          Commission defers to the Village to take  
20          action as it deems appropriate, making  
21          no recommendation or suggestions.

22                  Mayor?

23                  MAYOR DeVITA:   So this tax cap  
24          override bill is a preventive measure.

25                  What it is is the tax cap law has

1           been in effect, I want to say seven  
2           years. We've never exceeded the cap  
3           except for last year because we had the  
4           road bonding and borrowing. Every year  
5           we've stayed under the cap, and every  
6           year we still pass this legislation for  
7           a couple of reasons.

8                     The Village's, as is many  
9           municipalities, budgeting year is from  
10          June 1st to May 31st of the following  
11          year. It is not a calendar year budget,  
12          and our budgeting process does not begin  
13          until next month.

14                    What happens is if you pass your  
15          budget and you exceed the cap, even by  
16          mistake and you have not passed this  
17          law, you're faced with penalties that  
18          the State imposes.

19                    So even if you say we are not going  
20          to pass the cap, we are not going to  
21          exceed the cap and there is some type of  
22          -- and you haven't passed legislation,  
23          and there is some type of arithmetical  
24          error, you nevertheless, are still  
25          penalized by the State. But, if you

1 have this legislation in place it saves  
2 you from that.

3 So regardless of whether you exceed  
4 the cap, it's a good measure to put it  
5 in place. I call it municipal  
6 malpractice if you don't do it. Because  
7 it's like chicken, there is no harm  
8 here, it can only help.

9 So, while we have not gotten into  
10 the budgeting process yet, from all  
11 indications, Liz updates us every month,  
12 we are in good shape. We don't  
13 anticipate exceeding the budget cap,  
14 which I think this year will be, for the  
15 first time in many years, 2 percent.  
16 It's usually the greater of 2 percent or  
17 the rate of inflation. In some years  
18 it's been practically zero and we have  
19 maintained, stayed under the cap.

20 So, that's the reason we do this.  
21 We do this every year. It's a pro-forma  
22 thing, regardless of whether or not we  
23 exceed the cap.

24 We don't anticipate it, but on the  
25 off chance that budgeting shows we must,

1 or we don't and then find out later that  
2 there was some type of an arithmetical  
3 error, it saves us from penalties, so  
4 that is kind of the history.

5 Are there any comments from the  
6 Board?

7 (No response.)

8 Any there any comments from the  
9 audience or questions?

10 TRUSTEE NOVICK: This law gives --

11 MAYOR DeVITA: It's part of the  
12 legislation, the tax cap legislation  
13 that we have to pass, I think it's a  
14 super majority, 60 percent.

15 MR. AVRUTINE: Yes.

16 MAYOR DeVITA: Instead of 51  
17 percent, a group of seven. I guess that  
18 would have been four anyway.

19 But in any event, it's part of the  
20 State Legislation.

21 So we need a motion?

22 MR. AVRUTINE: Before that, I would  
23 like the record to reflect that the  
24 adoption of this legislation is a Type  
25 II matter under the New York State

1 Environmental Quality Review Act.

2 So, at this time, unless there are  
3 further comments by the Board or the  
4 audience, I would ask for a motion to  
5 close the Public Hearing.

6 MAYOR DeVITA: I make a motion.

7 MS. KAYE: Mayor DeVita and Trustee  
8 Tsafos.

9 MAYOR DeVITA: Would you please  
10 poll the Board?

11 MS. KAYE: Trustee Jusko?

12 TRUSTEE JUSKO: Aye.

13 MS. KAYE: Trustee Miritello?

14 TRUSTEE MIRITELLO: Aye.

15 MS. KAYE: Trustee Novick?

16 TRUSTEE NOVICK: Aye.

17 MS. KAYE: Trustee Nicklas?

18 TRUSTEE NICKLAS: Aye.

19 MS. KAYE: Trustee Tsafos?

20 TRUSTEE TSAFOS: Aye.

21 MS. KAYE: Mayor DeVita?

22 MAYOR DeVITA: Aye.

23 MR. AVRUTINE: Let the record  
24 reflect that the Board has adopted Local  
25 Law A of the 2018, which will now be

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known as Local Law Number 1 of 2018 --  
I'm sorry, 2019, thank you.

MAYOR DeVITA: Okay, that's it.  
Thank you very much.

\* \* \* \* \*

C E R T I F I C A T I O N:

I, Mary Anne Coppins, Court  
Reporter, hereby certify that the above  
transcript is a true and accurate copy  
of the minutes taken by myself  
stenographically in the within matter.

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Mary Anne Coppins  
Court Reporter