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INCORPORATED VILLAGE OF LAUREL HOLLOW
BOARD OF TRUSTEES
PUBLIC HEARING
July 15, 2020
7:00 p.m.

VIDEO CONFERENCE VIA ZOOM

PRESENT:

- DANIEL F. DeVITA, Mayor
- KEVIN JUSKO, Trustee
- JEFFREY C. MIRITELLO, Trustee
- JEFFREY NEMSHIN, Trustee
- RICHARD M. NICKLAS, Trustee (Not present)
- MARTIN NOVICK, Trustee
- NICHOLAS TSAFOS, Trustee

ALSO PRESENT:

- HOWARD AVRUTINE, Village Attorney
- ELIZABETH KAYE, Clerk/Treasurer
- NANCY POPPER, Deputy Clerk

MINUTES OF THE ANNUAL ORGANIZATIONAL MEETING
and
PUBLIC HEARING LOCAL LAW 7-2020

MARY ANNE COPPINS
OFFICIAL COURT REPORTER

1 (Whereupon, the Pledge of
2 Allegiance was recited in unison.)

3 MAYOR DeVITA: Okay, so we don't
4 have the police here, the police report
5 was distributed. If there are any
6 special issues, you can e-mail me and
7 let me know, or if you want to let them
8 know directly, that's fine, but they're
9 still issuing tickets for parking at the
10 beach and because everything else seems
11 to be okay.

12 So, I just wanted a quick update on
13 these grants and then we can get into
14 the Public Hearing.

15 So we have, it's not really a grant
16 but this multimodal fund, this
17 multimodal money that we are getting,
18 \$100,000 from the State for the roadwork
19 that we did.

20 Liz, correct me if I'm wrong, we
21 received the 80,000?

22 MS. KAYE: Correct.

23 MAYOR DeVITA: Then they were
24 doing their inspection.

25 Are we were waiting for the other

1 20?

2 MS. KAYE: Correct, the inspection
3 was done.

4 MAYOR DeVITA: Okay.

5 MS. KAYE: So that's why that
6 letter, e-mail came saying --

7 MAYOR DeVITA: Sounds like we are
8 going to get it.

9 MS. KAYE: Yes, it will be
10 forthcoming.

11 MAYOR DeVITA: Right, okay.

12 The next one was the seawall.

13 They contacted Senator Gaughran's
14 office and I received an e-mail back
15 from the aide, his aide, saying it's at
16 DASNY, they're behind on the paperwork
17 and whatever, whatever. DASNY,
18 Dormitory Authority, they are ones who
19 fund a lot of these things.

20 So I called someone to see if we
21 can maybe push it along. It turns out
22 DASNY did not have the grant. I then
23 called and insisted on speaking with
24 Kevin, the Senator's Chief of Staff and
25 told him it is not at DASNY, it is still

1 in the Senate Finance Committee, the
2 information was wrong, could you find it
3 out.

4 Long story short, they got back to
5 me again and they say that the Senate
6 Finance Committee confused our seawall
7 repair with Asharoken's seawall repair,
8 and Asharoken's had been sent onto DASNY
9 for funding. But now that everything is
10 cleared up, the Finance Committee was
11 sending ours either that day or the day
12 after, which was -- what's today,
13 Wednesday, so Monday or Thursday. So
14 hopefully, when things are back on track
15 and it just seems like an endless
16 process, but, hopefully, we will get
17 that soon.

18 And then, the salt barn you are all
19 familiar with, the nonsense that the
20 county is pulling on us on this one,
21 money that Josh Leveson committed, that
22 Josh Leveson committed that we had
23 satisfied the requirements demonstrating
24 that repair of the salt barn would
25 provide a benefit to the County and

1 others.

2 Then we received this ridiculous
3 e-mail from the county stating that they
4 were, that Laura Curran was holding up
5 our grant because we would not get the
6 money unless we agreed to take over
7 plowing and salting of Cold Spring Road,
8 a county road.

9 This was, again, the blackmail they
10 tried to put over on us when they did
11 not repave Cold Spring Road, the only
12 section of Cold Spring Road from 25A
13 down through Syosset that was not
14 repaved.

15 By the way, and I invite everyone
16 to go look at the asphalt shoulders,
17 which are all breaking up as we
18 predicted, and we will be back where we
19 began before you know it.

20 In any event, Josh, I haven't heard
21 anything from him. I am gravely
22 disappointed. This is the second time
23 in the face of this nonsense from the
24 county trying to get us to take over
25 county responsibilities, for no reason,

1 other than trying to push things on us,
2 that he has been silent, which to me
3 means he's no longer siding with us,
4 with the residents of Laurel Hollow,
5 he's siding with the hack politicians,
6 namely Laura Curran. So I don't foresee
7 us getting this 29,000 as was promised
8 by the county and as was promised by
9 Josh Leveson.

10 So we can talk about it down the
11 road, Kevin and I talked about it
12 probably, since we did budget for it.
13 As you know with these projects, we
14 budget for them and then wait for the
15 reimbursement. We budget the expense,
16 but not the revenue, so we budgeted to
17 spend the money. So we can talk about
18 what to do with the money.

19 But we were thinking, Kevin and I
20 were talking and maybe it's toward the
21 road paving projects that we're going to
22 be talking about.

23 So, anyway, that's the update.

24 If you have any questions, shoot
25 away, but that's really, at this point,

1 all I know.

2 Anybody?

3 (No response.)

4 Okay. So, let's move onto the
5 Public Hearing.

6 This in the Public Hearing for the
7 parking ticket fines.

8 Howard?

9 MR. AVRUTINE: Yes. Okay, this is
10 Local Law number 7-2020, Introductory
11 Local Law G of 2020, a Public Hearing
12 regarding modification of parking ticket
13 fines.

14 The exhibit list in connection with
15 this Public Hearing is as follows:

16 First, an affidavit from Elizabeth
17 Kaye that the legal notice was posted at
18 the Village Hall on June 26th of 2020.

19 The next exhibit is an affidavit
20 from the North Shore Leader showing that
21 the public notice of July 15, 2020
22 Public Hearing was published on July 1,
23 2020.

24 The next exhibit is an e-mail from
25 the Village Clerk to the Mayor and Board

1 of Trustees sent on July 8, 2020 with
2 the Local Law in final form attached
3 thereto.

4 The next exhibit is confirmation
5 that the Notice of Public Hearing was
6 published to the Village of Laurel
7 Hollow website on June 19, 2020.

8 And the next exhibit is
9 confirmation that the Notice of Public
10 Hearing was sent to Village website NEWS
11 subscribers on July 10, 2020.

12 The final exhibit is a letter from
13 the Nassau County Planning Commission
14 dated July 14, 2020 that the Local Law
15 is referred to the Village Board of
16 Trustees to take action as it deems
17 appropriate.

18 As the Mayor indicated, this is a
19 modification to Section 135-19 of the
20 Village Code which addresses the
21 penalties in connection with enforcement
22 of parking tickets and parking fines.

23 Essentially, what we did here was
24 increase the fine for a first offense
25 from \$150 to \$250; and for the second

1 offense, from \$300 to \$350, those are
2 the maximum and minimum fines. And, so,
3 that is essentially what the legislation
4 -- changing the code does. What this
5 legislation does is to increase the
6 fines for the first and second
7 convictions for parking tickets. If,
8 after the third and subsequent is \$450,
9 and that is not peak change, that is in
10 sum and substance what the Local Law
11 addresses.

12 MAYOR DeVITA: So, this was
13 prompted by, I guess, a couple of
14 things.

15 With the great, great influx of
16 non-residents trespassing on our parking
17 lot this spring and summer it seems
18 apparent that we need to increase the
19 fine because I guess some people don't
20 mind spending \$150 or \$75, if they paid
21 it early, to spend a day at our beach.

22 In any event, this raises the fines
23 as indicated and, hopefully, it will
24 serve as a deterrent.

25 I will say that Nancy, you can

1 confirm, that we have had record sales
2 of beach parking stickers this year. We
3 have preached and reminded and reminded
4 people of the fines and that we're going
5 to limit parking due to the limited, due
6 to the limited capacity orders that the
7 Governor sent out. And, correct me if
8 I'm wrong, Nancy, we have had tremendous
9 sticker sales.

10 MS. POPPER: The most we've ever
11 sold in a prior year was 550 parking
12 stickers. We are already up to almost
13 700 this year.

14 MAYOR DeVITA: Okay. So I think
15 our residents have gotten the message.
16 It's taken a little doing over time,
17 people coming in, well, I'm a resident,
18 why do I need this. But I think people
19 for the most part have gotten the
20 message. But there are still
21 non-residents coming in.

22 Sunday, I had the police come down.
23 Today I had them come down and they did
24 come down and ticket one of the vehicles
25 there today. So I think that it will

1 provide an impetus for people to stay
2 away if they are not a resident and if
3 they don't have a sticker, number one;
4 and number 2: I guess this other thing
5 on our resolution, Howard, about a
6 reduction of it if it's paid within a
7 certain amount of time, will that come
8 after the Public Hearing?

9 MR. AVRUTINE: Yes. It is not
10 part of the Public Hearing regarding the
11 Local Law. We can deal with that
12 separately.

13 MAYOR DeVITA: So I think that's
14 where we are with this. It's been a
15 while since we set the fines in the
16 previous iteration of this ordinance, so
17 I think it's time to raise the fines
18 anyway.

19 Does anyone have any questions or
20 comments?

21 TRUSTEE MIRITELLO: Are we going to
22 put any signs up?

23 MAYOR DeVITA: I have to wait for
24 Nick to come back to order these signs.
25 We put up the paper one, but I have to

1 wait for Nick to get back to do these
2 signs. So I will send them around in
3 final form before we do that.

4 But look, it's clear these people
5 today, the wiseguy who was in a pickup
6 and parked it backwards bumper to the
7 wall, that's the first indication, and
8 he certainly had no sticker, had no
9 front license plate.

10 But in any event, I know that we've
11 had this discussion and I agree, that we
12 should have better signs and put them in
13 better areas, but we will do it, Jeff.
14 And once Nick comes back that will only
15 take, that's very quick to get those
16 signs, so we'll turn that around.

17 But just since we are on the record
18 I do want to point out there is a sign,
19 a welcome sign when you pull into the
20 Laurel Hollow driveway to get to the
21 beach under the name Laurel Hollow. So
22 when you pull into the driveway the
23 Laurel Hollow, Village of Laurel Hollow
24 sign states right on it this beach
25 permits are required for residents only.

1 Then, by --

2 TRUSTEE MIRITELLO: Parking
3 permits.

4 MAYOR DeVITA: Then just last week
5 we put up a paper sign right under the
6 bump sign where the mailboxes are around
7 the side of the Village Hall. Then
8 you've got the metal signs on the
9 seawall. You've got at least three, two
10 in the main parking lot, one in the
11 auxiliary parking lot indicating that
12 you need a parking sticker permit in
13 order to park there.

14 But in any event, we will make it
15 bigger or do it better as we talked
16 about. And that's where we are at.
17 Although I don't see that as a penalty,
18 any legal impediment with respect to
19 there being a lack of signage. I think
20 we certainly, as I always say, every
21 entrance to this Village has a sign that
22 says there is no parking on Village
23 streets. It gives some people the first
24 heads-up. And then you have all the
25 signage I indicated, no parking at the

1 beach without a parking sticker, in any
2 event.

3 Any other questions or queries?

4 Howard?

5 MR. AVRUTINE: I think Chris
6 Hadjendreas is here.

7 MAYOR DeVITA: Chris, go ahead.

8 MR. HADJENDREAS: One thing I am
9 wondering, and this it related but not
10 really related, are we ever going to
11 line the parking spots? It's getting
12 kind of messy, in terms of how people
13 park. And if we do line it, I think not
14 every spot, but there should be
15 definitely where people pull in saying
16 -- like in the city -- from here to here
17 or just wherever. No parking unless
18 permitted.

19 MAYOR DeVITA: Chris, that's
20 something we will talk about.
21 Personally, I'm against lineage. I
22 think we start to look like a New York
23 City parking lot. And then you get into
24 the debate, you know, how wide or narrow
25 do you make these lines. Right now,

1 with no lines it provides a certain
2 flexibility in terms of, you know, like
3 today, there were very few cars there.
4 People can park wherever they want, near
5 the entrance to the beach, more towards
6 the boats. So then what happens if we
7 put lines down the police are going to
8 start ticketing for being across the
9 line. Then you get somebody taking up
10 two spaces and you get maybe upset about
11 that. So I don't know, it something we
12 can talk about. But unless it's -- it's
13 something we can talk about.

14 I am always concerned with people.
15 I was down there Sunday and the lot was
16 full. And you know what, cars were very
17 evenly spaced, it was no problem in
18 terms of people parking crooked, taking
19 up more space or being too close. So in
20 any event, that's my thoughts but we can
21 talk about it.

22 Anybody else?

23 (No response.)

24 Okay, Howard?

25 MR. AVRUTINE: Yes. It's time to

1 entertain a motion to close the Public
2 Hearing.

3 MAYOR DeVITA: I will move.

4 TRUSTEE NOVICK: Second.

5 MAYOR DeVITA: Seconded by Trustee
6 Novick.

7 We'll poll everyone.

8 Trustee Jusko?

9 TRUSTEE JUSKO: Aye.

10 MAYOR DeVITA: Trustee Tsafos?

11 TRUSTEE TSAFOS: Aye.

12 MAYOR DeVITA: Trustee Miritello?

13 TRUSTEE MIRITELLO: Aye.

14 MAYOR DeVITA: Deputy Mayor
15 Nemshin?

16 DEPUTY MAYOR NEMSHIN: Aye.

17 MAYOR DeVITA: I think that was
18 everyone.

19 MR. AVRUTINE: Yes. So now we have
20 -- let the record reflect that this
21 matter is deemed Type II under the New
22 York State Environmental and Quality
23 Review Act.

24 The next motion would be to adopt
25 Local Law Number 7 of 2020, as

1 presented.

2 MAYOR DeVITA: I will move.

3 Second?

4 TRUSTEE MIRITELLO: Second.

5 MAYOR DeVITA: Trustee Miritello.

6 I'll poll the Board.

7 Trustee Jusko?

8 TRUSTEE JUSKO: Aye.

9 MAYOR DeVITA: Trustee Novick?

10 TRUSTEE NOVICK: Aye.

11 MAYOR DeVITA: Trustee Tsafos?

12 TRUSTEE TSAFOS: Aye.

13 MAYOR DeVITA: Deputy Mayor

14 Nemshin?

15 DEPUTY MAYOR NEMSHIN: Aye.

16 MAYOR DeVITA: That's everyone.

17 Okay. Next motion, Howard.

18 MR. AVRUTINE: That's it.

19 MAYOR DeVITA: Okay, hearing the

20 motion?

21 MR. AVRUTINE: We did.

22 Close the Public Hearing. We did

23 the Type II on the SEQRA and the Board

24 just adopted the Local Law as presented.

25 MAYOR DeVITA: Terrific.

1 Then we will move right to the
2 resolution which we did last time,
3 giving people something of an incentive
4 to pay their parking ticket, plead
5 guilty and pay which, number 1, helps
6 you reduce the paperwork and the crowds
7 in the court.

8 Nancy will kind of fill this out,
9 if you want, and it helps bring the
10 revenue in quicker. So, previously,
11 when the first offense was \$150, we had
12 a resolution saying that if you paid \$75
13 on or before the court date, that that
14 would be acceptable, \$75.

15 Now, with the proposed resolution
16 which we talked about at the last
17 meeting, since the first offense is up
18 to 250, we would have the incentive
19 reduction made \$150 and it would be
20 payable within 10 days of the date of
21 the parking summons.

22 Because we've talked about this
23 extensively. When you say on or before,
24 pay on or before the court date, we are
25 not doing ourselves any favors, people

1 then show up the pay the \$75 and we've
2 lost all the advantages, administrative
3 and otherwise, of collecting the money
4 ahead of time.

5 Correct me if I'm wrong, Nancy, on
6 any of this.

7 MS. POPPER: That's all right.

8 MAYOR DeVITA: So, the way the
9 proposed resolution reads is in order to
10 provide an incentive for paying parking
11 fines in a timely manner, parking fines
12 will be set at \$250 for a first offense
13 with an incentive reduction to \$150 if
14 paid within 10 days of the date of the
15 parking summons.

16 So, questions, comments?

17 (No response.)

18 Howard?

19 MR. AVRUTINE: Motion to adopt the
20 resolution as set forth by the Mayor?

21 MAYOR DeVITA: I'll move.

22 Second?

23 TRUSTEE JUSKO: Second.

24 MAYOR DeVITA: Trustee Jusko.

25 Trustee Novick?

1 TRUSTEE NOVICK: Aye.

2 MAYOR DeVITA: Trustee Tsafos?

3 TRUSTEE TSAFOS: Aye.

4 MAYOR DeVITA: Trustee Miritello?

5 TRUSTEE MIRITELLO: Aye.

6 MAYOR DeVITA: Deputy Mayor

7 Nemshin?

8 DEPUTY MAYOR NEMSHIN: Aye.

9 MR. AVRUTINE: Resolution adopted
10 as presented.

11 MAYOR DeVITA: Before we move on,
12 since Nancy is still here, I'll let her
13 go after. Quickly, and we'll get to the
14 abstracts and vote on it a little later,
15 but the last one listed is approval to
16 prepay Guidici on installation of
17 cameras subject to Trustee Nicklas, who
18 is our technology trustee. He deals
19 with the cameras at the beach. Upon his
20 approval, subject to his approval,
21 installation and so as not to forfeit
22 the JCAP grant.

23 Do you want to explain that, Nancy?

24 The court grant, so everyone,
25 Chris, so you can understand it.

1 We apply for and receive, most
2 times, at least some of the grant money
3 from the New York State Court system in
4 order to fund equipment and other things
5 we need so the court could function.

6 So go ahead, I'm sorry.

7 MS. POPPER: So, in this grant they
8 appropriated \$550 toward the cost of
9 this camera and we have to spend it by
10 August in order not to forfeit it. We
11 have to get them a right to lease, we
12 have to have a receipt, we have to have
13 it installed and we have to have paid
14 for it.

15 MAYOR DeVITA: So, we obviously are
16 not going to meet, I know we don't
17 schedule to meet in August. Sometimes
18 we do have a special meeting, not
19 sometimes, we have them a lot. But in
20 any event, since there is a good chance
21 we may not meet to approve the payment
22 and wait for installation because Glen
23 Guidici, I believe, said he couldn't
24 install it until the last week in July,
25 right. Nancy?

1 MS. POPPER: I think it might be
2 next week.

3 MAYOR DeVITA: In any event, it's
4 after this meeting.

5 So the idea was to approve the --
6 when we get to it -- to approve the
7 payment, subject to Rich being
8 satisfied, Rich Nicklas, satisfied with
9 the installation.

10 Just as an aside, and we will get
11 there, the center -- the Cold Spring
12 Harbor Protection Committee agreed to
13 finance part of this. We'll get to that
14 later, but I just wanted Nancy to
15 explain why we had to do this
16 pre-approval of funds before the cameras
17 are installed.

18 Thank you, Nancy, have a good
19 night.

20 MS. POPPER: Good night.

21 MAYOR DeVITA: Thank you.

22 Next are the minutes, Liz?

23 MS. KAYE: Minutes from June 17th
24 were sent around and with a couple of
25 revisions.

1 If I can get a motion, unless there
2 are other changes?

3 MAYOR DeVITA: I will move.

4 Second?

5 TRUSTEE NOVICK: I will second.

6 MAYOR DeVITA: That's Trustee

7 Novick.

8 Trustee Jusko?

9 TRUSTEE JUSKO: Aye.

10 MAYOR DeVITA: Trustee Tsafos?

11 TRUSTEE TSAFOS: Aye.

12 MAYOR DeVITA: Trustee Miritello?

13 TRUSTEE MIRITELLO: Aye.

14 MAYOR DeVITA: Deputy Mayor

15 Nemshin?

16 DEPUTY MAYOR NEMSHIN: Aye.

17 MAYOR DeVITA: Did I get everyone?

18 MR. AVRUTINE: Yes.

19 MAYOR DeVITA: That's the minutes

20 financial report.

21 MS. KAYE: I had sent around the
22 detail, I didn't do that cover sheet
23 that I usually do. The month of June,
24 to be very honest with you, would be
25 very misleading, and I think Trustee

1 Tsafos would realize that, as well.
2 Almost all May activity that I accrue at
3 5/31 for closing the year but it doesn't
4 get paid or deposited until June. So I
5 felt it would have been misleading to
6 show you a lot of activity that is going
7 to end up getting reversed off the
8 audit. I don't know if that makes sense
9 to you. So it's one month of activity
10 that almost all belongs in last year.

11 I didn't bother doing a cover sheet
12 to review because it really would have
13 been misleading. It is not June
14 activity numbers.

15 MAYOR DeVITA: When you say
16 activity?

17 MS. KAYE: Other than tax --

18 TRUSTEE TSAFOS: What Liz is
19 describing is accrual accounting versus
20 cash accounting.

21 MS. KAYE: Correct.

22 TRUSTEE TSAFOS: Because our
23 financial statements need to be in the
24 accrual basis, the activity has been
25 picked up in May which gets reversed in

1 June and for what we use it for, it will
2 be actually misleading; correct,
3 Elizabeth?

4 MS. KAYE: Correct.

5 MAYOR DeVITA: So it will come out
6 of our 2020-21 budget instead.

7 MS. KAYE: It will come out of our
8 19-20 budget.

9 MAYOR DeVITA: Oh, I see,
10 reversing, okay.

11 MS. KAYE: I didn't want to spend
12 any time on it, because it's one month
13 of activity that really is part of last
14 year, for the most part. Other than the
15 detail, which was e-mailed around, I
16 didn't really want to go into too much.

17 MAYOR DeVITA: All right, so.

18 MS. KAYE: Then unpaid tax.
19 Because we extended the due date as of
20 June 30th, I think was a million 18, out
21 of two-eight, we've taken in about a
22 million-eight.

23 MAYOR DeVITA: Do you think people
24 are taking advantage of that 21-day
25 extension we gave?

1 MS. KAYE: Maybe not through July
2 22nd, but they're paying, they're taking
3 their time. Not for the most part, but
4 they are not as worried about getting
5 the bill in.

6 I got a big batch today, for
7 example, from Corelgic, which is our
8 biggest tax servicers of mortgages, so
9 that will really bring the number up,
10 the collection number. So we did pretty
11 well, considering we had the 21 days.

12 MAYOR DeVITA: Great.

13 Any questions?

14 (No response.)

15 So, we'll move now to what we used
16 to call the annual meeting portion of
17 the meeting, appointments and other
18 things.

19 Liz, do me a favor, at some point
20 provide Mary Anne with this whole
21 resolution we got laid out, it will make
22 is much easier, Mary Anne, it's all laid
23 pre-typed names and everything.

24 THE REPORTER: Thank you.

25 MAYOR DeVITA: I call the annual

1 meeting, the organizational meeting to
2 order.

3 I appoint Jeffrey Nemshin as Deputy
4 Mayor for the official year. I make the
5 following Trustee assignments for the
6 official year.

7 I, myself, will be in charge of
8 Police and Fire. Jeffrey Miritello will
9 be in charge of Beach and Waterways.
10 Martin Novick, Building and Grounds.
11 Kevin Jusko, Roads. Nicholas Tsafos,
12 Budget. Jeffrey Nemshin, Emergency
13 Management and Planning. And
14 communication/technology and insurance,
15 Richard Nicklas.

16 The following appointments: Deputy
17 Clerk/Court Clerk, Nancy Popper. These
18 are one year terms. Harbormaster Jeff
19 Miritello. Village Historian Elizabeth
20 Watson. Chris Hadjandreas, Member of
21 the Planning Board -- don't worry, we
22 will get to you being the chair, that's
23 a separate section but you are being
24 reappointed as a member, that's separate
25 and distinct, Chris, until 2025. Jeff

1 Blumin, member of the Zoning Board of
2 Appeals. His term will expire in '25
3 also. Russell Mohr as chair of the
4 Zoning Board of Appeals; also a one-year
5 appointment. Chris Hadjendreas is chair
6 of the Planning Board; that is a
7 one-year appointment.

8 Now, I've made some changes in the
9 Courts, in the court, one court, our
10 court and let me explain.

11 Under the former system, different
12 than tonight, we have three Village
13 prosecutors. And I looked at this and I
14 thought it was extremely inefficient.
15 We have two very good in-court
16 prosecutors, Jeff Blinkoff, maybe some
17 of you know or don't know, and the
18 second prosecutor is Dwight Kennedy.
19 They handle, Jeff Blinkoff handles all
20 your Village Code and enforcement and
21 stuff, and Dwight Kennedy handles the
22 VTL, Vehicle and Traffic Law.

23 Then we had a third prosecutor, Joe
24 Carrierri who has done prosecuting stuff
25 for this Village a long time but he

1 stopped coming to court many years ago.
2 All he does is draft Village
3 information. That, to me, is very
4 inefficient. The prosecutor in court,
5 in this case it would be Jeff Blinkoff,
6 since he's prosecuting should be the one
7 drafting the information.

8 I also found other things. He was
9 having Nancy do changes to the
10 informations, instead of his own people.
11 Number one, that's improper to have --
12 and she didn't know -- the court
13 personnel making changes to a
14 prosecutorial information.

15 Number two, what are we paying \$100
16 an information and they are -- for the
17 most part -- there are complicated cases
18 which we have, to me, the prosecutor
19 should be drafting the prosecutorial
20 instrument. So I eliminated Joe
21 Carrierri and I have made Dwight Kennedy
22 who continues as Assistant Village
23 Prosecutor and Jeff Blinkoff will now be
24 Chief Village prosecutor. I am
25 appointing them to those terms, those

1 are one-year terms.

2 The other big change is our former
3 Associate Justice was Joseph Lafferty.
4 Joe served since I appointed him in
5 2013. Joe is not a Village resident.
6 I know some of you may know him, great
7 guy, appreciate the job he has done.
8 But to me, I always wanted a Village
9 resident, I think should rightfully be
10 in that position. And on top of which,
11 Joe D'Elia is terrific and he,
12 hopefully, will be elected to another
13 four-year term in September and continue
14 as our Village Justice. That is an
15 elected four-year position.

16 But I have to start thinking about
17 in the event if and when Joe does want
18 to retire, I need a resident to step
19 into that position.

20 In any event, I found someone who
21 I've kind of known and discussed this
22 matter at length with him and I think he
23 is going to be terrific. His name is
24 James McCrory, he lives on Hemlock
25 Court. His history is he was a police

1 officer, and then an Assistant District
2 Attorney and has been a litigating
3 attorney for many years. He understands
4 the job and what it will involve and he
5 is looking forward to it and I am
6 looking for toward to it and I am
7 looking forward to appointing him. With
8 the Board's approval this will be all
9 part of the proposal for the resolution
10 for the Board to approve.

11 But those are the only real major
12 changes. Because, finally, I took time
13 to look at the court system and how it
14 is being run and, overall, it's being
15 run very well. But these are the
16 things, kind of looking into the future,
17 that I think we needed to do.

18 Okay. After that, it's
19 reappointment of Mike McNerney as our
20 Building Inspector, Code Enforcement
21 Officer, Building Official, Tree Warden,
22 Street Commissioner, Local Administrator
23 Flood Plane Development Officer, Storm
24 Water Management Officer. That's all
25 for Mike McNerney.

1 Our on-call Code Enforcement
2 Officer is still vacant.

3 Our Dock Committee I will be
4 reappointing Jeffrey Miritello, Jeffrey
5 Nemshin and Kevin Jusko to that
6 committee.

7 So far I need a motion to approve
8 and another one and a second to approve
9 these appointments.

10 TRUSTEE MIRITELLO: I make a
11 motion.

12 MAYOR DeVITA: Jeffrey Miritello
13 makes the motion.

14 DEPUTY MAYOR NEMSHIN: Second.

15 MAYOR DeVITA: Seconded by Deputy
16 Mayor Nemshin.

17 You have a question, Nick?

18 TRUSTEE TSAFOS: I was making a
19 motion, but that's fine.

20 MAYOR DeVITA: Okay, so let me just
21 -- I got Trustee Tsafos.

22 TRUSTEE TSAFOS: Aye.

23 MAYOR DeVITA: Trustee Jusko?

24 TRUSTEE JUSKO: Aye.

25 MAYOR DeVITA: Trustee Novick.

1 TRUSTEE NOVICK: Aye.

2 MAYOR DeVITA: I think that's it,
3 right, okay.

4 TRUSTEE MIRITELLO: How about you?

5 MAYOR DeVITA: I vote aye, thank
6 you.

7 So, I will just go through the
8 following officials remaining in office.

9 On the Planning Board: Nancy
10 Jones, James Galtieri, Elizabeth
11 DiBlasio and Scott Abrams.

12 On the Zoning Board: Russell Mohr,
13 Louis Lebedin, Cindy Kaufman and Vincent
14 Parziale. Jeff Blumin is being
15 reappointed, he was on the previous
16 page.

17 Then, quickly, for a continuation
18 of those individuals on those Boards, I
19 need a motion and then a second.

20 MS. KAYE: That's the following
21 resolution, not this proceeding.

22 MAYOR DeVITA: Okay, you're right.
23 I'm sorry, Liz. They're just continuing
24 on, those members, thank you.

25 Be it resolved that the requirement

1 set forth in Section 3-306 of the
2 Village Law of the State of New York
3 concerning official undertaking of the
4 Clerk/Treasurer, Deputy Clerk/Court
5 Clerk, Village Justice, Associate
6 Village Justice, be deemed satisfied by
7 Utica National Insurance Group Faithful
8 Performance Bond in the amount of
9 \$500,000.

10 And further resolved, that the
11 regular meetings of the Board of
12 Trustees shall be held at 7:00 p.m. on
13 the dates listed in the resolution set
14 out here.

15 And further being resolved that the
16 Village adopts the Investment Policy
17 most recently amended on April 9, 2013,
18 February 11, 2015, and March 14, 2018,
19 attached to and made a part of these
20 minutes, including the designation of
21 depositories outlined therein.

22 As you all know, that was
23 circulated with this resolution to all
24 the Members of the Board.

25 And, be it further resolved the

1 funds of the Village be deposited in a
2 bank authorized by said Investment
3 Policy, be subject to withdrawal upon
4 check when signed on behalf of the
5 Village by any one of the following:
6 Mayor, Clerk/Treasurer or Deputy Village
7 Clerk with checks in the amount of
8 \$5,000 or more requiring two signatures.

9 We will make this resolution, which
10 will be available and made part of these
11 minutes, okay, Liz, will be made part of
12 the minutes. Talks about or improving,
13 again, our procurement policy as it's
14 written.

15 The Village will continue to
16 utilize the Employee Handbook, including
17 all compliance policies previously
18 adopted and revised.

19 And there are other parts of this
20 resolution.

21 Also, although the North Shore
22 Leader will continue to be designated as
23 the official newspaper of the Village,
24 there being no newspaper regularly
25 published in the Village, that is for

1 legal notices and whatnot. It's
2 actually a good paper, advise people to
3 pick it up. Copies are also delivered
4 to Village Hall. While you're there, it
5 may be good to pick it up and peruse it,
6 it's very good on the local news.

7 Resolved, that the Zoning Board
8 shall meet on the second Thursday of
9 each month providing they have business
10 to transact, and the Planning Board
11 shall meet on the third Wednesday of
12 each month providing they have business
13 to transact.

14 Then it lists the official holidays
15 for the 20-21 official year. These are
16 holidays that the days that Village Hall
17 is closed and holidays that, throughout
18 our Code have dates, for instance, where
19 construction and landscaping can't take
20 place.

21 So I'll make a motion to approve
22 this resolution, the parts of the
23 resolution that I read, parts I
24 summarized and the parts that are
25 contained in the written resolution that

1 will be posted in the minutes.

2 So I have a motion, I will move.
3 Actually, since I am the one appointing
4 officer, I will let someone else move.

5 DEPUTY MAYOR NEMSHIN: I'll move.

6 MAYOR DeVITA: Deputy Mayor
7 Nemshin.

8 Second?

9 TRUSTEE JUSKO: Second.

10 MAYOR DeVITA: Trustee Jusko.

11 I'll vote aye.

12 Trustee Novick?

13 TRUSTEE NOVICK: Aye.

14 MAYOR DeVITA: Trustee Tsafos?

15 TRUSTEE TSAFOS: Aye.

16 MAYOR DeVITA: Trustee Miritello?

17 TRUSTEE MIRITELLO: Aye.

18 MAYOR DeVITA: That concludes the
19 organizational meeting.

20 The next matter on the agenda was
21 the continued discussion of -- hold on,
22 do you want to flip this, Chris? You
23 are here to talk about the pines and all
24 of that.

25 MR. HADJANDREAS: Yes.

1 MAYOR DeVITA: Why don't we get to
2 that and we will come back to these
3 other matters we're talking about.
4 We're talking about other possible
5 legislative solutions, other matters
6 like rental permits, things like that,
7 so we'll come back to that.

8 Okay. Number four is revise permit
9 process for White Pines and Norway
10 Maples.

11 This started, Kevin and I -- Kevin
12 will go into more detail -- we've had a
13 lot of discussions on this. These White
14 Pines, in my opinion, during Sandy, one
15 of the most destructive forces out
16 there, as bad as the wind and the rain
17 and the snow, these things decimated the
18 south side of the Village, and they are
19 like -- it's like they are made of
20 butter and they seem to be the first
21 things that come down and cause all
22 kinds of problems.

23 When we had an outage, a
24 substantial outage on the south side a
25 month or two months ago, it was a White

1 Pine that cracked, right near your
2 house, Kevin, right?

3 TRUSTEE JUSKO: Yes.

4 MAYOR DeVITA: It knocked
5 everything out. So we had this thought
6 just to discuss giving people the
7 opportunity or amnesty to get rid of
8 some of these White Pines. They're so
9 overgrown. Kevin will give you the
10 history on some of them. And there are
11 many many big ones, even in our
12 right-of-way. But the idea was to see
13 if we can do something, maybe,
14 eliminating potential future problems.

15 Then I know, Kevin, you had added
16 about the Norway Maples. I looked at
17 your site and did other research that is
18 interesting.

19 Why don't you go ahead and maybe
20 just give us some background.

21 TRUSTEE JUSKO: Sure.

22 On the south side of the Village
23 one of my former neighbors, probably 50
24 years ago, had 1,000 saplings and that's
25 why they're here. We know that these

1 trees are massive. I have many on my
2 property. Some came down in Sandy and
3 recently, I was going to -- I am going
4 to have a tree guy come and really cut
5 them back because they have become a
6 complete -- it's really become a
7 nuisance and I don't see any real value
8 in them.

9 So when the last storm hit, it
10 knocked out trees. Dan and I spoke
11 about potential planting in the future,
12 and also potentially allowing residents
13 to remove them without using up your
14 five trees every three years or so, just
15 have kind of a free pass to do it. You
16 still apply for the permit, but it would
17 be issued under for just those trees.

18 When I mentioned recently to the
19 guy, who I'll be using for my trees,
20 that we are in this process of talking
21 about exempting the White Pines he had
22 mentioned, it was either Lloyd Neck or
23 Lloyd Harbor also exempts Norway Maples,
24 which I didn't know much about. I read
25 about it, it is considered an invasive

1 species in the State of New York.

2 I sent out that link from Wikipedia
3 to see what it says about how it permits
4 growth from the native trees. That is
5 the only reason why I put it there. I'm
6 not sure I can spot one myself. But
7 that was the reason it was there, just
8 that the tree guy said that it was one
9 of the Lloyds had that exempt.

10 So that is my thought. It would be
11 to just have residents have the ability
12 to remove them without having to plant
13 anything, without having to go through
14 the whole process.

15 I know from my property I was going
16 to cut them back, the big branches. It
17 will be a major expense to remove some
18 of these. I think they're maybe 40, 50
19 feet tall. But if somebody wants to do
20 it I think they should be free to do so,
21 they cause a mess.

22 TRUSTEE MIRITELLO: You are
23 referring to White Pines not the Norway
24 Maples.

25 TRUSTEE JUSKO: The White Pines

1 specifically are the ones that are
2 causing the problem. The fact that the
3 tree guy mentioned the Norway Maples, I
4 threw it out there because I was reading
5 about it and I thought it would be
6 something to be open for discussion.
7 Maybe there is other invasive species,
8 like maybe bamboo, I don't know what
9 else there would be, but that's the
10 reason that I mentioned it.

11 MAYOR DeVITA: Chris, what are your
12 thoughts?

13 MR. HADJENDREAS: Norway Maples are
14 considered invasive. Anything that kind
15 of just spreads easily is considered
16 invasive. Norway Maples are very
17 shallow root structures there. In terms
18 of deciduous trees, they come down
19 easily in storms.

20 In terms of the White Pines, if we
21 -- the only thing that concerns me that
22 is that I understand what Trustee Jusko
23 is saying in terms of they drop limbs,
24 their limbs grow perpendicular. In any
25 kind of snow they snap off and there are

1 a lot of issues with that as well. Just
2 self-pruning is like what people say in
3 terms of White Pines. They are not
4 really tree -- the shrubs like that are
5 kind of like -- they're kind of like out
6 of style. And 20, 30, 40 years ago
7 everybody planted White Pines for
8 screening. For the first 10, 15 years
9 they were great and then they grow and
10 get very leggy. You can see right
11 through them and they do not offer any
12 screening and then they just get very
13 big. And they are very shallow root
14 structure, as well as -- again, they
15 break and fall easily.

16 The issue is south of 25A on Laurel
17 Lane and Shady where a lot of the
18 builders that built back on that side of
19 town they bordered the property with
20 White Pines, that's what they did back
21 then, and as screening so you have lot
22 of it. And the part that the Board is
23 really concerned about is canopy and
24 maintaining canopy. Removing all of
25 those trees, really, it would be if one

1 person did it, one house, it would be
2 very, very dramatic, to say the least,
3 in terms of changing the appearance of
4 the neighborhood.

5 I would suggest, Liz and I have a
6 list of trees that would be -- what is
7 acceptable to the Board. We have a list
8 of about 10 or so trees that we give out
9 that are deciduous that get to a decent
10 size that are very stable. The only
11 thing I would say is I think if we give
12 people carte blanche to take out those
13 White Pines and the Norway Maples, then
14 we do our -- just impose like you get to
15 remove one, you're going to plant one;
16 remove one, plant one, or do two-to-one,
17 something like that so at least in time
18 we can replace some of the canopy.

19 DEPUTY MAYOR NEMSHIN: Chris, is it
20 your concern that someone is going to
21 come in and they have 30 of them,
22 whatever, blocking from the neighbor and
23 take them all down and now they have
24 carte blanche.

25 MR. HADJANDREAS: If you drive down

1 Laurel or you drive down Shady a lot of
2 the houses have them going down the
3 sides of their property. So if you give
4 carte blanche, you can completely alter
5 the way it is between two neighbors.

6 That is one thing the Planning
7 Board always deals with is setbacks. If
8 someone cuts down a tree now the
9 neighbor sees a yard they didn't see
10 before. Although a big tree, the big
11 White Pines, they don't offer a lot of
12 screening and still they're big trees,
13 the canopy and the height, it's
14 everything.

15 TRUSTEE MIRITELLO: I think for
16 sure, at least anywhere near power lines
17 anything that is going to affect
18 everybody, these need to come down. On
19 Shady they are right on the power lines
20 on Shady, they are horrible.

21 MAYOR DeVITA: I think Chris raised
22 some good points. The one-for-one
23 sounds interesting, but I agree with
24 Jeff in terms of the power lines.

25 We just had a resident, Howard and

1 I are working with, they planted these
2 things and they put them right below the
3 power lines on the right-of-way. And
4 they have a lawyer now. It's just
5 people, they don't think ahead a little
6 bit.

7 But what about the thought of
8 prospectively prohibiting White Pines
9 within, let's say the first 30 or 40
10 feet of this property because in the
11 front where the power lines would be, or
12 however many feet, someone plants these
13 things 8, 10 feet, they don't think
14 about 30 years from now when they are
15 monsters, when they're 50, 60 feet.

16 We can think of putting some kind
17 of prohibition for this particular
18 species prospectively in the front of
19 the street.

20 TRUSTEE MIRITELLO: I don't think
21 anyone is planting them, Dan, they are
22 out of style.

23 MAYOR DeVITA: You get requests
24 still?

25 MR. HADJANDREAS: We see a lot --

1 on the Planning Board we see a lot of
2 landscaping plans, that's what we see.
3 Rarely, if ever, is anybody planting or
4 you see a lot of Leland Cypress. Like I
5 said, trees come in and out of style.
6 Leland Cypress are what's in style now
7 and they are no better. They have
8 shallow roots as well.

9 What happens is people plant them
10 as a border. They prune one side of
11 them and the other side grows 15 feet.
12 The first wind they top off because they
13 are like arborvitaes, very shallow
14 roots, fast growing. Everyone wants
15 instant gratification.

16 But in terms of what we see on the
17 Board, nobody -- what we see in terms of
18 landscape plans, I can't tell you if
19 ever anybody purposely planted White
20 Pines.

21 We can, as a Board we can say, if
22 it comes up and people are planting
23 under the front, whatever, that's what
24 we do, we say, hey, can we switch these
25 out for something else. That is

1 something the Board can do without it
2 being legislated.

3 MAYOR DeVITA: Right, okay.

4 MR. HADJANDREAS: The only concern
5 I have is, again, if we do this and
6 somebody can come in and cut on their
7 property, it would totally change the
8 aesthetic. If you drive down Laurel and
9 Shady, especially the first two or three
10 houses, you will see the borders of
11 White Pines going on the property lines.

12 MAYOR DeVITA: Absolutely.

13 TRUSTEE JUSKO: You know the house
14 right on the corner of Holly and Laurel?

15 MAYOR DeVITA: You took the words
16 right out of my mouth. They are on the
17 right-of-way, they're giant. Holly and
18 Laurel Lane.

19 TRUSTEE JUSKO: They planted, it's
20 a Cherry Laurel underneath to fill in.

21 Now, if those things, you took them
22 down, you will still have all the
23 screening that you need. And the power
24 company took down all of the branches in
25 the line so it's just a mess above.

1 MR. HADJENDREAS: Same thing
2 happened on Moore's Hill. The family
3 wants to remove White Pine. It is right
4 on the edge of their driveway. It is in
5 the power line. LIPA, whatever,
6 decapitated the tree, basically. The
7 roots are coming out of the ground.

8 It's come up many times, new
9 construction on Shady. He had five or
10 six White Pines in the front yard, they
11 were big.

12 MAYOR DeVITA: We let them take
13 them down.

14 MR. HADJANDREAS: We let him take
15 them down. He planted what the Board
16 wants to see in terms of -- Norway --
17 I'm sorry, Norwegian Spruce I think is
18 the term and Blue Spruces and all of
19 those. But we also want to see
20 deciduous trees. That's why I was
21 saying if we do -- okay, you want to do
22 this, we'll let you do it but you have
23 to replace it with, what, I don't know.
24 In some Villages what they do is you're
25 taking out whatever the inches of

1 caliper of the tree. So if the tree is
2 measured as a 20-inch tree, and
3 typically a new tree is
4 three-to-four-inch caliper. So you have
5 a ratio there. If you're taking out a
6 tree with 30 inches of caliper, you have
7 to replace it with X amount of inches
8 of, you know, and there is a ratio.

9 That's one way, or just do it
10 one-for-one. You want to take out White
11 Pines, take as many as you want but you
12 have to plant one for each one you take
13 out from the list of approved trees,
14 that's another way to do it.

15 TRUSTEE MIRITELLO: That's assuming
16 that we have a right to tell people how
17 many trees and everything on their
18 property. You know how I feel about
19 that.

20 MR. HADJENDREAS: We, speaking for
21 the Board, we didn't say a certain
22 number of trees but like when people
23 have landscape plans, we do --

24 MAYOR DeVITA: Wait, Chris, you
25 don't have to back off on that because

1 our tree ordinance, Jeff, in the
2 introduction has two or three paragraphs
3 that very clearly explain why trees are
4 important to the Village, for aesthetic
5 environmental reasons.

6 TRUSTEE MIRITELLO: Yeah, yeah,
7 hard sell.

8 I might like them but someone else
9 might not like them. I might like White
10 Pines.

11 MR. HADJANDREAS: What I am saying
12 is there is a list of trees, that's all.

13 MAYOR DeVITA: I think Kevin and I
14 were really concerned with the power
15 line stuff. I know on Shady even, at
16 Laurel Lane there's a lot of -- they
17 made the boundaries, I don't know if
18 your property has it, Kevin, the White
19 Pines like boundaries.

20 TRUSTEE JUSKO: I have them all
21 over. Right now I want to -- I am going
22 to trim them back or cut the branches
23 off because it's just a mess now.

24 MAYOR DeVITA: I know, but I think
25 the Village's concern or immediate

1 concern is the potential damage they
2 cause and can cause during severe
3 storms. And if we give people some kind
4 of mission to do those by the front near
5 the street, it will lessen the chances
6 of the power going out in the future.

7 We can talk about it. No one wants
8 to see the deforestation, no one wants
9 to see that. I'm just thinking of maybe
10 there is a happy medium.

11 TRUSTEE MIRITELLO: The tree trim,
12 the line trimmers, what are the
13 parameters they have?

14 Why don't they take that stuff down
15 when they are doing all that work?

16 MR. HADJANDREAS: It's too
17 expensive.

18 MAYOR DeVITA: Take what down?

19 TRUSTEE MIRITELLO: They don't take
20 the lower limbs down --

21 MAYOR DeVITA: Because, because.

22 TRUSTEE MIRITELLO: -- not
23 electric.

24 MAYOR DeVITA: Correct. Asplundh,
25 you see all those trucks, don't forget

1 the power lines are on the top line.
2 They only cut away anything that is
3 leaning on or surrounding the top line.
4 The bottom cables, the heavy ones,
5 that's all cable companies. They do
6 nothing, nothing to maintain the areas
7 around the wires. But, meanwhile, the
8 tree companies, landscapers will not go
9 -- and I don't think you're allowed to
10 go near those wires to trim back the
11 tree. So you have the mess that you
12 see.

13 I get e-mails all time that I have
14 to remind people, that's not the power
15 line, those are the cable companies. So
16 you can't get them to come do anything.

17 TRUSTEE MIRITELLO: Why can't we
18 force them to do it in our right-of-way?

19 MAYOR DeVITA: You know what,
20 should have made a franchise agreement,
21 but I don't know.

22 Howard, do you have any experience
23 in any of that. People ever -- I don't
24 think anybody --

25 MR. AVRUTINE: I don't think that

1 is the financial commitment that they
2 would be willing to undertake. We can
3 try to bring it up at a renewal, but I
4 think, in all likelihood, you will get a
5 stiff pushback on that. They want the
6 minimum to protect their lines, that's
7 it. They are not in the landscaping
8 business, they just cut lines to protect
9 their investment.

10 TRUSTEE JUSKO: The double poles
11 that LIPA replaces that is attached to
12 the power on top, it takes them forever
13 to replace or reattach the telephone and
14 cable. They don't want to do it.

15 TRUSTEE MIRITELLO: All right.

16 MAYOR DeVITA: So maybe we'll just
17 have a continued discussion. Maybe
18 Kevin and I, at some point in the
19 future, will meet with Chris and Jeff,
20 if you want, Nemshin, if you're
21 interested and talk about this some
22 more. We're getting into hurricane
23 season.

24 So, all right, thanks, Chris.

25 MR. HADJANDREAS: No problem.

1 Good night, everyone.

2 MR. AVRUTINE: Take care, Chris.

3 MAYOR DeVITA: So we'll go through
4 this, we're not going to spend all night
5 on this, but the squatter stuff. I
6 asked Howard to get some kind of
7 legislation. I asked Liz to get the
8 Kensington one that Mike talked about.

9 Basically, it's a continuing
10 discussion. I thought it was very
11 interesting. Kensington and I think
12 it's Huntington are -- anyway, what I
13 focused on, and there's a lot of
14 similarities between them.

15 The idea was if you are a homeowner
16 and are going to rent out your property,
17 you need to get a -- you have to fill
18 out a rental permit application and get
19 a rental permit. It's really not that
20 complicated. You basically -- what's
21 good about it is you are listing not
22 only who the owner is, but who the
23 renters are. If they are individuals,
24 if they're corporations, you have to put
25 the principles; if you are an LLC, all

1 the members. It gives the municipality
2 knowledge about who is living in a
3 certain place.

4 So Kensington has -- don't forget,
5 there is this whole bed and breakfast
6 thing floating around. Kensington has a
7 requirement that you can't rent for less
8 than a term of one year and you can't
9 rent anything but the entire structure,
10 so you don't have this thing where
11 you're renting out part of your house.
12 Anyway, I thought that was interesting
13 and maybe something that's something we
14 should look into, really look into.
15 We're still continuing, up to this
16 meeting we've had problems.

17 And Liz, correct me if I'm wrong,
18 we've had problems identifying certain
19 occupants of houses. We had a guy
20 complain about the Fourth of July, some
21 guy whose family lives in the house
22 across the street. And because there
23 have been closings, no one had let us
24 know, we didn't know if they're renters
25 or owners. Liz and Nancy had to take

1 the time to track down the builder and
2 see if he knew. It just seems, I think
3 it's important, that we get a handle on
4 who is living in the Village.

5 Again, I go back to that idea of
6 making the brokers -- actually in these
7 ordinances they make the brokers also
8 responsible that they have to basically
9 ensure that if it's going to be rented
10 that a rental application is filed, that
11 kind of thing. It puts the onus, not
12 only on the owner but on the broker,
13 too.

14 But the other set of laws had to do
15 with vacant buildings and what they do
16 is construct vacant building registrars.
17 They basically define a vacant building,
18 both of these, one for Amityville, one
19 for Huntington. If your house is empty
20 for 120 days or more it's considered
21 vacant and needs to be registered by the
22 owner. That registrar requires all the
23 information about the owners, which we
24 get a lot. We get trusts, we get LLCs,
25 correct me if I'm wrong, Liz.

1 MS. KAYE: That's correct.

2 MAYOR DeVITA: Have a problem
3 collecting taxes because we don't know
4 who the hell is behind these things.

5 So in any event, these are some of
6 the ideas that we are in these.

7 Howard, do you have anything on
8 this?

9 MR. AVRUTINE: I've reviewed all of
10 these ordinances and what I would
11 recommend, if you give me some general
12 parameters, I can craft a customized set
13 of regulations taking various aspects of
14 each of these. They all have good
15 provisions and they all have good -- I
16 like the idea of a rental permit for the
17 Village. I think that makes sense if
18 that's what the Village wants to pursue.
19 It also ensures that if someone is
20 renting out property that is has the
21 required smoke detectors and safety
22 issues.

23 Also, clearly, the Village has been
24 having some issues with vacant houses
25 and an occasional squatter or people

1 being in there who should not be in
2 there.

3 We can -- I can try to fashion
4 something that addresses the most
5 impactful aspects and work from that.

6 MAYOR DeVITA: Just one other
7 thing, just as an example.

8 There's a renter who moved into a
9 house on Laurel Lane and outside of the
10 house is a complete pigsty. Mike has
11 now gone up there, gave the guy a
12 warning. He did nothing. He is now
13 issuing notices of violation.

14 So we'll issue that to the renter.
15 I don't even know if we even know who
16 the owner is because the prior owner
17 went into foreclosure.

18 TRUSTEE MIRITELLO: Whose paying
19 the taxes?

20 MAYOR DeVITA: What's that?

21 TRUSTEE MIRITELLO: Whose paying
22 the taxes?

23 MAYOR DeVITA: I don't know, at
24 this point.

25 MS. KAYE: I would have to look it

1 up, I can look it up tomorrow.

2 TRUSTEE MIRITELLO: We can
3 certainly know who it is.

4 MAYOR DeVITA: Jeff, just
5 understand, we don't always know -- we
6 had to chase people down this year just
7 to find out who owns the property
8 because we don't have the owners of
9 record. So, part of this is we
10 shouldn't be doing that.

11 But anyway, I would like to hear
12 everybody's comments what they think of
13 the idea.

14 TRUSTEE MIRITELLO: I like the idea
15 in a sense. The only thing I'm not sure
16 about is who would know about these
17 rules if they are just unique to Laurel
18 Hollow, who would know that they have to
19 do this?

20 MAYOR DeVITA: You know what, Jeff?
21 I think it starts with putting it out
22 there, okay. Then the brokers know
23 because they may be on the hook for
24 this, also.

25 TRUSTEE MIRITELLO: We're going to

1 tell every broker? We're going to send
2 them a letter? How would we find them?

3 MAYOR DeVITA: They know you have
4 to come in and get a permit for signs in
5 our Village. They can't have
6 advertising --

7 TRUSTEE MIRITELLO: That is not
8 unique.

9 MAYOR DeVITA: I understand that,
10 but they will know, we can send this to
11 all the major brokerage places.

12 TRUSTEE MIRITELLO: If it's
13 something unique to us, how do people
14 know they have to comply?

15 MS. KAYE: Somehow they're
16 managing.

17 TRUSTEE MIRITELLO: Who?

18 MS. KAYE: Kensington.

19 TRUSTEE MIRITELLO: We think they
20 are managing.

21 DEPUTY MAYOR NEMSHIN: When the
22 broker puts a for-sale sign up, they
23 don't have to register, they just put it
24 up?

25 MS. KAYE: They have to get a

1 permit, they have to say, right.

2 MAYOR DeVITA: They hand in the
3 papers, they say by the way, if this is
4 going to be a rental this is what you
5 have to do, or give this to the owner if
6 he decides to rent it, this is what he
7 has to do.

8 MR. AVRUTINE: I know you can also
9 do SwiftReach to inform the residents.
10 I know, also, when there is information
11 provided to a new owner when they move
12 into the community these items can be
13 made part of the information that they
14 need to know going forward.

15 TRUSTEE MIRITELLO: Nobody can do
16 anything without a permit, if they paid
17 attention, because they make
18 announcements like that all the time.
19 I don't know if SwiftReach will have the
20 impact on everybody.

21 MAYOR DeVITA: Jeff, I don't doubt
22 it. I know just from this parking
23 stuff, after two or three SwiftReaches
24 on the parking stuff you have people who
25 say I didn't know I needed, I'm a

1 resident, I didn't know I needed that.

2 I just keep going back to the old
3 adage, you can lead a horse to water but
4 you can't make him drink.

5 You can lead them three times, and
6 then the word gets out, you do the best
7 you can with whatever avenues we can.

8 TRUSTEE MIRITELLO: People renting
9 their place, sometimes they get cash.
10 They do not want anybody to know about
11 it. They're not going to register it if
12 they're doing this thing as a cash
13 thing.

14 MAYOR DeVITA: You're right. You
15 know, Jeff, there's always going to be
16 cheats. We see it in the building. 95
17 percent of the people are honest. They
18 come in and they ask questions. They
19 call, what do I need to do. You're
20 going to have your cheats, that's where
21 we get the fines. You're going to have
22 your cheats, you can't deny that.

23 TRUSTEE JUSKO: One of my concerns,
24 I think it was Amityville, the building
25 inspector would need to go into the

1 homes, as Howard just mentioned, to
2 check on smoke detectors and fire
3 alarms. So two things: One, are we
4 going to be adding a burden onto his
5 time; and, two: What is the liability
6 now on the Village if he inspects and
7 something goes wrong with one of those
8 devices and then there is an issue.

9 Are we adding some severe liability
10 to the Village?

11 MR. AVRUTINE: If you can't make
12 sure that the battery is working when he
13 inspects it, then the battery is not
14 working when there is an incident.
15 That's not the Village's legal
16 obligation to ensure that they change
17 the battery properly. It's only about
18 whether it is with everything that it
19 should be when the inspection is done.

20 Now, the issue having to do those
21 inspections is a different story,
22 whether you want to devote Mike's --

23 MAYOR DeVITA: Good point because
24 I was going to say, Kevin, in response
25 to that, those Villages decided to put

1 those requirements in there. We don't
2 have to be that severe or restrictive.
3 Quite frankly, me, I'm personally
4 interested in knowing who the owners
5 are, who is renting, how many people are
6 there, that kind of thing.

7 The smoke detector thing, really
8 isn't that, Howard, the burden is on the
9 landlord to make sure the things are
10 operating right, why should we have to.

11 MR. AVRUTINE: It's certainly --

12 MAYOR DeVITA: You're raising your
13 hand, you're muted, Jeff.

14 TRUSTEE JUSKO: He is talking to
15 his wife.

16 MR. AVRUTINE: I would just say you
17 are right. The issue solely is whether
18 the Village would want to assume that
19 sort of role, and it's an option.
20 Whether if -- again, a lot of these
21 ordinances are for townships and you
22 have apartment situations. You have a
23 lot of multi-family situations, maybe
24 legally non-conforming buildings that
25 have multiple units in them. They want

1 to ensure, from a municipal prospective,
2 that they are properly maintained and
3 are safe for the people. They don't
4 want to have problems in that regard.
5 But that does not necessarily translate
6 to a place like Laurel Hollow.

7 MAYOR DeVITA: Mike does have
8 enough on his plate. Going in to check
9 people's smoke detectors, he does that
10 when they build a building, after that,
11 you know.

12 TRUSTEE JUSKO: When I read it, I
13 thought that would be excessive.

14 MR. AVRUTINE: This could be as
15 detailed or as minimalist as you want it
16 to be.

17 I think along the lines of what the
18 Mayor was saying, in terms of
19 informational, knowing which homes are
20 rented, knowing the identities of the
21 party of the tenants, knowing how many
22 people are residing there, you can get
23 those things accomplished. And you can
24 combine that, if you are so inclined,
25 with a vacant building portion of

1 proposed legislation which would deal
2 with having to register, if someone is
3 going to be away for an extended period
4 of time and no one is going to be on the
5 property.

6 MAYOR DeVITA: There doesn't seem
7 to be much down side on that one,
8 especially trying to do what we can
9 about the squatter issue. I don't see
10 the down side of that, having a vacant
11 building registry, requiring the owner
12 to register.

13 MR. AVRUTINE: You may want to make
14 it less time. 20 days, you may want to
15 reduce that time period.

16 MAYOR DeVITA: Right.

17 TRUSTEE NOVICK: The Police
18 Department report is showing 19 vacant
19 houses. I assume these are not rental
20 or some may be rental.

21 So there are two aspects to what we
22 are talking about. There's a rental
23 aspect, but that doesn't necessarily
24 mean the problem of a squatter if
25 someone leaves and goes to Florida and

1 the house is vacant.

2 So my question is the vacant
3 situation shows on the police report 19
4 houses. I assume they are going there
5 to make sure they are vacant.

6 MAYOR DeVITA: I don't know if that
7 includes snowbirds or people left that
8 state.

9 TRUSTEE NOVICK: What about the
10 house? The house specifically says
11 vacant house, 19 of them last year.
12 These might be the houses that are
13 registered in the police report as
14 vacant.

15 MAYOR DeVITA: I want to say I
16 don't know what their standards are.
17 Does that mean people who are on
18 vacation they count that as vacant.
19 I don't know, honestly.

20 TRUSTEE MIRITELLO: Dan, what about
21 a situation like -- my good friends,
22 neighbors, Rita and Jim, and whose house
23 has been vacant for two years. It's not
24 going to cost them anything to register,
25 is it?

1 MAYOR DeVITA: No, I think some of
2 these have a registration fee of \$75,
3 something of a permit. You're getting
4 basically, something you're filling out,
5 the Village gets a small administrative
6 fee, that's all. No one is making money
7 on it, Jeff. If we are giving out paper
8 requiring something to be filed, we have
9 a nominal fee, it is not a big deal.

10 Her house, in my mind, even though
11 I know it's on a busy corner, her house
12 has been vacant that long. I know she
13 has a lot of ties to the community and
14 someone will tell her, hey, what are
15 these cars doing in your driveway. But
16 it's still that kind of situation where
17 someone has sold their house and moved
18 and is trying to sell and it has been
19 empty a year. That's a prime target for
20 one of these squatters.

21 TRUSTEE MIRITELLO: But the fee is,
22 also, it's saying to someone you can say
23 what are they doing to me now. I have
24 to pay to put my house on the market. I
25 don't know how long this is going to

1 take to sell.

2 MAYOR DeVITA: So I'm trying to
3 find out what the fee is here.

4 MR. AVRUTINE: We have to prepare
5 sort of a form. You talk about a
6 registration, it can be as simple as a
7 one-sheet item where you're just
8 identifying the situation and having a
9 record of it.

10 MAYOR DeVITA: Jeff, I think
11 Amityville charges \$250. I think
12 Huntington charges \$75, no, they have a
13 \$250 fee, also, Huntington. You can
14 make it whatever you want.

15 TRUSTEE MIRITELLO: In her case,
16 she would do the form. You don't know
17 how long it's going to take to sell the
18 house. So you give 120 days, do they
19 have 120 days and then it doesn't sell
20 and then they have to register it, at
21 that point?

22 MAYOR DeVITA: The bottom line is
23 if it's vacant for that long, I guess
24 regardless of whether they sell --

25 MR. AVRUTINE: I think that the

1 goal is so that if the Village is
2 notified that a particular dwelling is
3 not going to be occupied, at least then
4 that information can be provided to the
5 police, they can work patrols in so they
6 keep an eye on these homes while they
7 are not occupied to see whether there is
8 anything going on there that should not
9 be.

10 It's another tool, it's helpful.
11 It's not restricting the property
12 owner's ability to sell or anything
13 else. It's really just notification to
14 the Village as to what is going on.

15 TRUSTEE MIRITELLO: What if I don't
16 want anyone to know that I am not going
17 to be home for four months. I don't
18 want you to know because I don't want
19 the Village knowing, maybe it can leak
20 out. What if I don't want anyone to
21 know my house is going to be empty?

22 TRUSTEE NOVICK: If you're paranoid
23 you should move.

24 MAYOR DeVITA: Here, Jeff, it's
25 interesting because here is where you've

1 got this, the property owner's interest
2 versus the municipality's interest kind
3 of clash and we have to resolve it.
4 Because, yes, you have that right. You
5 want to keep it empty. On the other
6 hand, the municipality has an interest
7 in ensuring that the miscreants don't
8 move into the neighbor -- move into
9 these areas, your house, Jeff Nemshin's
10 house, Nick Tsafos's house.

11 Look, all I know is for these
12 miscreants who moved into 25A and
13 Stillwell, the neighbors are crazed that
14 these criminals were in there, for a
15 good reason. As we know, they found
16 guns and whatever else.

17 So I know we are trying not to
18 overreact and be over intrusive, but
19 maybe having this simple registrar is
20 something to look at. But at a certain
21 point there is a certain responsibility
22 to the community.

23 TRUSTEE NOVICK: I said if you are
24 going away for six months you wouldn't
25 want the police to know just to take

1 care.

2 I don't understand your issue.

3 TRUSTEE MIRITELLO: If I turned my
4 alarm on, I have an alarm, I have my
5 alarm on the whole time, my neighbors
6 have the alarm company. But I just have
7 consistently thought in my mind about
8 people's business, my business is my
9 business and maybe I have to change my
10 thought.

11 MAYOR DeVITA: No, Jeff, also
12 think about what happened in Oyster Bay
13 Cove. A squatter was there for a year.
14 The owner had to pay them thousands of
15 dollars to get him out, they couldn't
16 get him out.

17 TRUSTEE MIRITELLO: That is the
18 owner's house, it's the owner's
19 responsibility and the owner got what he
20 deserved. If he didn't know someone was
21 living in his house, that's what he
22 gets, he gets what he deserves.

23 TRUSTEE NOVICK: If he is away how
24 is he going to know?

25 TRUSTEE JUSKO: Have a caretaker

1 look at it.

2 TRUSTEE MIRITELLO: Be responsible
3 for your own --

4 MR. AVRUTINE: The other side of
5 the coin is having a situation like that
6 degrades the quality of life for the
7 surrounding property owners.

8 TRUSTEE MIRITELLO: My neighbor put
9 a color, my neighbor put a color, it
10 degrades the property. I don't buy that
11 sometimes either, I don't know.

12 MAYOR DeVITA: Why don't we do
13 this. Why don't we do what Howard
14 suggests, just putting something simple
15 together. Forget all this inspecting
16 fire alarms and all this stuff. Just
17 put something simple together on the
18 rent vacancy and see what it looks like
19 and at least something we can discuss,
20 or even theoretical right now, let's see
21 what something looks like on paper.

22 MR. AVRUTINE: I will draft
23 something up and distribute to everybody
24 except Trustee Miritello.

25 TRUSTEE MIRITELLO: I won't read it

1 anyway.

2 TRUSTEE NOVICK: Dan, we should
3 find out exactly what those --

4 MAYOR DeVITA: I will, I'm going to
5 call the Sergeant.

6 TRUSTEE NOVICK: Who gave it to
7 them and do they represent, in their
8 opinion, what percentage of the vacant
9 houses in the Village. Maybe they'll
10 say that's 95 percent of the houses.

11 MAYOR DeVITA: To me is what do
12 you mean by vacant, that's what I want
13 to know, how do you know. We have given
14 them a few houses we know were vacant.
15 But if, somehow, they know, truly,
16 meaning the owners have moved out,
17 whatever, but I'm not sure that's what
18 they mean. I'll ask this and find out
19 and let you know.

20 TRUSTEE NOVICK: There's nobody
21 living in the house.

22 MAYOR DeVITA: I understand that,
23 but does that mean they are away for two
24 weeks on vacation or does that mean they
25 moved out and they have a property

1 manager. It could be a business move to
2 another state, so it could be empty for
3 six months. I don't know what it means,
4 so let's find out from the police.

5 Okay, so that was that.

6 The dock issue, Howard, the only
7 thing that came up was, I don't see the
8 problem, about issuing a ticket to a
9 boat parked at our dock more than 10
10 minutes and the driver is not there. So
11 this issue came up, well, don't you have
12 to give it to the boater. I don't see
13 why it is any different.

14 MR. AVRUTINE: It is not and an
15 appearance ticket can be issued that
16 way.

17 MAYOR DeVITA: Okay. There might
18 have been some issue, I don't know why
19 it came up again. Okay, that's that.

20 MR. AVRUTINE: Was there not a
21 question raised, my colleague was here
22 last month, as to who could issue it.

23 MAYOR DeVITA: No, that is --

24 MR. AVRUTINE: That's what I
25 wanted to clarify.

1 MAYOR DeVITA: The police and Jeff
2 and the constables can issue it. The
3 real question is we are drafting, Nancy
4 is working on it with Blinkoff, we're
5 drafting a ticket for Jeff to give for
6 boats for various reasons. But this was
7 for the knucklehead who parks his boat
8 on our dock and leaves it there for the
9 weekend, it's for Jeff to be able to
10 write a ticket and leave it there.

11 TRUSTEE TSAFOS: With our writing
12 the ticket and the knucklehead leaves it
13 there for the weekend doesn't alleviate
14 the problem. I think it takes away from
15 residents who want to use their boat on
16 the weekend.

17 MAYOR DeVITA: I agree with you 100
18 percent. Here's the problem. When we
19 get into -- just like with a car, are we
20 going to start towing cars or are we
21 going to start towing boats. Then you
22 have a liability issue and all kinds of
23 things.

24 I don't know, Jeff, can you pull
25 around to the side of dock if someone

1 leaves it there?

2 TRUSTEE MIRITELLO: I wouldn't
3 touch it. If it gets scratched, you're
4 going to be the one who gets blamed.

5 MAYOR DeVITA: That's the problem
6 then, Nick. That's why this fine, this
7 fine I think it goes up to at least
8 \$1,000. I know there's a thousand,
9 there's a maximum. That's why if it was
10 me, if I was the Judge or the prosecutor
11 I would tell the prosecutor go for the
12 thousand. You got the ticket, you
13 screwed up everyone for the weekend you
14 pay the \$1,000. I promise they will
15 never do it again.

16 In terms of touching people's
17 property, this is where I would love to
18 do it, but I threatened to do it in the
19 e-mail. Jeff and I discussed it and we
20 knew we really were not going to do it,
21 but maybe it would light a fire under
22 someone to move it and I don't know if
23 they ever did it.

24 TRUSTEE MIRITELLO: They did it,
25 they moved it but they never told me.

1 They didn't call me to let me know.

2 TRUSTEE TSAFOS: So if a resident
3 gets upset that the dock is being
4 monopolized by some knucklehead, do they
5 decide to cut the ropes on that boat and
6 let the tide take it away. We're not
7 responsible, are we?

8 MAYOR DeVITA: We're not
9 responsible.

10 TRUSTEE MIRITELLO: They might be
11 on camera.

12 MAYOR DeVITA: It would be on
13 camera, it's on camera.

14 TRUSTEE MIRITELLO: Maybe.

15 MAYOR DeVITA: It is not our
16 liability.

17 TRUSTEE TSAFOS: I used to own a
18 boat and I would find that very
19 aggravating.

20 MAYOR DeVITA: Nick, I agree,
21 especially since I'm sure all of us
22 here, the boaters, are the kind of
23 people who would make sure, whether it's
24 90 minutes or 30 seconds, pull around to
25 the side of the dock.

1 TRUSTEE TSAFOS: At least have
2 somebody there who help others dock
3 their boats.

4 MAYOR DeVITA: But these people,
5 what can I tell you, this is the society
6 we live in. It happened twice and
7 that's it so far, Jeff.

8 TRUSTEE MIRITELLO: We nipped that
9 in the bud. It was one person in
10 particular.

11 MAYOR DeVITA: No, it was the first
12 time. The second time --

13 TRUSTEE MIRITELLO: The second time
14 was somebody else going to someone's
15 mooring.

16 MAYOR DeVITA: What happened with
17 that?

18 TRUSTEE MIRITELLO: They went down
19 and found their mooring the next morning
20 after your e-mail, someone alerted them
21 to it.

22 MAYOR DeVITA: That was the one
23 where we said we would tow the boat or
24 have the constable tow it.

25 TRUSTEE MIRITELLO: That resulted

1 in someone having to tie it to the dock.
2 They called me for permission, but if
3 they had not called we might have given
4 them a ticket. What kind of relief
5 would they have if they would have
6 gotten a ticket for tying up to the dock
7 when they couldn't tie up to that
8 mooring.

9 MAYOR DeVITA: We'll send Nick down
10 with a knife to cut the rope.

11 TRUSTEE TSAFOS: Take my scuba
12 gear, get away from the camera.

13 MAYOR DeVITA: Okay. So that's
14 great, okay, that's done.

15 The next appointment is Election
16 Inspector.

17 MS. KAYE: This I explained to you,
18 with the pandemic -- (audio distortion)
19 got some calls why Election Inspectors
20 don't show up. So they said you can
21 appoint an employee as an Election
22 Inspector, and I thought it was just the
23 last resort worth appointing me. I'm
24 not worried, I've spoken to both
25 inspectors and they are fine. We will

1 have all the requirements set up with
2 the sanitizers and markers and so forth.
3 But I thought it's just worth having it
4 as a last resort, just in case there is
5 a second outbreak.

6 MAYOR DeVITA: Sure.

7 MS. KAYE: I would feel better.

8 MAYOR DeVITA: But I'm sorry, Liz,
9 did she also tell you that you would
10 have to sacrifice --

11 MS. KAYE: I have to forfeit my
12 salary, the 150. So, I doubt it will
13 come to that.

14 MAYOR DeVITA: Let's see how it
15 goes.

16 Okay, do we need a motion to
17 appoint you?

18 MS. KAYE: Yes, we do.

19 MAYOR DeVITA: I so move.

20 Second?

21 TRUSTEE TSAFOS: Second.

22 MAYOR DeVITA: That's Trustee
23 Tsafos.

24 Trustee Jusko?

25 TRUSTEE JUSKO: Aye.

1 THE COURT: Trustee Novick?

2 TRUSTEE NOVICK: Aye.

3 MAYOR DeVITA: Trustee Miritello?

4 TRUSTEE MIRITELLO: Aye.

5 MAYOR DeVITA: Deputy Mayor

6 Nemshin?

7 DEPUTY MAYOR NEMSHIN: Aye.

8 MAYOR DeVITA: Abstracts, Liz?

9 MS. KAYE: Nothing. The only
10 large bill is the Workers' Comp,
11 \$20,000, that the Board voted for the
12 second year, that is on the abstract.
13 Everything else is pretty routine.

14 MAYOR DeVITA: The last one there
15 is the camera business.

16 MS. KAYE: And the camera, correct.

17 MAYOR DeVITA: As explained before,
18 just to get into more detail, on June
19 16th, Oyster Bay-Cold Spring Harbor
20 Protection Committee approved the
21 addition of having the ability of the
22 beach camera that is going to be
23 installed by Guidice to rotate and to
24 zoom so that they can also be used to
25 mind the oyster sanctuary that was set

1 up off our beach, which you can see with
2 the orange buoys that surround it.

3 The additional costs to do that,
4 according to Guidice, was \$675. That
5 will be forthcoming from the protection
6 committee, that additional money.

7 We voted that, I abstained, we
8 voted that, the committee voted that at
9 the last meeting. So the idea, as
10 Nancy's said, we have to vote and spend
11 it before August 1st so that we don't
12 lose the portion of the grant money that
13 is allotted to the installation of the
14 camera.

15 So you need motions for this?

16 MS. KAYE: Yes, then you can
17 authorize prepaying Guidici.

18 MAYOR DeVITA: So do we approve the
19 abstracts by motion or just prepayment?

20 MS. KAYE: Both.

21 MAYOR DeVITA: So the motion is to
22 approve the abstract set forth by the
23 Clerk/Treasurer; and, in addition,
24 approve to prepay the installation of
25 the camera at the beach subject to

1 Trustee Nicklas's approval who is our
2 Technology Trustee.

3 I move.

4 Second?

5 TRUSTEE TSAFOS: Second.

6 MAYOR DeVITA: Trustee Tsafos.

7 Trustee Jusko?

8 TRUSTEE JUSKO: Aye.

9 MAYOR DeVITA: Trustee Miritello?

10 TRUSTEE MIRITELLO: Aye.

11 MAYOR DeVITA: Deputy Mayor

12 Nemshin?

13 DEPUTY MAYOR NEMSHIN: Aye.

14 MAYOR DeVITA: Trustee Novick?

15 TRUSTEE NOVICK: Aye.

16 MAYOR DeVITA: Okay, Liz, budget
17 transfers.

18 MS. KAYE: I have some, but I'm
19 going to wait because the auditors are
20 going to probably have stuff.

21 MAYOR DeVITA: So we'll skip that.

22 MS. KAYE: Correct.

23 MAYOR DeVITA: Authorization to pay
24 August vouchers.

25 MS. KAYE: The Board's meetings, if

1 I can get approval to pay the vouchers
2 around the second week of the month.

3 MAYOR DeVITA: Obviously, that is
4 after my review.

5 MS. KAYE: Correct, then I send
6 abstracts around, if there are any
7 questions, so upon both those things.

8 MAYOR DeVITA: Okay, I'll move.
9 Second?

10 DEPUTY MAYOR NEMSHIN: Second.

11 MAYOR DeVITA: Deputy Mayor
12 Nemshin.

13 Trustee Tsafos?

14 TRUSTEE TSAFOS: Aye.

15 MAYOR DeVITA: Trustee Jusko?

16 TRUSTEE JUSKO: Aye.

17 MAYOR DeVITA: Trustee Miritello?

18 TRUSTEE MIRITELLO: Aye.

19 MAYOR DeVITA: Trustee Novick?

20 TRUSTEE NOVICK: Aye.

21 MAYOR DeVITA: Okay. Renew
22 Village Attorney contract is the same.

23 And, Howard, there's been
24 tremendous improvement with the renewed
25 format for the billing so if you can

1 continue that.

2 MR. AVRUTINE: Of course.

3 MAYOR DeVITA: So, I'll move to
4 renew the Village attorney contract.

5 Second?

6 TRUSTEE TSAFOS: Second.

7 MAYOR DeVITA: Trustee Tsafos.
8 Trustee Jusko?

9 TRUSTEE JUSKO: Aye.

10 MAYOR DeVITA: Trustee Miritello?

11 TRUSTEE MIRITELLO: Aye.

12 MAYOR DeVITA: Trustee Novick?

13 TRUSTEE NOVICK: Aye.

14 MAYOR DeVITA: Deputy Mayor
15 Nemshin?

16 DEPUTY MAYOR NEMSHIN: Aye.

17 MAYOR DeVITA: Okay. The next one
18 was the Zoning Board and Planning Board
19 attorney's fee.

20 I just thought to bring up for
21 discussion, there are other Villages
22 that capture attorney, our attorney's
23 fees but making the applicant, the
24 resident, pay for them.

25 So, for instance, in Zoning and our

1 Planning Board which, for instance, Jim
2 Antonelli has to do some kind of
3 engineering review or field work or
4 whatever for an application, these fees
5 are paid by the applicant. They put
6 money in escrow and it works down. Some
7 of the Villages do that for the
8 attorney.

9 Howard, obviously, attends and
10 participates in both the Zoning and
11 Planning Boards. So when I heard that,
12 I thought it was something we should
13 discuss. I know, as a whole, I think we
14 all think fees, and we just raised them,
15 raised the building fees, that are fees
16 that are not in -- are not substantial.

17 So I guess the question is do you
18 also want to make the resident pay for
19 the attorney's fees for those hearings?

20 Howard, first of all, let me ask
21 you, is that kind of a wide-spread thing
22 or limited or smaller Villages?

23 MR. AVRUTINE: Mostly you see it in
24 the North Shore Villages. I think that
25 was probably the brainchild of Humes &

1 Wagner, a firm that represents a lot of
2 the North Shore Villages and recommended
3 that as a way of conducting their
4 activities.

5 And, quite frankly, I don't mean to
6 be -- suggest otherwise, but it enabled
7 them to earn -- it may very well be that
8 the fees they can collect, collecting it
9 from a resident might be higher than
10 they could get if they were directly
11 charging the Village, so there might
12 have been a little self-interest
13 involved there.

14 I don't want to disparage anyone,
15 but that could be part of it, as well,
16 because you don't have to worry about
17 the Village complaining about your fees,
18 if they are not paying them.

19 MAYOR DeVITA: Right. Does anyone
20 have comments on this or thoughts?

21 MS. KAYE: I have a thought.

22 TRUSTEE JUSKO: What is a typical
23 cost of a Zoning meeting or a Planning
24 Board meeting for an applicant and what
25 would the extra attorney's cost be?

1 MR. AVRUTINE: Well, I can tell
2 you it's going to add a few hundred
3 dollars onto a typical application.
4 I'll give you an example.

5 For a typical Board of Zoning
6 Appeals application, reviewing the file,
7 interacting with Mike, if there are five
8 hearings on a particular night, let's
9 say, then it would get times that
10 divided by the five cases. That sort of
11 thing is going to add up. So probably
12 per application, whether it would be
13 Planning Board or Zoning Board, a
14 resident is going to pay a few hundred
15 dollars. I've never calculated it
16 precisely, but you have to assume that
17 that's the case.

18 MS. KAYE: Probably more headaches
19 than the other, it depends.

20 By my thought was the Zoning Board
21 you pay a fee to appear before the
22 Zoning Board, I think it's \$500, but I
23 forget. The Planning Board you don't,
24 other than the partitioning for trees,
25 which is most of the applications. They

1 don't pay a fee. So, in other words,
2 they appear before the court for free
3 and we collect a deposit, which pays for
4 if we need Jim, for the legal add and
5 the stenographer. So, basically, the
6 Board comes for free. So maybe the
7 Board wants to think about charging
8 somebody a fee to appear before the
9 Planning Board.

10 MR. AVRUTINE: If I may?

11 The genesis, if everyone will
12 remember, the Village wanted to have
13 control over the trees but didn't want
14 to have it be a financial burden for
15 residents to have to come in and apply.

16 MAYOR DeVITA: I was just going to
17 say that.

18 MR. AVRUTINE: If you start
19 charging more, it's going to probably
20 ruffle some feathers.

21 MAYOR DeVITA: Sometimes they are
22 coming before the Board for a tree
23 hearing, but it may be for only a few
24 trees and they still have to pay a
25 permit.

1 MS. KAYE: No, it's free.

2 MAYOR DeVITA: The permit for a
3 tree is free?

4 MS. KAYE: A permit is free and the
5 Planning Board is free. They put the
6 deposit down for the stenographer and
7 the legal add and almost always Chris
8 asks that they do an inspection.

9 TRUSTEE JUSKO: How much is the
10 arborist?

11 MS. KAYE: 350.

12 TRUSTEE JUSKO: So there's a fee
13 right there.

14 MS. KAYE: That doesn't go to the
15 Village, though.

16 TRUSTEE JUSKO: I understand.

17 MAYOR DeVITA: Let me ask you this:
18 How do we have a tree ordinance when
19 they don't have to pay an application
20 fee?

21 MS. KAYE: They don't.

22 MR. AVRUTINE: I think that was
23 just the way it was set up originally.
24 It was along the lines we talked about
25 before.

1 I think that there was significant
2 discussion regarding we don't want to
3 make this expensive for property owners.
4 We want to make sure they do it. We
5 want to make sure that they are not
6 removing trees arbitrarily.

7 MAYOR DeVITA: Howard, too bad
8 Nancy is not on here, but you get these
9 calls, too. They spend a lot of time,
10 people call up, I want to take a tree
11 down, what do I have to do. They are on
12 the phone for 20 minutes doing e-mails
13 back and forth, people doing
14 applications. I mean, I think it's time
15 to put some kind of fee on this. It
16 really should be some kind of
17 application like this, where there is no
18 fee, and it takes up -- correct me if
19 I'm wrong -- but that stuff takes up a
20 lot of time for the Building Department
21 and the trees.

22 MS. KAYE: It's Nancy and me. Then
23 we have to communicate with Chris and
24 then back and forth so it's time
25 consuming, but...

1 MAYOR DeVITA: Let's just put it
2 down. I will look at it and discuss it
3 with Chris and whoever else on the Board
4 wants to discuss it about possible fees
5 for the application, I mean application
6 fee, not the arborist fee. The arborist
7 fee, there is not always an arborist
8 fee.

9 What will happen is Chris --
10 correct me if I'm wrong -- Chris will go
11 out and get an application. Sometimes
12 people will say it's dead, he's got to
13 go out and make sure it's dead, or it's
14 not dead, or they want to take down
15 three trees and Chris goes out, and he
16 even knows, they turn out to be specimen
17 trees. You don't always need the
18 arborist.

19 MS. KAYE: No, no, I'm referring
20 more to Planning Board applications.

21 MAYOR DeVITA: Where they want to
22 take down five or more.

23 MS. KAYE: Correct.

24 MAYOR DeVITA: Then they have to do
25 a landscaping plan and all that and a

1 hearing. But for the most part --

2 MS. KAYE: Your regular
3 non-Planning Board trees the arborist is
4 Chris's call.

5 MAYOR DeVITA: Right.

6 Maybe about a tree and he says I
7 really want the arborist to take a look,
8 so it's his call, every now and then.

9 MAYOR DeVITA: Okay, all right,
10 let's think about that. Just do me a
11 favor, just make a note --

12 MS. KAYE: Okay.

13 MAYOR DeVITA: -- for me to talk to
14 Chris.

15 Anything else, anyone have any
16 input on that before we get to executive
17 session.

18 (No response.)

19 Liz, are you going to contact
20 Chairman Joe Macy?

21 MS. KAYE: Give me one minute.

22 MAYOR DeVITA: I move to adjourn to
23 Executive Session.

24 Second?

25 TRUSTEE JUSKO: Second.

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MAYOR DeVITA: Second by Trustee Jusko.

Trustee Tsafos?

TRUSTEE TSAFOS: Aye.

MAYOR DeVITA: Trustee Miritello?

TRUSTEE MIRITELLO: Aye.

MAYOR DeVITA: Deputy Mayor Nemshin?

DEPUTY MAYOR NEMSHIN: Aye.

MAYOR DeVITA: Trustee Novick?

Marty, you just muted your phone.

TRUSTEE NOVICK: Aye.

MAYOR DeVITA: All right.

(At this time, the Board adjourned into Executive Session, returned to the public session at 9:25 and adjourned the meeting at 9:25.)

The foregoing is a true and accurate transcript of the electronic proceedings held before me via ZOOM, and transcribed to the best of my ability.

MARY ANNE COPPINS
Official Court Reporter