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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 D-2020

RONALD KOENIG
OFFICIAL COURT REPORTER

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1 MR. AVRUTINE: The next public hearing is
2 Introductory Local Law D-2020, proposed amendment to
3 Chapter 10 of the Village Code regarding service of
4 appearance tickets.

5 The exhibits in connection with this public
6 hearing are as follows:

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

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

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

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

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

23 And the final exhibit is a letter from the
24 Nassau County Planning Commission dated February 27,
25 2020, that the local law is referred to the Village to

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1 take action as it deems appropriate.

2 This local law expands the manner in which
3 appearance tickets must be served. Previously, the Code
4 limited it to personal service meaning that it had to be
5 personally delivered to, if it was an individual, the
6 individual, if it was an entity, whatever -- that's
7 really not changing because you can serve an entity in
8 multiple ways and that hasn't changed. But the personal
9 delivery for the natural person did limit the ability to
10 serve some people, especially those who were seeking to
11 evade being served.

12 So with change in the statute which went into
13 effect on January 1, the locality, such as villages,
14 were authorized to expand the manner in which appearance
15 tickets may be served. So what this local law purports
16 to do is, in accordance with that change that I just
17 mentioned, an appearance ticket can be served in any
18 manner that a summons may be served under the New York
19 Civil Practice Law and Rules which includes personal
20 delivery as we've been speaking about but other methods
21 such as serving an adult person at the person's
22 residence and similar things, more options for the code
23 enforcement officer to make service. But that is
24 limited to violations of building matters, zoning
25 matters, and issues regarding refuse. So that's the

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1 reference to the chapters under which this type of
2 service can be effectuated.

3 So as I have indicated, it expands the ability
4 to effectuate service and make it easier for our code
5 enforcer.

6 MAYOR De VITA: I think Howard said it all.

7 So, does anybody have any other comments from
8 the Board about this?

9 The audience?

10 MR. AVRUTINE: Then it will be a motion to
11 close the public hearing.

12 MAYOR De VITA: Deputy Mayor Nemshin. Second,
13 Trustee Jusko.

14 All in favor?

15 DEPUTY MAYOR NEMSHIN: Aye.

16 TRUSTEE JUSKO: Aye.

17 TRUSTEE MIRITELLO: Aye.

18 TRUSTEE NICKLAS: Aye.

19 TRUSTEE NOVICK: Aye.

20 TRUSTEE TSAFOS: Aye.

21 MAYOR De VITA: Aye.

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

25 And next we would entertain a motion to adopt

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the local law as presented.

MAYOR De VITA: I'll move to adopt the local law as presented. Second, Trustee Jusko.

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