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INCORPORATED VILLAGE OF LAUREL HOLLOW
BOARD OF TRUSTEES
PUBLIC HEARING
April 6, 2020
7:00 p.m.
(Via video conference.)

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

Full transcript of 4-6-2020
meeting (Gov. COVID-19 Executive
Order) that full meeting be
transcribed.

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

RONALD KOENIG
OFFICIAL COURT REPORTER

1 MAYOR DEVITA: So, we have a brief meeting
2 tonight. Why don't we dive into our public hearings for
3 the first matter.

4 The first public hearing will be --
5 Howard, do you want to do the change in the
6 local law?

7 MR. AVRUTINE: Yes.

8 Good evening. This is the public hearing
9 regarding Introductory Local Law F. It concerns the
10 change to Chapter 88 of the Code. It's an amendment to
11 Chapter 88 of the Village Code.

12 The exhibits in connection with this hearing
13 are as follows:

14 First, a copy of the page from the March 18
15 addition of the North Shore Leader showing that the
16 public notice of this hearing was published on that
17 date.

18 The next exhibit is an affidavit from
19 Elizabeth Kaye that the legal notice was posted at the
20 village hall on March 13, 2020.

21 The next exhibit is an e-mail from the Village
22 Clerk to the Mayor and Board of Trustees sent on
23 March 27, 2020, with the local law in final form
24 attached.

25 The next exhibit is a confirmation that the

Proceedings

1 notice of public hearing was published to the village of
2 Laurel Hollow website on March 12, 2020.

3 The next exhibit is confirmation that the
4 notice of public hearing was sent to village website
5 NEWS subscribers on April 2, 2020.

6 And the final exhibit is a letter from the
7 Nassau County Planning Commission dated April 3, 2020,
8 that the local law was referred to the Village Board of
9 Trustees to take action as it deems appropriate.

10 This local law is essentially being adopted to
11 effectuate a settlement regarding Active Environmental
12 litigation that they had threatened as they did last
13 year, if the Board will recall, and we're just changing
14 a few provisions so that the settlement can be
15 effectuated. And the Local Law, as modified based upon
16 that which was previously adopted, is the subject of a
17 stipulation of settlement whereby they are acknowledging
18 that the Local Law that we will now have in place is
19 fully and completely constitutional as far as their
20 First Amendment rights and essentially should close this
21 matter as far as the Village is concerned.

22 MAYOR DEVITA: I just want to add. This
23 basically -- and correct me if I'm wrong, Howard -- I
24 think there's basically three changes and it really
25 could almost say it improves the ordinance, it makes it

1 tighter.

2 Number one was in terms of we reduced the time
3 to issue the permit I believe to ten business days. We
4 previously had been out somewhere 20 to 30, maybe it was
5 even 30 days. So, we have ten business days from the
6 time the application is submitted to issue it, which
7 seems reasonable.

8 We also removed a provision that basically
9 stated the Board of Trustees could impose whatever
10 requirements it wants. It was something very broad
11 which we don't need and it will prohibit future scrutiny
12 on that ground.

13 And third, we still have a \$50 fee but we had
14 an extra \$200 fee, and I forgot if it was for processing
15 or something. The argument was that that raised the
16 level of the whole application to an amount that wasn't
17 commensurate with the actual costs of providing this
18 license and, therefore, since you're regulating speech
19 even though it's commercial speech, it could be subject
20 to a constitutional challenge. So we agreed to
21 eliminate that. So as Howard said, with these changes
22 we avoid any litigation and most importantly in the
23 stipulation they essentially agree to go away forever.

24 So, that's the nature of these changes. I
25 think that's it.

Proceedings

1 MR. AVRUTINE: That is correct.

2 MAYOR DeVITA: Okay. All right. So, any
3 discussion from the Board?

4 Rich?

5 TRUSTEE NICKLAS: Is this strictly to do with
6 permits?

7 MAYOR DeVITA: Permits for solicitors. Active
8 Environmental were the guys who went around looking for
9 work on whatever, tree work or tree spraying or
10 something.

11 TRUSTEE NICKLAS: All right.

12 MR. AVRUTINE: Let me -- also, I know this was
13 a concern for a lot of trustees, remaining intact in the
14 chapter is the ability for residents to be on the
15 do-not-solicit list. So that anyone who chooses to be
16 on that list, anyone receiving permission or a permit
17 for solicitation within the village is moving from
18 soliciting people who choose to be on there.

19 MAYOR DeVITA: Anybody else?

20 I'd ask for public comments, but -- one thing,
21 Howard, in this legislative history, it advised keeping,
22 if you close your public hearing, it advised keeping the
23 record open for five days so that the public, assuming
24 they get wind of it, will have an opportunity to submit
25 comments.

Proceedings

1 Do you see any problem with that?

2 MR. AVRUTINE: The only problem with it --

3 MAYOR DEVITA: You're breaking up.

4 MR. AVRUTINE: The problem with that is that
5 the public hearing is essentially kept open. So if
6 we're going do that, we can't close the public hearing
7 and then adopt the local law and then keep the record
8 open for comments.

9 MAYOR DEVITA: I'm sorry. Look, I haven't
10 read anything that said you must do this. These are
11 suggestions. But given the difficulty of us getting
12 together and timing and everything, I think we should,
13 just because we talked about this ordinance before in a
14 couple meetings and there's never been any comments,
15 people just want the opportunity to be able to opt out
16 which remains, so I would say we'll just close it then.

17 MR. AVRUTINE: I just wanted to add that I
18 read the same thing you did, the Mayor, and I believe
19 that it was still under these circumstances with the
20 existing executive orders in place that the Board is
21 really legally empowered to both close the public
22 hearing and to act to adopt it if that's what the Board
23 is planning to do.

24 TRUSTEE NOVICK: You are very tough to
25 understand, Howard.

1 MR. AVRUTINE: Unfortunately, this is the best
2 I can do.

3 TRUSTEE NICKLAS: You need a new webcam,
4 Howard.

5 MAYOR DeVITA: Ron, just basically what he
6 said, what Howard explained was, he saw the same
7 notations that I did, but that there's no, his opinion,
8 he agrees with mine, is that there's no legal
9 prohibition to us closing the record and closing the
10 public hearing tonight.

11 Right, Howard?

12 MR. AVRUTINE: That's correct.

13 MAYOR DeVITA: So, any other discussions from
14 the Board?

15 MR. AVRUTINE: We need a motion to close the
16 public hearing.

17 MAYOR DeVITA: There's a motion to close the
18 public hearing. I see Trustee Nicklas makes the motion,
19 seconded by Trustee Miritello.

20 So, we'll go and do a poll, the rest of the
21 Board.

22 Trustee Jusko?

23 TRUSTEE JUSKO: Yes.

24 MAYOR DeVITA: Trustee Tsafos?

25 TRUSTEE TSAFOS: Yes.

Proceedings

1 MAYOR DeVITA: Jeff, how do you vote?

2 DEPUTY MAYOR NEMSHIN: Yes.

3 MAYOR DeVITA: Marty, how do you vote?

4 TRUSTEE NOVICK: Yes.

5 MAYOR DeVITA: Anybody else? Is that
6 everyone?

7 Next, Howard.

8 MR. AVRUTINE: Also, the record reflect that
9 this matter is deemed Type II under the New York State
10 Environmental Quality Review Act.

11 THE CLERK: They have to adopt now, right?

12 MR. AVRUTINE: The next motion is to adopt the
13 legislation as submitted.

14 MAYOR DeVITA: Ron, he said adopt the
15 legislation as submitted is the next motion.

16 All right. I'll move to adopt the legislation
17 as submitted.

18 Seconded?

19 TRUSTEE NOVICK: I second.

20 MAYOR DeVITA: You know what, Marty, I'm just
21 nervous because you're not physically present.

22 TRUSTEE NOVICK: Okay.

23 MAYOR DeVITA: Deputy Mayor Nemshin seconded.
24 So now we'll poll the rest of the Board.

25 Trustee Jusko?

Proceedings

1 TRUSTEE JUSKO: Yes.

2 MAYOR DeVITA: Trustee Miritello?

3 TRUSTEE MIRITELLO: Yes.

4 MAYOR DeVITA: Trustee Nicklas?

5 TRUSTEE NICKLAS: Yes.

6 MAYOR DeVITA: Trustee Tsafos?

7 TRUSTEE TSAFOS: Yes.

8 MAYOR DeVITA: And Marty, how do you vote?

9 TRUSTEE NOVICK: Yes.

10 MAYOR DeVITA: Howard, does that end the
11 public hearing?

12 MR. AVRUTINE: The public hearing, yes.

13 MAYOR DeVITA: The next public hearing now.

14 MR. AVRUTINE: This is the public hearing --

15 MAYOR DeVITA: Howard, just so you know. I
16 know it's hard because you got papers, but when you look
17 down we lose the audio. So even if you want to hold
18 them up while you're reading, it doesn't matter if it
19 blocks your face. We're okay with that.

20 MR. AVRUTINE: This is the public hearing
21 regarding the Tentative Budget for the 2020 and 2021
22 fiscal year.

23 The exhibits in connection with this hearing
24 are as follows:

25 First, a copy of the Tentative Budget as filed

Proceedings

1 with the Board of Trustees on March 11, 2020.

2 The next exhibit is an Affidavit of Posting by
3 the Village Clerk stating that the notice of public
4 hearing was posted at the Village Hall on March 13,
5 2020.

6 The next exhibit is a copy of a page from the
7 March 18 addition of the North Shore Leader showing that
8 the public notice was published on that date.

9 The next exhibit is evidence that the public
10 notice for tonight's hearing and for the Tentative
11 Budget was posted to the NEWS section of the Village
12 Website on March 12, 2020, and forwarded to Village
13 Website NEWS subscribers on April 2, 2020.

14 And the final exhibit consists of evidence
15 that the Tax Cap Certification was filed with the Office
16 of the State Comptroller on March 26, 2020.

17 MAYOR DeVITA: Okay. That's it for exhibits?

18 MR. AVRUTINE: Yes, sir.

19 MAYOR DeVITA: Okay. So, you know, our
20 budgeting process begins long before now. We have a
21 very meticulous process. We spent this year, basically
22 a whole day, February 8, where the whole board got
23 together and went through the budget line by line and we
24 came up with this tentative budget.

25 The tentative budget is technically still

Proceedings

1 under the New York State tax cap. I will say right out
2 it calls for a 5.75 percent tax increase, and it's still
3 under the tax cap because our also past good budgeting
4 we earned credits and carryovers.

5 Liz, I think those are the correct terms.

6 THE CLERK: Yes. Carryover, correct.

7 MAYOR DeVITA: which allows us to go over the
8 yearly designated tax cap which this year I'm not sure
9 what it is.

10 THE CLERK: I think it's 1.78.

11 MAYOR DeVITA: Something like that.

12 But in any event, under the budget we had to
13 raise \$153,682 in order to balance, and that was due
14 primarily to two things:

15 One, increased police costs, which each year
16 they're 4 percent, but it's compounded each year.
17 Four percent is based on the prior year's police budget.
18 Plus there were a number of extra. We also in our
19 contract pay, we call them line item matters, and
20 significantly they involve things like overtime and
21 there's some other calculations in there. But they were
22 up substantially this year and part of that was, there
23 were two police officers out on disability and we only
24 have a 14-member police force, so there were substantial
25 costs.

Proceedings

1 In addition, we had very substantial outside
2 attorney fees due to the Crown Castle federal
3 litigation. As everyone knows, we were sued. At the
4 very tail end of 2018 and into 2019, we had substantial
5 litigation expenses to defend against that suit.

6 We're hoping that comes to an end very soon.
7 But those were certainly unanticipated and those were
8 the substantial bases for the increases.

9 But even with that, a quick rough calculation
10 is that the average increase per household in Laurel
11 Hollow will be \$255 per year, and, of course, that can
12 differ depending on your tax assessment. It could go
13 down if your tax assessment goes down. It could go up
14 if it goes up. There are a few other variables. But
15 all other things being equal, it's about a \$255 increase
16 which is a little over twenty-something dollars a month.

17 So, that's where we're at.

18 Nick Tsafos, do you want to say some other
19 things about the budgeting and budget process?

20 TRUSTEE TSAFOS: No. I just think that, Dan,
21 you articulated it very well the way we went through the
22 budget and, you know, how we came up with the numbers.

23 The Board, you know, like Dan had stated, went
24 through the budget line by line item looking at the
25 prior year's experience with what we're spending, where

Proceedings

1 we're spending it and what we need for the next year.
2 And that's how we basically came up with the budget
3 then. There was a slight increase in taxes.

4 So, that's basically it.

5 MAYOR DeVITA: One other thing I'll add is,
6 you know, we operate on a conservative budgeting method.
7 For instance, we are due a total of \$175,000 in State
8 aid on projects that we've completed including the roads
9 and the seawall. We signed our contracts with the State
10 in order to be able to receive that money, and we
11 anticipate receiving that money this coming year. But,
12 we don't budget for it and we don't budget for any State
13 grants or aids because we never know when they're going
14 to let the money go and pay us. So, we know we're owed
15 the money and we anticipate that coming in, but we
16 couldn't budget for that.

17 Finally, just so it's on the record, we're in
18 the midst of this Corona pandemic, and everything,
19 business, everything is shut down. People are in their
20 houses. No one is basically allowed to do much of
21 anything except go to the store and buy groceries. We
22 don't know how this is going to anticipate, you know,
23 future, the future revenues, expenditures, et cetera.
24 We, Nick, Liz and I, have talked about it. We've come
25 up with some worst-case scenarios, but it's too highly

Proceedings

1 speculative at this point, I think, to change the
2 tentative budget that we've come up on top of which this
3 tentative budget has to be filed by -- is it April 15,
4 Liz?

5 THE CLERK: No. I think it's later. I don't
6 know.

7 MAYOR DeVITA: But it's April though.

8 THE CLERK: I think the 30th.

9 MAYOR DeVITA: That is one thing the governor
10 has not, you know, postponed or forgiven in terms of a
11 filing date. So, this is our best estimate at this
12 point in time of what next year's budget will look like.
13 That's why we're filing it now.

14 Any comments, questions, anything by any of
15 the board members?

16 TRUSTEE NOVICK: what are the consequences if
17 you don't file by the 30th?

18 MAYOR DeVITA: I don't know. I'd hate to find
19 out because, you know what, what if there are penalties,
20 financial penalties. And I don't know if there are, but
21 given the state of the State's budget, I don't want to
22 be easy pickings for them. There's no harm in filing
23 this now.

24 TRUSTEE NOVICK: what's the consequences,
25 fines, would be to a village or to any municipality that

1 does not comply?

2 MAYOR DeVITA: I don't know. But here's the
3 thing, we can always amend the budget.

4 Correct me if I'm wrong, Liz and Nick, we can
5 always --

6 THE CLERK: Yes. You can't change the levy
7 once you --

8 MAYOR DeVITA: But we can always amend the
9 budget. So, it's a solid budget based on what we were
10 anticipating. And even if we were to wait, I'm not sure
11 what that would do.

12 THE CLERK: And also, if you don't pass the
13 budget, you can't levy your taxes to bill the residents.

14 MAYOR DeVITA: That may be the best point.

15 THE CLERK: It's not even the Comptroller's
16 deadline. It's our deadline.

17 MAYOR DeVITA: And the County just sent us the
18 tax rolls, right?

19 THE CLERK: Yes. I'm working on them now.
20 Correct.

21 MAYOR DeVITA: So, that may be the best
22 reason.

23 Rich, you had a question?

24 TRUSTEE NICKLAS: Yes.

25 With regard to this averaging, credits, I

Proceedings

1 guess, Liz, you said we have, so that keeps us under the
2 cap, is that what you mean, you average the last couple
3 of years?

4 THE CLERK: No. It's a use it or lose it.
5 Last year we came in 40,000 under the cap. So, you get
6 a carryover. And we had 40,000 to carry over to this
7 year's cap. So, it gave us a cushion that we wouldn't
8 have had otherwise. And if you don't use the carryover,
9 you lose it. It's one year opportunity. So, we were
10 able to actually get up to around 5 percent and change
11 and still make our cap.

12 TRUSTEE NICKLAS: Okay.

13 THE CLERK: It's on your schedule.

14 TRUSTEE NICKLAS: Thank you.

15 MAYOR DeVITA: Anyone else?

16 TRUSTEE TSAFOS: Yes. I would just like to
17 add that we should be filing this budget just because
18 the timing of when we went through our budgeting process
19 and when this pandemic hit. It's just that we did it
20 before the pandemic. It happens to be the pandemic is
21 between our budgeting process and our filing. So stick
22 with what we know. Right now I don't think we should
23 change anything. Going forward, like we said, we can
24 amend the budget, and it would be on the cost-cutting
25 side if we had to amend anything.

Proceedings

1 And on the revenue side, it would probably
2 have to be amended. And I don't know if we really need
3 an amendment on the revenue side if State government or
4 Federal government comes in and provides funding just
5 like they did in the private sector. Because the
6 Federal government has taken a position to help people
7 maintain their jobs and continue, help organizations
8 continue through this. So I would think that the
9 Federal or State government would provide some type of
10 funding to local governments. But that remains to be
11 seen.

12 So, let's move forward with our budget because
13 we don't have any better information to change it now.

14 MAYOR DeVITA: I agree.

15 Anything else from anyone?

16 Howard?

17 MR. AVRUTINE: Yes. At this time then we
18 would entertain a motion to close the public hearing.

19 MAYOR DeVITA: Motion by Trustee Miritello,
20 seconded by Trustee Jusko.

21 Let's poll the rest of the Board.

22 I vote yes.

23 Trust Nicklas?

24 TRUSTEE NICKLAS: Yes.

25 MAYOR DeVITA: Trustee Tsafos?

Proceedings

1 TRUSTEE TSAFOS: Yes.

2 MAYOR DeVITA: Deputy Mayor Nemshin?

3 DEPUTY MAYOR NEMSHIN: Yes.

4 MAYOR DeVITA: Marty?

5 TRUSTEE NOVICK: Yes.

6 MAYOR DeVITA: Does that close the public
7 hearing?

8 MR. AVRUTINE: At this time, I would like to
9 put on the record that this matter is deemed Type II
10 under the New York State Environmental Quality Review
11 Act.

12 Now, we will entertain a motion to adopt the
13 budget as submitted.

14 MAYOR DeVITA: I'll make a motion to adopt it.
15 I see a second by Trustee Nicklas.

16 We will poll the rest of the Board.

17 Trustee Jusko?

18 TRUSTEE JUSKO: Yes.

19 MAYOR DeVITA: Trustee Miritello?

20 TRUSTEE MIRITELLO: Yes.

21 MAYOR DeVITA: Trustee Tsafos?

22 TRUSTEE TSAFOS: Yes.

23 MAYOR DeVITA: Deputy Mayor Nemshin?

24 DEPUTY MAYOR NEMSHIN: Yes.

25 MAYOR DeVITA: And Marty?

Proceedings

1 TRUSTEE NOVICK: Yes.

2 MR. AVRUTINE: That completes the public
3 hearing.

4 MAYOR DEVITA: Now we'll move to the rest of
5 the agenda. We will do the Building Department.

6 I gave Mike -- I excused him from the meeting.
7 Nancy is here if we need help. There's just two very
8 brief matters, and I'll fill in for Mike. Nancy, you
9 can confirm, deny or whatever.

10 The first was, Lynn Tone who lives on Cold
11 Spring Road has had an open permit. Because it's a
12 county road, she did driveway work, she had to get
13 approval from the County. This is called a 239-f Review
14 by the county.

15 So, she came to us last October. The County
16 still hadn't acted on her application. We agreed to
17 extend it another six months with no renewal fee because
18 she's just waiting on the County. She submitted a
19 substantial number of e-mails which evidenced her
20 efforts to get the County to do something. She has a
21 lawyer, Peter Mackinnon -- who I think, Howard, you
22 know -- and contacted Josh Lafazan's office. And there
23 are some communications at the end by one of the
24 officials from the Department of Public Works that it's
25 going to be, given the state of things during the

Proceedings

1 pandemic, it will be some time.

2 So, I suggested to Mike that we extend the
3 permit without fee for a year, and he had no problem
4 with that because, you know, what's going to happen in
5 six months. Even if there was no pandemic, we didn't
6 know if they would get this done in six months, the
7 County. So that was the suggestion. I agree with it.

8 So, a discussion.

9 TRUSTEE MIRITELLO: Do we go out longer than a
10 year?

11 MAYOR DeVITA: I guess --

12 TRUSTEE MIRITELLO: Just not to address this
13 again.

14 TRUSTEE NICKLAS: Dan, this is something, I
15 gather, that the Tones could not control.

16 MAYOR DeVITA: Absolutely. As a matter of
17 fact, they've been trying. And there's another resident
18 on Cold Spring Road, George Bellilo (phonetic), been
19 trying to get the 239-f, and it's just they'll meet with
20 you and then they do nothing. So, it's nothing that --
21 it's out of the Tones' hands. But to their credit, from
22 their e-mails, they've been after the County to get it
23 done, but nothing has been done by the County.

24 TRUSTEE NICKLAS: I'd go with Jeff's
25 recommendation. Why don't we just extend it so we don't

Proceedings

1 face it again.

2 MAYOR DeVITA: Howard, is there an issue with
3 a year and a half?

4 MR. AVRUTINE: No. The Board can extend it
5 for as long as at it wishes to do, and at the end of the
6 year and a half, they can come back for more time if
7 they need it.

8 MAYOR DeVITA: Nancy, can your computers put a
9 notation for a year and a half, like a tickler?

10 MS. POPPER: It's easy. Yes. No problem.

11 MAYOR DeVITA: Anybody else with comments?
12 We'll go with a year and a half?

13 So, we'll take a vote on that.

14 I need a motion. Deputy Mayor Nemshin,
15 seconded by Trustee Miritello.

16 Then we'll poll the rest of the Board.

17 I vote yes.

18 Trustee Jusko?

19 TRUSTEE JUSKO: Yes.

20 MAYOR DeVITA: Trust Nicklas?

21 TRUSTEE NICKLAS: Yes.

22 MAYOR DeVITA: Trustee Tsafos?

23 TRUSTEE TSAFOS: Yes.

24 MAYOR DeVITA: And Trustee Novick, how do you
25 vote?

Proceedings

1 TRUSTEE NOVICK: Yes.

2 MAYOR DeVITA: Okay.

3 The second matter is -- and Nancy, you'll let
4 the Tones know in an e-mail?

5 MS. POPPER: Yes.

6 MAYOR DeVITA: The second matter has to do
7 with extending a building permit. Mr. Andriotis's
8 residence, 44 Timber Ridge, did a project.

9 It was a circular driveway, I think, Nancy?

10 MS. POPPER: Yes, with a retaining wall and
11 drainage.

12 MAYOR DeVITA: So, as we approached the time
13 for the permit to expire his landscaper was gone and he
14 was trying to find another one. I made the erroneous
15 suggestion to have our arborist, Betsy Bibla, go out
16 there. And then several days later I realized it's a
17 conflict and we lost some time there. So, he's only a
18 couple weeks over. The job is complete. We got a
19 certification of plantings. I noticed there's some
20 differences, but I've spoken with Mike and he concurs
21 with the recommendation which is to extend the time of
22 the permit until now with no additional costs to close
23 this out.

24 Any comments from the Board? Any questions?

25 No questions or comments. So we'll vote.

Proceedings

1 I'll move to approve the extension of the
2 permit. I guess would it be till now, Howard?

3 MR. AVRUTINE: Well, to be closed out, yes.

4 MAYOR DeVITA: Just till tomorrow's date or
5 whatever?

6 MR. AVRUTINE: Until it's administratively
7 feasible for Mike to issue the CO.

8 MS. POPPER: We can do it tomorrow.

9 MAYOR DeVITA: Let's give it till Friday, the
10 10th. So the motion is to extend the permit with no fee
11 until Friday, April 10, in order to allow the issuance
12 of the CO.

13 I'll move. Second, I saw Trustee Jusko.
14 We'll poll the rest.

15 Trustee Nicklas?

16 TRUSTEE NICKLAS: Yes.

17 MAYOR DeVITA: Trustee Miritello?

18 TRUSTEE MIRITELLO: Yes.

19 MAYOR DeVITA: Trustee Tsafos?

20 TRUSTEE TSAFOS: Yes.

21 MAYOR DeVITA: Deputy Mayor Nemshin?

22 DEPUTY MAYOR NEMSHIN: Yes.

23 MAYOR DeVITA: Trustee Novick?

24 TRUSTEE NOVICK: Yes.

25 MAYOR DeVITA: Anybody else?

Proceedings

1 Nancy, you'll let Mr. Andriotis know?

2 MS. POPPER: Yes.

3 MAYOR DeVITA: Now we just have a couple minor
4 issues.

5 Liz, you want to talk about abstracts,
6 minutes, et cetera?

7 THE CLERK: Minutes. Let me do a quick screen
8 share.

9 MAYOR DeVITA: It's all right.

10 THE CLERK: I made your changes.

11 MAYOR DeVITA: And the only changes I had were
12 correcting the height of the allowable fence in Laurel
13 Hollow from 4 feet to 6 feet, essentially. It was on
14 the deer fence discussion. It was a minor change.

15 Other than that, I don't know if anyone had
16 any other changes from the ones that were circulated. I
17 don't think so. So, we'll have a motion to approve the
18 minutes. A motion?

19 THE CLERK: As amended.

20 MAYOR DeVITA: As amended. Trustee Nicklas.
21 Second, Deputy Mayor Nemshin.

22 We'll poll.

23 Trustee Jusko?

24 TRUSTEE JUSKO: Yes.

25 MAYOR DeVITA: Trustee Miritello?

Proceedings

1 TRUSTEE MIRITELLO: Yes.

2 MAYOR DeVITA: Deputy Mayor Nemshin?

3 DEPUTY MAYOR NEMSHIN: Yes.

4 MAYOR DeVITA: Trustee Tsafos?

5 TRUSTEE TSAFOS: Yes.

6 MAYOR DeVITA: Trustee Novick?

7 TRUSTEE NOVICK: Yes.

8 MAYOR DeVITA: That's approved.

9 Liz, next?

10 THE CLERK: The abstracts, everybody saw. I
11 don't know if you have questions.

12 And then I had asked for -- I spoke to the
13 Mayor about three add-ons, bills that came last Friday
14 and I couldn't get into the abstract.

15 A bill from Home Depot for \$1,127.71, the
16 majority of which was the fence at the police booth
17 followed by flowers and seed for Village Hall, the bin
18 for outside the door, some other items. If I can get
19 that added on subject to the Mayor's review.

20 A bill from West Side Engineering for slope
21 analysis, flooding on Laurel Hollow Road, multi modal,
22 elevation certificate. That was for \$760.

23 And Kaiser Marine, their bill to build the
24 float. That was \$5,040 which was previously approved
25 subject to the Mayor's review.

Proceedings

1 MAYOR DEVITA: These three came in. I
2 reviewed the vouchers yesterday. They came in after the
3 ability to do that. So since they're somewhat
4 substantial, I would like to review them, but I would
5 like the approval of the Board subject to my review and
6 approval, these three add-ons.

7 Rich, you have question?

8 TRUSTEE NICKLAS: I do have a question.

9 I was noticing in here this Maidenbaum refund
10 for certiorari for 10,009. That's only one law firm.
11 Do we have other law firms submitting these that we have
12 to refund?

13 THE CLERK: Actually, we have one more from
14 Maidenbaum that I didn't put on because part of their
15 claims were shared with Oyster Bay Cove yet they didn't
16 allocate. So that's going to sit.

17 As of now, no, that's it.

18 TRUSTEE NICKLAS: My second question, how do
19 we budget for these?

20 THE CLERK: We put money in there. We have
21 about \$15,000, I think.

22 TRUSTEE NICKLAS: Okay. We are budgeting,
23 fine.

24 THE CLERK: I forget. There's about ten
25 properties in that bill. I can't remember how many.

Proceedings

1 You know, it adds up.

2 MAYOR DeVITA: Just so you know, I don't know
3 if, you may not have noticed, but the fence around the
4 back of the police booth was pretty rotted out and the
5 guys put in a four-inch-wide-plank cedar fence. They
6 did it on their own, the postings, built a gate,
7 everything. So really, the \$1,127 is just the cost of
8 materials. They did, as usual, a superb job.

9 And the float is the float. We, the Board,
10 had given approval previously for that to be rebuilt.

11 And the \$760, Jim's fees, I just want to
12 review.

13 Any other comments?

14 Okay. So, a motion to approve the abstracts
15 with the condition that the three add-ons are subject to
16 the review and approval by myself, by the mayor. A
17 motion?

18 Trustee Jusko. Second, Trustee Miritello.

19 I vote yes.

20 Trustee Nicklas?

21 TRUSTEE NICKLAS: Yes.

22 MAYOR DeVITA: Trustee Tsafos?

23 TRUSTEE TSAFOS: Yes.

24 MAYOR DeVITA: Deputy Mayor Nemshin?

25 DEPUTY MAYOR NEMSHIN: Yes.

Proceedings

1 MAYOR DeVITA: Trustee Novick?

2 TRUSTEE NOVICK: Yes.

3 MAYOR DeVITA: Liz, next.

4 THE CLERK: Just the dental is up for renewal,
5 May. They didn't ask for any increase last year, and I
6 don't even know if it's two years now. So this one
7 they're asking for 3 percent for all the categories.

8 MAYOR DeVITA: In the health care field,
9 that's not a lot.

10 THE CLERK: No.

11 MAYOR DeVITA: Any discussion?

12 TRUSTEE MIRITELLO: Dental is pretty low to
13 begin with, right?

14 MAYOR DeVITA: Well, Liz, what is the total on
15 that?

16 TRUSTEE NICKLAS: \$105.

17 THE CLERK: About that.

18 MAYOR DeVITA: That's the increase, though.

19 THE CLERK: Approximately 3 percent.

20 MAYOR DeVITA: Jeff, you're asking what the
21 total amount of the premium is?

22 TRUSTEE NICKLAS: 265.

23 THE CLERK: Thank you.

24 MAYOR DeVITA: So what's the premium, Liz, for
25 the dental?

Proceedings

1 THE CLERK: It's separated. I don't have it
2 added.

3 Rich, you added it?

4 TRUSTEE NICKLAS: I added the total here for
5 the renewal rates and it's like 265. That's the
6 3 percent.

7 MAYOR DeVITA: It's 265 a month?

8 THE CLERK: Yeah.

9 MAYOR DeVITA: Okay.

10 Jeff, that's for all the eligible employees.

11 THE CLERK: That's for all the active. The
12 retired is a different plan.

13 MAYOR DeVITA: Anybody else?

14 You need a vote on this?

15 THE CLERK: Yes.

16 MAYOR DeVITA: I'll move to approve. A
17 second, Trustee Nicklas. We'll poll.

18 Trustee Jusko?

19 TRUSTEE JUSKO: Yes.

20 MAYOR DeVITA: Trustee Miritello?

21 TRUSTEE MIRITELLO: Yes.

22 MAYOR DeVITA: Trustee Tsafos?

23 TRUSTEE TSAFOS: Yes.

24 MAYOR DeVITA: Deputy Mayor Nemshin?

25 DEPUTY MAYOR NEMSHIN: Yes.

Proceedings

1 MAYOR DeVITA: Trustee Novick?

2 TRUSTEE NOVICK: Yes.

3 MAYOR DeVITA: Is that everyone? Any more
4 business, Liz?

5 THE CLERK: No.

6 MAYOR DeVITA: Anybody else have anything?
7 We're not going to do an executive session.
8 You got my e-mail.

9 Howard, you will do a memo to the Board.

10 MR. AVRUTINE: I will. In order to complete
11 that, I need to get some information from
12 Mr. Antonelli --

13 MAYOR DeVITA: Absolutely.

14 MR. AVRUTINE: -- regarding the potential
15 engineering solution to the problem on Cherry Lane.

16 MAYOR DeVITA: Anybody on anything else?

17 Thank you all. In these difficult times,
18 please stay safe. I don't know when our next meeting
19 is. It's scheduled for May 13. So, let's hope we're in
20 some ways back to normal by then.

21 (Continued on next page.)

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Proceedings

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TRUSTEE MIRITELLO: Nancy, feel better.
MAYOR DeVITA: Yes. You and Matthew.
Thank you.

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