

**MINUTES OF THE REGULAR MEETING  
BOARD OF TRUSTEES  
VILLAGE HALL  
FEBRUARY 8, 2017  
7:30 PM**

**PRESENT:**

Mayor Daniel F. DeVita	Howard Avrutine, Village Attorney
Trustee Kevin Jusko	Karen A. Navin, Clerk / Treasurer
Trustee Jeffrey Nemshin	Nancy Popper, Deputy Clerk
Trustee Richard Nicklas	Michael F. McNerney, Supt. of Buildings
Trustee Martin Novick	
Trustee Nicholas Tsafos	

**EXCUSED:**

Trustee Jeffrey Miritello

**MAYOR DE VITA** called the meeting to order at 7:30 p.m. with the Pledge of Allegiance.

**POLICE REPORT**

The Board reviewed the Oyster Bay Cove Police Department Monthly Reports for January, 2017, which had been distributed to the Board upon receipt. Statistics are as follows:

	JANUARY	YTD	PRIOR YTD
Auto Accidents Personal Injury	1	1	0
Auto Accidents Property Damage	1	1	4
Aided Cases Resulting from Auto Accidents	1	1	0
Aided Cases Other	8	8	3
Arrests	0	0	0
Summonses - Moving Violations	33	33	29
Summonses - Parking	3	3	1
Fire Calls	1	1	1
Patrol Mileage	4650	4650	4650
Offenses - Case Reports	2	2	1
Suspicious Autos	4	4	1
Suspicious Persons	1	1	1
Suspicious Phone Calls	0	0	0
Recorded Alarms	17	17	19
Vacant Houses	8	8	11
Disturbances	2	2	1
Malicious Mischief	0	0	1
Non-Case Incidents	0	0	0
Animal Nuisance Complaints	1	1	0
Assist from NCPD	0	0	0

During the month of January thirty-six (36) tickets were issued, as follows:

Stop Signs	2	Expired Registration	0
Cell Phone	0	Disobey Traffic Control Device	1
Speeding	5	Improper U Turn	0
Unlicensed Operation	2	Defective Lights	6
Uninspected Motor Vehicle	9	No Passing Zone	0
No Insurance	8	Parking	3
Failure to Signal	0	DWI	0
Seat Belt	0	Village Ordinance	0

Sgt. Tully was present and spoke to the Board regarding recent events.

### **CROWN CASTLE**

Robert Gaudioso, Esq., Snyder and Snyder LLP, and Joseph Klem, Crown Castle NG East, LLC, appeared before the Board to discuss their November 9, 2016 request for a waiver of fees and escrows associated with their forthcoming application for a cellular installation within Village rights of way, pursuant to Chapter 145, Article XII of the Code of the Village of Laurel Hollow.

After discussing the matter, it was moved by Trustee Nicklas, seconded by Trustee Novick and unanimously carried, with Trustee Miritello not present, that the request for a waiver be denied.

It was moved by Trustee Tsafos, seconded by Trustee Nemshin and unanimously carried, with Trustee Miritello not present, that, based upon discussions with Mr. Gaudioso at the meeting, the fees be reduced as outlined in the Village Attorney's letter to Mr. Gaudioso dated January 24, 2017, as follows:

- \$3,000 escrow per proposed Distributed Antenna System ("DAS") node in connection with the twenty-six (26) nodes proposed, with escrows to be replenished to the original amount at such time as any sums held in escrow fall below 50% of the original required amount, and
- \$900 application fee per node for each new utility pole contemplated, and
- \$650 application fee per node where an existing utility pole is proposed to be utilized

This approval is conditioned upon a determination by the Village Attorney that the omission of a statement by Crown Castle that the payments are being made "under protest" and/or "under a reservation of rights" or language of similar import will adequately protect the Village against a potential future claim for repayment of such sums.

## **PUBLIC HEARING - INTRODUCTORY LOCAL LAW A-2017 – TAX CAP OVERRIDE**

Mayor DeVita then called to order the public hearing on Introductory Local Law A-2017, which would authorize a property tax levy in excess of the limit established in General Municipal Law §3-c for the 2017-2018 tax year. A stenographer was present and a transcript of the hearing will be affixed to and made a part of these minutes.

New York State Law requires that this local law be enacted prior to adoption of the budget. Although it is possible that the budget will not require an increase in the tax levy in excess of the limit, it is clear that exceeding the limit without enacting the required override local law could result in adverse financial/Village tax issues for the residents of the Village. Mayor DeVita reminded those present that the law was enacted last year and was subsequently repealed once it was determined that the Village would remain below the cap.

The Village Attorney entered exhibits into the record, as follows:

- Excerpt from the minutes of the January 11, 2017 meeting of the Board of Trustees setting the public hearing
- Legal notice of public hearing prepared by the Village Clerk
- Affidavit from Richner Communications, Inc., the publisher of the Oyster Bay Guardian, stating that the legal notice was published in the Oyster Bay Guardian on January 20, 2017
- Affidavit from Nicholas Porcaro that the legal notice was posted at the Village Hall on January 20, 2017
- Email from the Village Clerk to the Mayor and Board of Trustees sent on January 19, 2017
- Affidavit from the Village Clerk stating that the notice of public hearing and local law were mailed to other interested parties on January 20, 2017
- Documents that confirm that the Notice of Public Hearing was published to the Village of Laurel Hollow website & sent to NEWS subscribers on January 20, 2017
- January 30, 2017 letter from the Nassau County Planning Commission advising that they have reviewed the proposed local law and that they defer to the Village to take action as deemed appropriate
- A copy of the proposed local law emailed to the Board of Trustees
- Email from info@nycom.org notifying Villages that the Office of the State Comptroller has announced that the allowable growth factor or tax cap, for those local governments with a fiscal year beginning June 1, 2016 will be 1.15%.

The Village Attorney reported that adoption of this local law would be a Type II Action, requiring no additional review under the State Environmental Quality Review Act.

After discussing the matter and, hearing no questions from the public, it was moved by Trustee Tsafos, seconded by Trustee Jusko, and unanimously carried with Trustee Miritello not present, that the public hearing be closed to further evidence and testimony.

It was moved by Mayor DeVita, seconded by Trustee Novick, and unanimously carried with Trustee Miritello not present, that Introductory Local Law A-2017, which would authorize a property tax levy in excess of the limit established in General Municipal Law

§3-c for the 2017-2018 tax year, be adopted as Local Law #-1-2017; further, that the Clerk be authorized and directed to forward the local law to the Secretary of State and publish and post a notice of adoption.

**PUBLIC HEARING - INTRODUCTORY LOCAL LAW B-2017 – CHAPTER 145, INFINITY POOLS**

Mayor DeVita then called to order the public hearing on Introductory Local Law B-2017, which would amend Chapter 145 of the Code of the Village of Laurel Hollow, specifically to modify Section 145-20.F.(1)(d) to provide for “infinity pools”.

The Village Attorney entered exhibits into the record, as follows:

- Excerpt from the minutes of the January 11, 2017 meeting of the Board of Trustees setting the public hearing
- Legal notice of public hearing prepared by the Village Clerk
- Affidavit from Richner Communications, Inc., the publisher of the Oyster Bay Guardian, stating that the legal notice was published in the Oyster Bay Guardian on January 20, 2017
- Affidavit from Nicholas Porcaro that the legal notice was posted at the Village Hall on January 20, 2017
- Email from the Village Clerk to the Mayor and Board of Trustees sent on January 19, 2017
- Affidavit from the Village Clerk stating that the notice of public hearing and local law were mailed to other interested parties on January 20, 2017
- Documents that confirm that the Notice of Public Hearing was published to the Village of Laurel Hollow website & sent to NEWS subscribers on January 20, 2017
- January 30, 2017 letter from the Nassau County Planning Commission advising that they have reviewed the proposed local law and that they defer to the Village to take action as deemed appropriate
- A copy of the proposed local law emailed to the Board of Trustees

After discussing the matter, and hearing no questions, it was moved by Trustee Tsafos, seconded by Trustee Novick and unanimously carried with Trustee Miritello not present, that the hearing be closed to further evidence and testimony.

It was moved by Trustee Jusko, seconded by Trustee Nicklas and unanimously carried with Trustee Miritello not present, that the Board of Trustees declare themselves Lead Agency under SEQRA.

It was moved by Mayor Devita, seconded by Trustee Novick and unanimously carried with Trustee Miritello not present, that the Board determines the action before them to be an Unlisted Action under SEQRA.

It was moved by Trustee Jusko, seconded by Trustee Nicklas and unanimously carried with Trustee Miritello not present, that the Board declares a Negative Declaration under SEQRA.

It was moved by Trustee Jusko, seconded by Trustee Novick and unanimously carried with Trustee Miritello not present, Introductory Local Law B-2017, which would amend Chapter 145, be adopted as Local Law #-2-2017; further, that the Clerk be authorized and directed to forward the local law to the Secretary of State and publish and post a notice of adoption.

## **PUBLIC HEARING – CONTRACT FOR FIRE PROTECTION – SYOSSET FIRE DISTRICT**

Mayor DeVita called the public hearing on the 2017-2019 Contract with the Syosset Fire District, for fire protection services in the areas of the Village south of Route 25A, to order. A stenographer was present and a transcript of the hearing will be affixed to and made a part of these minutes.

The Village Attorney entered exhibits into the record, as follows:

- Excerpt from minutes of January 11, 2017 meeting of the Board of Trustees setting public hearing
- Proposed Contract with Syosset Fire District for fire protection in the area of the Village of Laurel Hollow located south of Route 25A for the period January 1, 2017 through December 31, 2019
- Notice of public hearing prepared by the Village Clerk
- Affidavit of Posting prepared by Nicholas Porcaro stating that the public notice was posted on January 20, 2017
- Affidavit of Publication prepared by Richner Communications, Inc., publisher of the Oyster Bay Guardian, stating that the public notice was published on January 20, 2017
- Documents that confirm that the Notice of Public Hearing was published to the Village of Laurel Hollow website & sent to NEWS subscribers on January 20, 2017

Board members discussed the proposed contract, and, hearing no questions, it was moved by Trustee Jusko, seconded by Trustee Tsafos and unanimously carried, with Trustee Miritello not present, that the hearing be closed to further evidence and testimony.

It was moved by Trustee Novick, seconded by Trustee Tsafos and unanimously carried, with Trustee Miritello not present, that the contract be approved as presented, and further, that the Mayor be authorized to execute the contract on behalf of the Village.

## **BUILDING DEPARTMENT REPORT**

### **MAILBOX PIER CONSTRUCTED IN RIGHT-OF-WAY: 9 ELIZABETH DRIVE**

Board members reviewed the Building Department Report concerning the mailbox pier constructed in the right-of-way adjacent to 9 Elizabeth Drive for Robert Graziano. Neither a Building Permit nor Street Opening Permit had been applied for prior to construction.

After discussing the matter, and based upon the recommendation of the Superintendent of Buildings, it was moved by Trustee Nemshin, seconded by Trustee Novick and unanimously carried, with Trustee Miritello not present, that subject to receipt of a

completed Application for Building Permit and Application for Street Opening Permit, and upon receipt of a Revocable License Agreement in recordable form approved by the Village Attorney and signed by the property owner(s), and upon payment of all fees and penalties, excluding the \$500.00 professional review fee (waived for this application) but including the \$3,000.00 restoration deposit, which will be retained by the Village for 180 days after the building permit has been closed out, the Mayor be authorized to execute the Revocable License Agreement on behalf of the Village and the Superintendent of Buildings be authorized to issue said permits. The property owner(s) are required to provide a certified copy of the Revocable License Agreement once it has been recorded with the Nassau County Clerk.

#### **POOL EQUIPMENT**

The committee established to review the Zoning Code as it relates to the location of pool equipment and noise generated by that equipment had not yet met, and the matter will appear in the building report for the March meeting.

#### **PROPOSED LOCAL LAW REQUIRING CONSTRUCTION DEPOSITS**

Board members requested that the matter of a local law that would require construction deposits be part of the Building Department Report for the March meeting.

#### **ENGINEER'S REPORT**

##### **WEST SIDE ENGINEERING, P.C.**

After reviewing James Antonelli's January 30, 2017 proposal, it was moved by Trustee Nicklas, seconded by Trustee Jusko and unanimously carried, with Trustee Miritello not present, that James Antonelli, P.E., principal of West Side Engineering, P.C., be authorized to proceed as outlined in his proposal to provide on-call consulting engineer services to the Village.

##### **STEWART LANE IMPROVEMENTS**

It was moved by Mayor DeVita, seconded by Trustee Jusko and unanimously carried, with Trustee Miritello not present, that James Antonelli be authorized to prepare bid specifications for STEWART LANE IMPROVEMENTS, and further, that he be authorized to work with the Village Attorney to prepare contract documents and with the Clerk / Treasurer to prepare the Notice to Bidders once the documents are ready.

##### **DISCUSSION ON POSSIBLE WATER DISTRICT EXTENSION**

James Antonelli reported that Mayor DeVita had sent a letter to Peter Logan at the Jericho Water District requesting that the district consider the feasibility of extending the district into the area of the Village north of Route 25A. No action was required and the matter will appear on the agenda at the direction of the Mayor.

#### **RESOLUTION – MATTHEW MOED**

Village Engineer James Antonelli advised the Board of the recent passing of Matthew Moed, former Village Engineer and Building Inspector.

It was moved by Mayor DeVita, seconded by Trustee Nemshin and unanimously carried, with Trustee Miritello not present, that the following resolution be adopted:

**WHEREAS**, it is with sorrow and a deep sense of loss that the Mayor and Board of Trustees of the Incorporated Village of Laurel Hollow record the death of Matthew Moed, and

**WHEREAS**, Mr. Moed served as Building Inspector in the Village from 1979 through 2003, and as Village Engineer from 1981 through 2004, serving the Village faithfully and with distinction. He combined sound judgment and a constructive viewpoint with high-ideals, fair-mindedness and a genial nature so that his advice and counsel were most valuable, and will be greatly missed. His passing is mourned with particular feeling growing out of the personal regard with which he will always be remembered by those privileged to work with him and to enjoy his friendship;

**NOW, BE IT RESOLVED**, that we, the Mayor and Board of Trustees of the Incorporated Village of Laurel Hollow, express to his family our deepest sympathy.

The **MINUTES** of the January 11, 2017 meeting of the Board were unanimously approved on a motion by Trustee Novick, seconded by Trustee Jusko.

The Financial Reports and Report of Unpaid Taxes were distributed to the Board.

#### **MARCH MEETING / SPECIAL MEETINGS**

It was moved by Trustee Jusko, seconded by Mayor DeVita and unanimously carried, with Trustee Miritello not present, that the March meeting of the Board of Trustees, previously scheduled for March 8, 2017, be rescheduled for March 15, 2017, starting at 7:30 p.m., and, further, that special meetings be scheduled for Tuesday, March 7, 2017 at 6:00 p.m. and, if necessary, Thursday, March 9, 2017 at 6:00 p.m., to discuss the 2017-2018 preliminary budget.

#### **REQUEST FOR SPECIAL EVENT – OCEAN TO SOUND RELAY**

It was moved by Trustee Jusko, seconded by Trustee Tsafos and unanimously carried with Trustee Miritello not present, that the January 6, 2017 request from the Greater Long Island Running Club to conduct a portion of the Ocean to Sound Relay in the Village on Sunday, September 24, 2017 be approved, subject to the following conditions:

1. All race activities shall occur between the hours of 8:00 a.m. and 2:00 p.m.
2. The race sponsor/applicant shall ensure that there is NO parking or stopping on any Village roads, and the event shall not create any unreasonable disturbance to the residents of the Village.
3. There shall be NO closing of any street in the Village.
4. The race sponsor/applicant shall be responsible for providing appropriate supervision and adequate protection for all participants, workers, volunteers, motorists and spectators.
5. The race sponsor/applicant shall provide to the Village a Certificate of Insurance for the Harmless Agreement from any and all claims and liabilities which arise in

connection with the issuance of this permit by any participants, workers, volunteers, motorists and spectators.

6. All roads in the Village used in connection with this event are to be used by each participant, worker, volunteer, motorist and spectator at his or her own risk. The sponsor/applicant shall be responsible for obtaining releases from all participants stating that all Village roads are to be used at the risk of each participant.
7. All activities occurring within the Village are to be coordinated with the Oyster Bay Cove Police Department. If the Oyster Bay Cove Police Department requires additional personnel to provide adequate protection, the sponsor shall pay for all costs and charges, including, but not limited to, overtime payment for all police officers used.
8. After the conclusion of the event, the race sponsor/applicant shall promptly remove from the Village of Laurel Hollow all signs and collect and remove all debris generated by race participants, workers, volunteers, motorists and spectators, and shall deposit \$250.00 with the Laurel Hollow Village Clerk at least five (5) days in advance of the event to ensure the same is completed. The use of spray paint as a directional guide on Village roads is strictly prohibited.
9. Any breach of the foregoing conditions, or any violation of the local laws of the Village shall be, in and of itself, grounds for the Village to immediately revoke Village approval.

#### **REQUEST TO CONDUCT SPECIAL EVENT – WEST SIDE RUN**

The Board reviewed the request from the West Side School and the Cold Spring Harbor School district to conduct the West Side Run on Sunday, May 21, 2017, after which it was moved by Trustee Nemshin, seconded by Trustee Jusko and unanimously carried with Trustee Miritello not present, that, subject to conditions as outlined below, the request be approved:

1. All race activities shall occur between the hours of 8:00 a.m. and 2:00 p.m.
2. The race sponsor/applicant shall ensure that there is NO parking or stopping on any Village roads, and the event shall not create any unreasonable disturbance to the residents of the Village.
3. The race sponsor/applicant shall be responsible for providing appropriate supervision and adequate protection for all participants, workers, volunteers, motorists and spectators.
4. The race sponsor shall provide to the Village a Certificate of Insurance for the event naming the Village as an additional insured in an amount not less than \$5,000,000. This certificate shall be delivered to the Laurel Hollow Village Clerk at least five (5) days in advance of the date of the event.
5. The race sponsor/applicant shall execute an Indemnification and Hold Harmless Agreement from any and all claims and liabilities which arise in connection with the issuance of this permit by any participants, workers, volunteers, motorists and spectators.
6. All roads in the Village used in connection with this event are to be used by each participant, worker, volunteer, motorist and spectator at his or her own risk. The sponsor shall be responsible for obtaining releases from all participants stating that all Village roads are to be used at the risk of each participant.
7. All activities occurring within the Village are to be coordinated with the Oyster Bay Cove Police Department. If the Oyster Bay Cove Police Department requires additional personnel to provide adequate protection, the sponsor shall



- pay for all costs and charges, including, but not limited to, overtime payment for all police officers used.
8. After the conclusion of the event, the race sponsor/applicant shall promptly remove from the Village of Laurel Hollow all signs and collect and remove all debris generated by race participants, workers, volunteers, motorists and spectators. The use of spray paint as a directional guide on Village roads is strictly prohibited.
  9. Any breach of the foregoing conditions, or any violation of the local laws of the Village shall be, in and of itself, grounds for the Village to immediately revoke Village approval.

### **APPROVAL OF ABSTRACTS**

It was moved by Trustee Novick, seconded by Trustee Tsafos and unanimously carried, with Trustee Miritello not present, that the following abstracts of vouchers be approved for payment:

- #1022 for prepaid items from 01/12/2017 to 02/08/2017 in the amount of \$14,283.68
- #1023 in the amount of \$77,922.80

### **AGREEMENT WITH STONY BROOK UNIVERSITY: WATER TESTING FOR BEACH**

No action was taken and the matter will appear on the agenda for the March 15<sup>th</sup> meeting.

### **VERIZON FIOS FRANCHISE RENEWAL**

No action was taken and the matter will appear on the agenda for the March 15<sup>th</sup> meeting.

### **PROCEEDS OF COURT GRANT**

Trustee Nicklas reported that he had received a revised proposal from Electronix Systems for a new video security system at the Village Hall/Court. No action was taken and the matter will appear on the agenda for the March 15<sup>th</sup> meeting.

### **REQUEST FROM JERICHO WATER DISTRICT FOR WAIVER OF FEES**

No action was taken regarding the request from the Jericho Water District for a waiver of application fees associated with current and prospective applications for Street Opening Permits. The matter will appear on the agenda for the March 15<sup>th</sup> meeting.

### **SPEED BUMPS / HUMPS**

Board members discussed the high volume of traffic on Moore's Hill Road, which is used as a cut through at certain times of the day to and from Oyster Bay. Art Brings said he would provide information regarding speed humps in use at the Cold Spring Harbor Laboratory. The matter will appear on future agendas at the direction of Mayor DeVita.

## **ENERGY BENCHMARKING FOR MUNICIPAL BUILDINGS**

Trustee Jusko reported to the Board on meetings with William Achnitz, Clean Energy Communities (CEC) Coordinator with the Community Development Corporation of Long Island, According to Mr. Achnitz, the purpose of the (CEC) program is to “encourage and assist municipalities in taking specific high-impact actions to reduce greenhouse gas emissions, save taxpayer dollars through energy savings, and stimulate the local economy through investments in clean energy. Communities that take the initiative to complete four of these actions can receive a grant to further improve their energy stewardship. For small municipalities with populations under 40,000, achieving the Clean Energy Community designation will provide you access with grants up to \$100,000 with no local match.”

After discussing the matter, it was moved by Trustee Jusko, seconded by Mayor DeVita and unanimously carried, with Trustee Miritello not present, that the following policy be established:

### **ENERGY BENCHMARKING REQUIREMENTS FOR CERTAIN MUNICIPAL BUILDINGS**

#### **PURPOSE**

*Buildings are the single largest user of energy in the State of New York. The poorest performing buildings typically use several times the energy of the highest performing buildings—for the exact same building use. As such, this Policy will use Building Energy Benchmarking to promote the public health, safety, and welfare by making available good, actionable information on municipal building energy use to help identify opportunities to cut costs and reduce pollution in the Incorporated Village of Laurel Hollow.*

*Collecting, reporting, and sharing Building Energy Benchmarking data on a regular basis allows municipal officials and the public to understand the energy performance of municipal buildings relative to similar buildings nationwide. Equipped with this information, the Board of Trustees is able to make smarter, more cost-effective operational and capital investment decisions, reward efficiency, and drive widespread, continuous improvement.*

#### **DEFINITIONS**

(1) *“Benchmarking Information” shall mean information generated by Portfolio Manager, as herein defined including descriptive information about the physical building and its operational characteristics.*

(2) *“Building Energy Benchmarking” shall mean the process of measuring a building’s Energy use, tracking that use over time, and comparing performance to similar buildings.*

(3) *“Commissioner” shall mean the Superintendent of the Department.*

(4) *“Covered Municipal Building” shall mean a building or facility that is owned or occupied by the Village of Laurel Hollow that is 1,000 square feet or larger in size.*

(5) *“Department” shall mean the Building Department of the Inc. Village of Laurel Hollow.*

(6) "Energy" shall mean electricity, natural gas, steam, hot or chilled water, fuel oil, or other product for use in a building, or renewable on-site electricity generation, for purposes of providing heating, cooling, lighting, water heating, or for powering or fueling other end-uses in the building and related facilities, as reflected in Utility bills or other documentation of actual Energy use.

(7) "Energy Performance Score" shall mean the numeric rating generated by Portfolio Manager that compares the Energy usage of the building to that of similar buildings.

(8) "Energy Use Intensity (EUI)" shall mean the kBtUs (1,000 British Thermal Units) used per square foot of gross floor area.

(9) "Gross Floor Area" shall mean the total number of enclosed square feet measured between the exterior surfaces of the fixed walls within any structure used or intended for supporting or sheltering any use or occupancy.

(10) "Portfolio Manager" shall mean ENERGY STAR Portfolio Manager, the internet-based tool developed and maintained by the United States Environmental Protection Agency to track and assess the relative Energy performance of buildings nationwide, or successor.

(11) "Utility" shall mean an entity that distributes and sells Energy to Covered Municipal Buildings.

(12) "Weather Normalized Site EUI" shall mean the amount of Energy that would have been used by a property under 30-year average temperatures, accounting for the difference between average temperatures and yearly fluctuations.

#### **APPLICABILITY**

(1) This Policy is applicable to all Covered Municipal Buildings as defined above.

(2) The Commissioner may exempt a particular Covered Municipal Building from the benchmarking requirement if the Commissioner determines that it has characteristics that make benchmarking impractical.

#### **BENCHMARKING REQUIRED FOR COVERED MUNICIPAL BUILDINGS**

(1) No later than March 31, 2017, and no later than May 1 every year thereafter, the Commissioner or his or her designee from the Department shall enter into Portfolio Manager the total Energy consumed by each Covered Municipal Building, along with all other descriptive information required by Portfolio Manager for the previous calendar year.

(2) For new Covered Municipal Buildings that have not accumulated 12 months of Energy use data by the first applicable date following occupancy for inputting Energy use into Portfolio Manager, the Commissioner or his or her designee from the Department shall begin inputting data in the following year.

#### **DISCLOSURE AND PUBLICATION OF BENCHMARKING INFORMATION**

(1) The Department shall make available to the public on the internet Benchmarking Information for the previous calendar year:

*(a) no later than March 31, 2017 and by September 1 of each year thereafter for Covered Municipal Buildings; and*

*(2) The Department shall make available to the public on the internet and update at least annually, the following Benchmarking Information:*

*(a) Summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information; and*

*(b) For each Covered Municipal Building individually:*

*(i) The status of compliance with the requirements of this Policy and*

*(ii) The building address, primary use type, and gross floor area; and*

*(iii) Annual summary statistics, including site EUI, Weather Normalized Source EUI, annual GHG emissions, and an Energy Performance Score where available; and*

*(iv) A comparison of the annual summary statistics (as required by subsection (iii) above) across calendar years for all years since annual reporting under this Policy has been required for said building.*

### **MAINTENANCE OF RECORDS**

*The Department shall maintain records as necessary for carrying out the purposes of this Policy, including but not limited to Energy bills and other documents received from tenants and/or Utilities. Such records shall be preserved by the Department for a period of three (3) years.*

### **ENFORCEMENT AND ADMINISTRATION**

*(1) The Commissioner or his or her designee from the Department shall be the Chief Enforcement Officer of this Policy.*

*(2) The Chief Enforcement Officer of this Policy may promulgate regulations necessary for the administration of the requirements hereof. Such regulations must be adopted by the Board of Trustees of the Inc. Village of Laurel Hollow in order to become effective.*

*(3) Within thirty days after each anniversary date of the effective date of this Policy, the Chief Enforcement Officer shall submit a report to the Board of Trustees of the Inc. Village of Laurel Hollow including but not limited to summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information, a list of all Covered Municipal Buildings identifying each Covered Municipal Building that the Commissioner determined to be exempt from the benchmarking requirement and the reason for the exemption, and the status of compliance with the requirements of this Policy.*

### **UNIFIED SOLAR PERMIT APPLICATION**

It was moved by Trustee Tsafos, seconded by Trustee Jusko and unanimously carried, with Trustee Miritello not present, that the Superintendent of Buildings be authorized and directed to begin using Permit Application form SUN-GEN-uspi-form-1-vs, the New York State Unified Solar Permit, modified for use by the Village of Laurel Hollow, for all eligible solar photovoltaic installations, with fees as established by Section 22 and / or Section 23 of the Code of the Village of Laurel Hollow.

**REQUEST FOR AUTHORIZATION TO EXECUTE SETTLEMENT AGREEMENT**

Board members reviewed the email from Joseph Messina, CPA, Municipal Audit Services, LLC, regarding the omission of DVR revenue by Cablevision (now known as ALTICE).

It was moved by Trustee Tsafos, seconded by Trustee Jusko and unanimously carried, with Trustee Miritello not present, that the Mayor be authorized to execute the Settlement Agreement with Cablevision (ALTICE) for the period 7/1/2011 through 3/31/2016, said agreement having already been approved as to form by the Village Attorney. The Village will receive \$7,754.21 in omitted fees, and Municipal Audit Services, LLC, will bill the Village for their fee, 45% of the refund, pursuant to the current agreement.

**EXECUTIVE SESSION**

At 9:50 p.m. it was moved by Trustee Nemshin, seconded by Trustee Tsafos and unanimously carried, with Trustee Miritello not present, that the Board adjourn to executive session to discuss police contract negotiations with the Village of Oyster Bay Cove. No action was taken and the Board returned to the open meeting.

There being no further business to come before the Board, the meeting was adjourned at 10:05 p.m.

*Karen A. Navin*

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Karen A. Navin, Clerk / Treasurer

**ALSO PRESENT:**

Robert Gaudioso, Esq.  
Joseph Klem  
Al Tagliaferri  
Art Brings  
Sgt. Tully

Synder & Snyder, LLP  
Crown Castle NG East  
CMS  
Cold Spring Harbor Laboratory  
Oyster Bay Cove Police Department

THE NEXT MEETING OF THE BOARD OF TRUSTEES WILL BE HELD AT 7:30 P.M.  
ON WEDNESDAY, MARCH 15, 2017