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INCORPORATED VILLAGE OF LAUREL HOLLOW
BOARD OF TRUSTEES
PUBLIC HEARING
March 11, 2020
7:00 p.m.

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

PRESENT: DANIEL DeVITA, Mayor
JEFFREY NEMSHIN, Deputy Mayor
KEVIN JUSKO, Trustee
JEFFREY MIRITELLO, Trustee
RICHARD NICKLAS, Trustee
MARTIN NOVICK, Trustee
NICHOLAS TSAFOS, Trustee

ALSO PRESENT:

HOWARD AVRUTINE, Village Attorney
ELIZABETH KAYE, Clerk/Treasurer
NANCY POPPER, Deputy Clerk and Court Clerk
MICHAEL MCNERNEY, Superintendent of Buildings

Introductory Local Law C-2020

RONALD KOENIG
OFFICIAL COURT REPORTER

1 MR. AVRUTINE: This is the public hearing
2 regarding Introductory Local Law C of 2020. This local
3 law proposes to amend Chapter 22 of the Code with
4 respect to the authority of the code enforcement officer
5 to issue stop-work orders. What it purports to do is
6 expand that authority.

7 The exhibits in connection with this
8 application are as follows:

9 First, the Affidavit of Publication from the
10 North Shore Leader that the legal advertisement was
11 published on February 26, 2020.

12 The next exhibit is an affidavit from
13 Elizabeth Kaye that the legal notice was posted at the
14 Village Hall on February 21, 2020.

15 The next exhibit is an e-mail from the Village
16 Clerk to the Mayor and Board of Trustees sent on
17 February 28, 2020, with the local law in final form
18 attached.

19 The next exhibit is confirmation that the
20 Notice of Public Hearing was published to the Village of
21 Laurel Hollow website on February 19, 2020.

22 The next exhibit is confirmation that the
23 Notice of Public Hearing was sent to Village website
24 NEWS subscribers on March 4, 2020.

25 And the final exhibit is a letter from the

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1 Nassau County Planning Commission dated February 27 of
2 2020, that the local law is referred to the village to
3 take action as it deems appropriate.

4 As I indicated, what this essentially does is,
5 it allows the code enforcement officer to issue a
6 stop-work order in connection with any violation of the
7 village Code, not simply limited to Building Department
8 or Building Code violations.

9 MAYOR De VITA: So the genesis of this is,
10 originally the stop-work order was only allowed to be
11 issued in connection with building matters. And then,
12 do you remember we had that Designer Showcase matter
13 which we won up through the Appellate Term, but one area
14 that they disallowed was we had issued stop-work orders
15 and it was in violation of zoning matters, zoning
16 decisions specifically, and the Court disallowed it on
17 that ground. So after that, we did expand the coverage
18 of stop-work orders to include zoning matters.

19 But we've had a rash in this, you know, very
20 increased expansion of building in our village, a large
21 number of cases where contractors have started work
22 earlier when they are supposed to, they're parking on
23 streets when they weren't supposed to or on the village
24 right of way, and other violations that don't fit
25 specifically in the village Code or the Zoning Code. So

1 this amendment is designed to cover that, to give the
2 code enforcement officer authority to have a contractor
3 stop work until they abide by the specific provisions of
4 our code.

5 So, that's the genesis of it.

6 MR. AVRUTINE: If I can just supplement what
7 the Mayor said. It also gives for someone who disobeys
8 it, in addition to the violation itself for the act with
9 respect to which a stop-work order is issued, it would
10 be a separate independent violation which would be
11 subject to fines for violating the stop-work order. So,
12 that adds to the penalty in the event the person who
13 violates the stop-work order does not adhere to it.

14 MAYOR De VITA: Any questions or comments from
15 the Board.

16 From the audience?

17 Building Department? No. Okay.

18 MR. AVRUTINE: A motion to close the public
19 hearing?

20 MAYOR De VITA: I'll move. Second, Trustee
21 Nicklas.

22 All in favor?

23 DEPUTY MAYOR NEMSHIN: Aye.

24 TRUSTEE JUSKO: Aye.

25 TRUSTEE MIRITELLO: Aye.

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TRUSTEE NICKLAS: Aye.

TRUSTEE NOVICK: Aye.

TRUSTEE TSAFOS: Aye.

MAYOR De VITA: Aye.

MR. AVRUTINE: And let the record reflect that this matter is deemed Type II under the New York State Environmental Quality Review Act.

Entertain a motion to adopt the ordinance -- the local law, I should say, as proposed?

MAYOR De VITA: I'll move. Second, Trustee Tsafos.

All in favor?

DEPUTY MAYOR NEMSHIN: Aye.

TRUSTEE JUSKO: Aye.

TRUSTEE MIRITELLO: Aye.

TRUSTEE NICKLAS: Aye.

TRUSTEE NOVICK: Aye.

TRUSTEE TSAFOS: Aye.

MAYOR De VITA: Aye.

CERTIFIED THAT THE FOREGOING IS A TRUE AND ACCURATE TRANSCRIPT OF THE ORIGINAL STENOGRAPHIC MINUTES IN THIS CASE.

Ronald Koenig

RONALD H. KOENIG
Senior Court Reporter