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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

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

Tentative Budget for Fiscal 2020-2021

RONALD KOENIG
OFFICIAL COURT REPORTER

1 MR. AVRUTINE: This is the public hearing
2 regarding the Tentative Budget for the 2020 and 2021
3 fiscal year.

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

6 First, a copy of the Tentative Budget as filed
7 with the Board of Trustees on March 11, 2020.

8 The next exhibit is an Affidavit of Posting by
9 the village Clerk stating that the notice of public
10 hearing was posted at the Village Hall on March 13,
11 2020.

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

15 The next exhibit is evidence that the public
16 notice for tonight's hearing and for the Tentative
17 Budget was posted to the NEWS section of the village
18 website on March 12, 2020, and forwarded to village
19 website NEWS subscribers on April 2, 2020.

20 And the final exhibit consists of evidence
21 that the Tax Cap Certification was filed with the Office
22 of the State Comptroller on March 26, 2020.

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

24 MR. AVRUTINE: Yes, sir.

25 MAYOR DeVITA: Okay. So, you know, our

1 budgeting process begins long before now. We have a
2 very meticulous process. We spent this year, basically
3 a whole day, February 8, where the whole board got
4 together and went through the budget line by line and we
5 came up with this tentative budget.

6 The tentative budget is technically still
7 under the New York State tax cap. I will say right out
8 it calls for a 5.75 percent tax increase, and it's still
9 under the tax cap because our also past good budgeting
10 we earned credits and carryovers.

11 Liz, I think those are the correct terms.

12 THE CLERK: Yes. Carryover, correct.

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

16 THE CLERK: I think it's 1.78.

17 MAYOR DeVITA: Something like that.

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

21 One, increased police costs, which each year
22 they're 4 percent, but it's compounded each year.
23 Four percent is based on the prior year's police budget.
24 Plus there were a number of extra. We also in our
25 contract pay, we call them line item matters, and

1 significantly they involve things like overtime and
2 there's some other calculations in there. But they were
3 up substantially this year and part of that was, there
4 were two police officers out on disability and we only
5 have a 14-member police force, so there were substantial
6 costs.

7 In addition, we had very substantial outside
8 attorney fees due to the Crown Castle federal
9 litigation. As everyone knows, we were sued. At the
10 very tail end of 2018 and into 2019, we had substantial
11 litigation expenses to defend against that suit.

12 We're hoping that comes to an end very soon.
13 But those were certainly unanticipated and those were
14 the substantial bases for the increases.

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

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

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

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

4 The Board, you know, like Dan had stated, went
5 through the budget line by line item looking at the
6 prior year's experience with what we're spending, where
7 we're spending it and what we need for the next year.
8 And that's how we basically came up with the budget
9 then. There was a slight increase in taxes.

10 So, that's basically it.

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

23 Finally, just so it's on the record, we're in
24 the midst of this Corona pandemic, and everything,
25 business, everything is shut down. People are in their

1 houses. No one is basically allowed to do much of
2 anything except go to the store and buy groceries. We
3 don't know how this is going to anticipate, you know,
4 future, the future revenues, expenditures, et cetera.
5 We, Nick, Liz and I, have talked about it. We've come
6 up with some worst-case scenarios, but it's too highly
7 speculative at this point, I think, to change the
8 tentative budget that we've come up on top of which this
9 tentative budget has to be filed by -- is it April 15,
10 Liz?

11 THE CLERK: No. I think it's later. I don't
12 know.

13 MAYOR DeVITA: But it's April though.

14 THE CLERK: I think the 30th.

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

20 Any comments, questions, anything by any of
21 the board members?

22 TRUSTEE NOVICK: What are the consequences if
23 you don't file by the 30th?

24 MAYOR DeVITA: I don't know. I'd hate to find
25 out because, you know what, what if there are penalties,

1 financial penalties. And I don't know if there are, but
2 given the state of the State's budget, I don't want to
3 be easy pickings for them. There's no harm in filing
4 this now.

5 TRUSTEE NOVICK: what's the consequences,
6 fines, would be to a village or to any municipality that
7 does not comply?

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

10 Correct me if I'm wrong, Liz and Nick, we can
11 always --

12 THE CLERK: Yes. You can't change the levy
13 once you --

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

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

20 MAYOR DeVITA: That may be the best point.

21 THE CLERK: It's not even the Comptroller's
22 deadline. It's our deadline.

23 MAYOR DeVITA: And the County just sent us the
24 tax rolls, right?

25 THE CLERK: Yes. I'm working on them now.

1 Correct.

2 MAYOR DeVITA: So, that may be the best
3 reason.

4 Rich, you had a question?

5 TRUSTEE NICKLAS: Yes.

6 With regard to this averaging, credits, I
7 guess, Liz, you said we have, so that keeps us under the
8 cap, is that what you mean, you average the last couple
9 of years?

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

18 TRUSTEE NICKLAS: Okay.

19 THE CLERK: It's on your schedule.

20 TRUSTEE NICKLAS: Thank you.

21 MAYOR DeVITA: Anyone else?

22 TRUSTEE TSAFOS: Yes. I would just like to
23 add that we should be filing this budget just because
24 the timing of when we went through our budgeting process
25 and when this pandemic hit. It's just that we did it

1 before the pandemic. It happens to be the pandemic is
2 between our budgeting process and our filing. So stick
3 with what we know. Right now I don't think we should
4 change anything. Going forward, like we said, we can
5 amend the budget, and it would be on the cost-cutting
6 side if we had to amend anything.

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

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

20 MAYOR DeVITA: I agree.

21 Anything else from anyone?

22 Howard?

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

25 MAYOR DeVITA: Motion by Trustee Miritello,

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1 seconded by Trustee Jusko.

2 Let's poll the rest of the Board.

3 I vote yes.

4 Trust Nicklas?

5 TRUSTEE NICKLAS: Yes.

6 MAYOR DeVITA: Trustee Tsafos?

7 TRUSTEE TSAFOS: Yes.

8 MAYOR DeVITA: Deputy Mayor Nemshin?

9 DEPUTY MAYOR NEMSHIN: Yes.

10 MAYOR DeVITA: Marty?

11 TRUSTEE NOVICK: Yes.

12 MAYOR DeVITA: Does that close the public
13 hearing?

14 MR. AVRUTINE: At this time, I would like to
15 put on the record that this matter is deemed Type II
16 under the New York State Environmental Quality Review
17 Act.

18 Now, we will entertain a motion to adopt the
19 budget as submitted.

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

22 We will poll the rest of the Board.

23 Trustee Jusko?

24 TRUSTEE JUSKO: Yes.

25 MAYOR DeVITA: Trustee Miritello?

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TRUSTEE MIRITELLO: Yes.

MAYOR DeVITA: Trustee Tsafos?

TRUSTEE TSAFOS: Yes.

MAYOR DeVITA: Deputy Mayor Nemshin?

DEPUTY MAYOR NEMSHIN: Yes.

MAYOR DeVITA: And Marty?

TRUSTEE NOVICK: Yes.

MR. AVRUTINE: That completes the public hearing.

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

Ronald Koenig

RONALD H. KOENIG
Official Court Reporter