

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

INCORPORATED VILLAGE OF LAUREL HOLLOW

BOARD OF TRUSTEES

PUBLIC HEARING

September 16, 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

MARTIN NOVICK, Trustee (Not present)

NICHOLAS TSAFOS, Trustee

ALSO PRESENT:

HOWARD AVRUTINE, Village Attorney

ELIZABETH KAYE, Clerk/Treasurer

JAMES ANTONELLI, Village Engineer

MICHAEL McNERNEY, Building Department

MARY ANNE COPPINS

OFFICIAL COURT REPORTER

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

3 MAYOR DeVITA: Okay, we always
4 start with any resident concerns, but if
5 anyone is here for something other than
6 an agenda, speak up now.

7 TRUSTEE JUSKO: I have one little
8 thing for us.

9 The pay loader that the guys use
10 all the time is broken. We're hoping
11 that the fix tomorrow will be the fix.
12 They think it's just a solanoid, the
13 machine wouldn't move right now. Just a
14 reminder, I think it is 18 years old.

15 MAYOR DeVITA: We just paid, I
16 just signed off on a thousand dollar
17 bill for the pay loader.

18 Do know what that was for?

19 TRUSTEE JUSKO: I think it's the
20 parts we service, we just service. But
21 this is the transmission that doesn't
22 work and they think it's electrical and
23 they have to replace the solanoid. The
24 guy says that a bearing is coming
25 tomorrow.

1 MAYOR DeVITA: Okay. So other
2 than that, the police report, so you
3 know there is, what caught my attention
4 on it was it said a grand larceny and I
5 hadn't heard from anyone so I texted
6 Teddy about that. It turns out it's in
7 relation to a stolen vehicle on Whalers
8 and apparently it was doors left open
9 and keys left in the car, and it was
10 something like a 2011 Nissan or
11 something, but Teddy was on vacation.
12 He said how come I was not told right
13 away, he was vacation, that's fine, but
14 I have to send out another reminder. I
15 don't understand this business where
16 people leave their keys in the car.

17 You may or may not know, many of
18 you, because we haven't had a meeting.
19 When we had the court session a couple
20 of weeks ago, Officer Chris O'Donnell
21 told me there was on Glen, not Glen,
22 Laurel Court, a break-in. I call it a
23 break in. A car was left open and there
24 were possessions, a number of handbags
25 including valuables that were stolen.

1 And that was the one that prompted me to
2 send out the reminder but then I just
3 learned about this one. So these people
4 are out there and I just have to send
5 out more reminders, I don't understand.

6 TRUSTEE MIRITELLO: You've done
7 enough, you're not responsible for
8 people.

9 MAYOR DeVITA: I know, it just
10 seems in some way silly, these people
11 are not breaking into locked cars,
12 they're looking for open vehicles.

13 You're right, there's only so much
14 we can do.

15 TRUSTEE TSAFOS: We're not
16 responsible, but just what happens is
17 people call the police, a report gets
18 filed that there was stuff going on or
19 grand larceny, whatever the crime is.
20 Then the insurance company looks at that
21 and premiums go up because of the trends
22 that are happening.

23 So I agree we are not responsible,
24 but I think that as a governing Board,
25 we have to warn people to make it a

1 safer place, I would say.

2 MAYOR DeVITA: There are a couple
3 of things, I'll just put a reminder, but
4 really, I don't know what more we can do
5 other than -- and the police tell me
6 they are on heightened patrol where
7 these people slip into the woods when
8 they see headlights, that kind of thing.
9 In any event -- yes.

10 TRUSTEE NICKLAS: Where do we come
11 up with the number of suspicious autos?

12 MAYOR DeVITA: I suspect that if
13 people will call and say X car is parked
14 on the street and has no sticker, that
15 kind of thing. I can't tell you for
16 sure.

17 DEPUTY MAYOR NEMSHIN: We asked
18 that question before and when someone
19 sees a car parked on the street, they
20 call the police. If they come and the
21 person says, oh, I am picking someone up
22 they still make a call, suspicious auto.
23 We had asked them once when we were --

24 TRUSTEE NICKLAS: In other words,
25 the police have to go to the car in

1 order to put it down, that's what I am
2 getting at.

3 DEPUTY MAYOR NEMSHIN: They get a
4 call that says there's an auto on the
5 block illegally parked on the street or
6 someone sitting that looks -- not sure
7 if they should be there, I think that
8 automatically gets marked down.

9 MAYOR DeVITA: If they get a call,
10 they are going. If they get a call they
11 are going to it.

12 DEPUTY MAYOR NEMSHIN: If the car
13 is gone, I think they still mark down
14 the call.

15 MAYOR DeVITA: Yes, could be.

16 All right. Anything other police
17 concerns that you want me to relay?

18 (No response.)

19 Let's move right into the
20 application for road opening at 32
21 Hilltop. I know Mr. Rant is here. I
22 don't know if Mr. Cartegena is here.

23 MS. KAYE: Yes, he is.

24 MAYOR DeVITA: Mr. Rant, do you
25 want to make a presentation?

1 MR. RANT: Sure, I'll make a brief
2 presentation.

3 Good evening, Members of the Board.
4 My name is Michael Rant from the firm of
5 Northcoast Civil. We've prepared a road
6 opening plan before you this evening to
7 connect the existing water main in
8 Hilltop Drive. So the water main is
9 approximately 4 feet into the roadway.
10 We are proposing to open up an
11 approximately 4-foot by 4-foot opening
12 to connect with the water service
13 bringing the water service into the
14 property, and then prepare the asphalt
15 compacting the soil and restoration of
16 the asphalt.

17 That really is the overall
18 presentation. We understand there are
19 limitations on openings of roads that
20 have been paved recently.
21 Unfortunately, there is a necessity to
22 connect the home to public water and the
23 only way to physically connect the
24 service to an existing utility is to
25 have a physical connection and opening

1 the road is the only option that we
2 have.

3 If there are any questions from the
4 Board, I would be happy to answer them.

5 MAYOR DeVITA: Okay. Let me just
6 give a little background.

7 First, let me ask Kevin, Hilltop
8 was the first road in phase 2 to be
9 done. Didn't we use special asphalt on
10 that, I forget. What was that called
11 again; do you remember?

12 TRUSTEE JUSKO: It was all new
13 material.

14 MAYOR DeVITA: Okay. This is not
15 just the run-of-the-mill asphalt that's
16 used to patch and pave.

17 TRUSTEE JUSKO: This was a special
18 run hadn't been used on Long Island for
19 years.

20 MAYOR DeVITA: Okay. So just to
21 back up, just so you understand, Mr.
22 Rant, and with some of the difficulties
23 we have had with this build, and
24 actually, Mike is on the line, Mike,
25 you're here, right?

1 MR. McNERNEY: Yes.

2 MAYOR DeVITA: So, in the
3 beginning we sat down with Mr. Cartagena
4 and told him we're happy he's building.
5 We're happy with everybody who builds in
6 the community it's an investment, we're
7 happy. We like to see people make money
8 in this Village. Socialism is a dirty
9 word and just the main thing was to
10 follow the rules.

11 Throughout this build we've had
12 difficulties, including eight different
13 tickets that Mr. Cartagena has had to
14 answer for and pay fines in court for
15 Quantum Realty, one for himself, four
16 for his subs, so we've had 13 separate
17 court incidents. This road opening
18 could have been done when we had the old
19 crappy road. But because of his own
20 reasons, none of which I see were
21 legitimate, this was not done. And
22 meanwhile, we have a perfect road with
23 special asphalt that is unblemished, it
24 is in perfect condition and a couple of
25 other things.

1 By the way, just so you understand
2 where Mr. Cartagena is coming from, at
3 one of our public meetings in the spring
4 he stood up and said, in response to all
5 the issues they were having, that his
6 subs were out of control and he couldn't
7 control them. So there is little, I
8 feel, confidence that even this road
9 opening would be done right.

10 Nevertheless, you know we've tried
11 to investigate to see if there are
12 different ways. I'm not satisfied there
13 aren't different ways, new technologies,
14 but, I'm sorry, even our own engineer
15 has done leg work and shown that it's
16 not impossible to do, so we are kind of
17 at a loss.

18 By the way, Mr. Cartagena had to be
19 instructed yesterday that because he
20 hasn't paid his Village taxes, okay, he
21 is a scoff. He was told that this
22 matter would not be heard by the Village
23 Board unless he paid his taxes. So, of
24 course, he came down and ran in and paid
25 his taxes. That is another window, to

1 me, into the personality of the person
2 who is building on 32 Hilltop. Quite
3 frankly, I have very little confidence
4 that this job would be done right by him
5 or his subs.

6 What I would propose is Jim has a
7 number of conditions in his letter and I
8 would suggest we adopt the conditions
9 and Jim can talk about them. I would
10 further suggest, and I would like to
11 heard the Board on this, I would further
12 suggest that the same grade asphalt that
13 was used to make this road is used to
14 repair this road after the opening,
15 number 1; number 2: It's my opinion,
16 because his subs and his contractors, we
17 don't have any faith that they will do
18 the job right, the contractor be of the
19 Village's choosing.

20 This is what I was getting at
21 before the meeting, Jim, that if United
22 Paving that's in the Village next week
23 to do, re-do the catch basin, we can
24 make them do this.

25 In any event, I think that would be

1 a fair outcome. I think it will get the
2 job done. Mr. Cartagena wants his water
3 and we want our road in perfect
4 condition again. So that's my
5 suggestion.

6 I would like to hear from the
7 Board.

8 TRUSTEE NICKLAS: I agree.

9 DEPUTY MAYOR NEMSHIN: Before we
10 comment, can we hear their response,
11 because I think that's a great solution.
12 Can we hear the homeowner or his
13 representative's response to that
14 request?

15 MR. CARTAGENA: I have no problem
16 with having United Paving, Posillico or
17 any one of your contractors who
18 previously had worked on the roads
19 actually repair the road. I was going
20 down that path, I had made that
21 suggestion. I had the conversation with
22 Mr. McNerney and that is something I had
23 said from the onset and something I'm
24 willing to do.

25 TRUSTEE JUSKO: My only comment

1 would be I'm not sure they would be able
2 to get the same grade of asphalt that we
3 did. That was a special batch made for
4 a tremendous quantity. It is not
5 typically done. I'm not sure if it
6 would be, if you can even buy it, if you
7 will, at a small batch.

8 MAYOR DeVITA: Maybe the
9 contractor can tell us that. If not, it
10 would have to be whatever premium grade
11 is available.

12 MR. RANT: If the Village, if Mr.
13 Antonelli can provide the specs for the
14 asphalt. We've provided a substantial
15 pavement detail, it comes from Nassau
16 County, standard spec they use on their
17 roadways. It is a heavy duty pavement.
18 Again, if there's a special mix or you
19 can provide that detail to us, we will
20 implement on the plan.

21 MAYOR DeVITA: Jim, you can do
22 that?

23 MR. ANTONELLI: Sure. But I agree
24 with what Trustee Jusko said, I don't
25 know if you're going to get it.

1 MAYOR DeVITA: We know that, Jim,
2 we know that. All I am asking is can
3 you prepare the specs so Mr. Rant --

4 MR. ANTONELLI: Yes.

5 MAYOR DeVITA: Yes or no?

6 MR. ANTONELLI: Yes.

7 MAYOR DeVITA: Okay, okay.

8 DEPUTY MAYOR NEMSHIN: I have
9 another suggestion as a backup thought.
10 Maybe we hold, until we have a
11 conversation with the contractor and get
12 his feedback, obviously, when we find
13 out about the materials or we find out
14 about the contractor's opinion as to the
15 outcome of the job and how it will come
16 out, maybe there's some kind of deposit
17 required in case it has to get redone in
18 case there's a problem.

19 MAYOR DeVITA: There are. Correct
20 me, Mike, if I'm wrong, but I think in
21 every road opening case there's a \$3,000
22 cash deposit.

23 Mike, how long do we wait, six
24 months or a year to see if it settles,
25 right?

1 MR. McNERNEY: 180 days from
2 completion.

3 MAYOR DeVITA: Basically, six
4 months, so that is part of any road
5 opening already.

6 TRUSTEE NICKLAS: Does 3,000 cover
7 something of this magnitude?

8 MR. McNERNEY: Jim can probably
9 answer that better than me.

10 TRUSTEE NICKLAS: Jim?

11 MR. ANTONELLI: For such a small
12 amount, I think it should be more.
13 I think I would ask for 5.

14 MAYOR DeVITA: What if there is an
15 issue and they have to -- the patch is
16 not enough and we have to cut the road
17 all the way across I think like we did
18 on Shady, at one point.

19 MR. McNERNEY: That's this Board's
20 option. The applicant submitted both a
21 4-by-4 patch and a 4-foot wide strip all
22 the way across the road curb to curb,
23 so to speak, which some municipalities
24 insist upon.

25 But in light of the fact this is a

1 brand new road, it's just my personal
2 opinion that you'd rather limit it to
3 the 4-by-4, but...

4 MR. RANT: If you do a full width
5 patch you have more room for errors and
6 settlement and notice it more. Since
7 the water main is so close to the edge
8 of the road, it makes sense to limit the
9 disturbance through your connection and
10 patch in a small discrete area.

11 MR. McNERNEY: Mike, what is your
12 experience? Is \$5,000 enough to redo
13 that patch if it were to fail somehow?

14 MR. RANT: I think that would be
15 acceptable for that size area, it's a
16 small area.

17 MAYOR DeVITA: So let's make it a
18 condition, the 5K. It's a deposit, they
19 get it back, assuming there are no
20 issues.

21 And with respect to the asphalt,
22 why don't we just say, you know, as a
23 condition all new asphalt or highest
24 grade available pursuant to our
25 contractors, however you want to say it.

1 Howard, do you have some ideas how
2 to say that?

3 I can't hear you.

4 MR. AVRUTINE: Can you hear me now?

5 MAYOR DeVITA: No.

6 MR. RANT: Who was the contractor
7 that paved this road, was it United?

8 MAYOR DeVITA: Yes.

9 MR. CARTAGENA: I'm sorry, I
10 remember, possibly, it was Posillico's
11 trucks. Was it United subbing?

12 MAYOR DeVITA: They subbed it out,
13 United subbed it out to Posillico.

14 MR. CARTAGENA: I can possibly
15 reach out to Posillico and see what they
16 used. I can do that tomorrow and have
17 an answer by the end of the day.

18 MAYOR DeVITA: We know what they
19 used, we have the specs for it.

20 MR. McNERNEY: Dan, you could reach
21 out and find out if they can get it.

22 MR. CARTAGENA: I'll reach out
23 tomorrow. They do all my work at my
24 other projects. I will definitely reach
25 out tomorrow, thank you.

1 MR. AVRUTINE: Can you hear me
2 better now?

3 MAYOR DeVITA: Yes.

4 MR. AVRUTINE: All right, good, all
5 right.

6 So what I was going to say was the
7 spec that Jim is going to prepare, based
8 upon the one that was used for the road
9 in its current configuration, should be
10 put on the plans. And then what it
11 should be is if that spec can be
12 replicated, then that's what we will
13 use. If it can't be replicated for some
14 reason, it will be subject to whatever
15 is available. And if it's going to be
16 United, for argument sake, they will
17 then advise Jim what it is and then he,
18 upon consultation with the Mayor or with
19 Trustee Jusko or whomever you want, can
20 decide whether that particular formula,
21 if you will, is acceptable.

22 How does that sound?

23 TRUSTEE MIRITELLO: Do we -- how
24 can we recommend or award this to United
25 without bids or anything?

1 MR. AVRUTINE: It is not a public
2 project.

3 MR. McNERNEY: It's paid for by the
4 applicant, not by the Village.

5 MR. AVRUTINE: So, it is not being
6 awarded. I think it makes sense, and
7 Mike and I discussed this early on, it
8 makes sense to have United do it.
9 United did the road and I think that
10 they would be the most familiar with how
11 to get it as good as it can get.

12 MAYOR DeVITA: And this goes back
13 to what I was saying right before we
14 started. If he is going to be in the
15 Village to repair the catch basin in
16 front of the Cosentino's house, he
17 doesn't have to make a special trip for
18 it.

19 TRUSTEE MIRITELLO: Is this a
20 difficult job? We're talking about a
21 4-foot by 4-foot patch.

22 MR. McNERNEY: It's just a job that
23 tends to fail a lot, Jeff. I would say
24 that, and Mike Rant or Jim can tell you
25 better, but 10 or 15 percent of these

1 fail to the point where they have to be
2 redone.

3 MR. RANT: It's important, the
4 compaction of the backfill is very
5 important so you do not get any
6 settlement and patching it at the right
7 time, so you want to have somebody who
8 is familiar with it and is going to do
9 the proper job.

10 MR. McNERNEY: Somebody who is not
11 going to blame the guy who installed the
12 original road for the failure of the
13 patch.

14 MAYOR DeVITA: Mr. Rant, let me ask
15 you, is there a reason, given the, I
16 guess -- how many inches in diameter is
17 the water main that you are going to be
18 tapping, do you know offhand?

19 MR. RANT: I am not sure of the
20 size.

21 MAYOR DeVITA: Jim, do you know
22 offhand, or do you know Jericho Water's
23 pipes in the Village? Are you talking
24 3, 4 or 5-inch diameter?

25 MR. ANTONELLI: It's either a 6 or

1 an 8, and I don't know because there are
2 mostly 8-inch valves and 6-inch valves
3 at that intersection of Picardy.

4 MR. McNERNEY: I think it's an
5 8-inch.

6 MR. ANTONELLI: I believe it's an
7 8, too.

8 MAYOR DeVITA: I guess my question
9 is, is there a reason that the hole has
10 to be 4-feet wide as opposed to 2-feet
11 or 3-feet wide?

12 MR. RANT: You have to have a safe
13 area for someone to work inside the
14 hole. You have to be able to get the
15 proper equipment down there to dig the
16 hole. To expose the pipe, you have to
17 wrap a saddle around the pipe. You need
18 to have working room in order to access
19 it. You want to have a patch big enough
20 so that you can fit a mechanical tamper
21 in it and work inside. So if it is too
22 small, you're limited in access for
23 compaction. So a typical 4-by-4 opening
24 is kind of a standard roadway.

25 MAYOR DeVITA: Okay, anybody else?

1 (No response.)

2 So, Howard, what the resolution
3 would be is to approve the road opening
4 permit with -- now, Jim's conditions
5 have to do with the backfill and
6 tampering and the amount and in his
7 letter the amount of asphalt to use.

8 Do we use those? Do we consult the
9 contractor about it or, Jim, do you feel
10 this is, other than the type of asphalt,
11 that this is going to work, or do you
12 leave compacting to the contractor, or
13 what do you think, Jim Antonelli?

14 MR. ANTONELLI: No. I think we
15 ought to tell him how to compact because
16 right now the typical standard is they
17 put the material back in and compact it
18 either using the edge of the bucket on
19 an excavator or something like that. So
20 I'd specify mechanical damping, which is
21 the vibrating tamper with the 6-inch
22 lift. So every 6 inches they put down,
23 they damp it down again. That's about
24 as strict as we get in the industry.
25 Some people do it every foot or every 2

1 feet. I want every 6 inches. That
2 gives us some assurance. I think the
3 soil is sandy in that area so it should
4 compact very well.

5 I also wanted to make sure, just so
6 this doesn't stick out and the sealant
7 break off and provide this black, glossy
8 framing for it, which I think is
9 unsightly, they brush the edge with the
10 sealant from underneath. That way, when
11 they pave it will make a nice flush
12 joint. I think the pavement is still
13 rather fresh so we have a chance that it
14 will quickly blend to the same shade of
15 black.

16 MAYOR DeVITA: Howard, will we
17 adopt Jim's conditions in his letter?

18 MR. AVRUTINE: Yes. Adopt the
19 conditions as part of the -- I'm sorry,
20 Dan.

21 MAYOR DeVITA: Go ahead, that's it.
22 Conditions of Jim's letter, the hiring
23 of the contractor by the Village to be
24 paid by the applicant and the part about
25 the asphalt.

1 MR. AVRUTINE: The surrection of
2 the contractor, not the hiring, by the
3 Village. And it will be the high test,
4 whatever you want to call it, the
5 formula for the asphalt as specified,
6 and Mr. Rant will put the specifications
7 provided by Jim on his plan. And it
8 will be that, if available; and if not,
9 a suitable substitute to be approved by
10 the Village.

11 TRUSTEE NICKLAS: Jim, is that, the
12 way you commented in your report, that
13 the curb has to be supported, is that an
14 unusual wrinkle of something like this?

15 MR. ANTONELLI: Yes, I think it
16 is. The water main itself is 4-feet
17 from the curb. So if they are proposing
18 a 4-by-4 cut, we have to expose the
19 entire pipe to get the saddle on it.
20 That means that they are not cutting
21 through the curb, that part will be
22 missiled. So somehow they have to make
23 sure that's supported before that
24 collapses.

25 That's part of the issue here. We

1 have got to get -- I don't know if
2 anybody knows what this looks like, the
3 saddle, it's a tapping device. I have a
4 photo here around the pipe. It's a
5 steel strap that allows you to make that
6 tap without contaminating the water
7 supply or getting soil in it.

8 So, I think that, again, making
9 that bigger opening that you've got to
10 get people in there to support the pipe,
11 clean the pipe off, make sure there is
12 nothing contaminating the exterior.
13 Then you bolt this thing on then make
14 the tap and to through. But, yes,
15 usually, they would make the cut all the
16 way over beyond the edge of the
17 pavement. That's not what they are
18 proposing here. So I just want to make
19 sure that is supported.

20 MAYOR DeVITA: One other condition,
21 Howard, was the deposit to be 5,000?

22 MR. AVRUTINE: Yes, that's correct,
23 a \$5,000 deposit.

24 MS. KAYE: Mayor, we already have
25 3, so an additional 2?

1 MAYOR DeVITA: Yes, an additional
2 2.

3 So, if there are no more questions
4 or discussion, we can put that
5 resolution to a vote.

6 Howard, I would just ask, tomorrow
7 morning, if you can type it so they will
8 have it to attach to a permit.

9 Can you hear me, Howard?

10 MR. AVRUTINE: Yes, yes.

11 MAYOR DeVITA: Can you do that, are
12 you able to do that?

13 MR. AVRUTINE: Well, we just --
14 I will, yes. I may not have it first
15 thing in the morning, but I will get it
16 sometime tomorrow.

17 MAYOR DeVITA: Okay. So, pursuant
18 to the resolution that was discussed, I
19 will move to approve the application for
20 the road opening on the conditions that
21 we set forth tonight.

22 Do I have a second?

23 Trustee Nicklas?

24 TRUSTEE NICKLAS: Yes.

25 MAYOR DeVITA: I will go through

1 each of the names so we get it down.

2 Trustee Jusko?

3 TRUSTEE JUSKO: Aye.

4 MAYOR DeVITA: Trustee Tsafos?

5 TRUSTEE TSAFOS: Aye.

6 MAYOR DeVITA: Deputy Mayor

7 Nemshin?

8 DEPUTY MAYOR NEMSHIN: Aye.

9 MAYOR DeVITA: Trustee Miritello?

10 TRUSTEE MIRITELLO: Aye.

11 MAYOR DeVITA: Thank you, I think
12 that's all six, right, okay.

13 So Mr. Rant, Mr. Cartagena, it's
14 approved with those conditions.

15 MR. RANT: Thank you.

16 MR. CARTAGENA: Thank you very
17 much.

18 MR. AVRUTINE: Jim, can you send me
19 that, your letter in Word?

20 MR. ANTONELLI: Sure.

21 MAYOR DeVITA: Liz, minutes and
22 financials.

23 MS. KAYE: Minutes of July.

24 MR. ANTONELLI: Is that it for me?

25 MAYOR DeVITA: Hold on. Someone

1 said something.

2 MR. ANTONELLI: Is that it for me,
3 Mayor?

4 MAYOR DeVITA: Yes, Jim. I think
5 it's good, I don't think we'll need you
6 for executive session.

7 MR. ANTONELLI: Okay.

8 MAYOR DeVITA: Thank you.

9 MR. ANTONELLI: Thank you.
10 I'll get that to you, Howard, and
11 I'll get the spec to Mike Rant.

12 MR. AVRUTINE: Thank you, copy me
13 on that, too, please.

14 MR. ANTONELLI: Sure.

15 MAYOR DeVITA: So one of our
16 Trustees stepped out, but we're not
17 taking any votes.

18 So, Liz, why don't you --

19 MS. KAYE: These are the minutes
20 for July 15, and a special meeting of
21 August 18th.

22 Trustee Nicklas e-mailed one minor
23 correction. I had in our meeting dates,
24 Monday November 10th. It should be
25 Tuesday, but no other changes were

1 given, so that was it.

2 MAYOR DeVITA: Okay. So, I'll
3 move to approve the minutes of July 15th
4 and August 18th.

5 Second?

6 TRUSTEE NICKLAS: Second.

7 MAYOR DeVITA: Trustee Nicklas.

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: That's it, right.

18 So, Liz, financial report.

19 MS. KAYE: The financials are for
20 the first three months of the year
21 through August. The only number I would
22 point out of note is the Building
23 Department, that's about half of the
24 budget already. So, as we predicted, we
25 were reaching somewhat of a shut down

1 when we had the no-construction phase
2 and certainly made up for it. Crown
3 Castle is in that number, of course.
4 Both street openings go to the Building
5 Department line, as well as the permits.

6 Is Mike on, yes.

7 How many new houses, I think we
8 took in? We took in Coca.

9 MR. McNERNEY: You have the
10 subdivision coming up.

11 MS. KAYE: I know two new homes
12 were filed. I can't think of the other
13 one.

14 MR. McNERNEY: Sun residence, is
15 that what you're talking about? That
16 was just permits.

17 MS. KAYE: I can't remember the
18 second, so that is amazing. All else is
19 somewhat on budget.

20 Taxes, a few of them have fallen
21 off. The outstanding taxes were run.
22 Mr. Cartagena and Dan -- Nancy called a
23 couple more who were in the midst of
24 building permits and they paid.

25 Atlantic Shores were I think the ones

1 and someone else today. It's a great
2 strategy --

3 MR. McNERNEY: Liz, if I may.

4 You are saying that the Building
5 Department, how far into the budget year
6 are we?

7 MS. KAYE: Three months.

8 MR. McNERNEY: And we've used up
9 half the budget?

10 MS. KAYE: I have to get it to be
11 the exact number, but about half.

12 MAYOR DeVITA: Wait, wait.

13 When you say used up, I thought --

14 MS. KAYE: Not used up. We have
15 reached about 50 percent of our revenue,
16 budget revenue line.

17 MAYOR DeVITA: In terms of revenue,
18 we're way ahead of the --

19 MS. KAYE: Revenue, correct.

20 TRUSTEE TSAFOS: Mike, the Building
21 Department budget consists mainly of
22 payroll, and if we use some consultants
23 to consult on our building permit, which
24 we get reimbursed. So when we talk
25 about the budget, it's always revenue in

1 the Building Department.

2 MS. KAYE: Correct.

3 MAYOR DeVITA: Okay.

4 MR. McNERNEY: Okay.

5 MAYOR DeVITA: Thank you, Nick.

6 It's been very good. This whole
7 boom certainly hasn't bypassed us.

8 MS. KAYE: The way they're talking
9 about people fleeing the city.

10 MAYOR DeVITA: Liz, unpaid taxes.
11 Do you know a dollar amount, offhand?

12 MS. KAYE: Outstanding?

13 MAYOR DeVITA: Dollar amount for
14 unpaid taxes.

15 MS. KAYE: I have what the report
16 said, a few fell off. As of 9/11, we
17 had 107,000 outstanding, unpaid.

18 MAYOR DeVITA: It's going down, but
19 that's still --

20 MS. KAYE: Gone down by about three
21 residents.

22 MAYOR DeVITA: That's still
23 significant, though, isn't it?

24 MS. KAYE: That is significant,
25 yes, it's a number of builders, some of

1 the usual suspects.

2 MAYOR DeVITA: We know the policy.

3 MS. KAYE: They get a letter every
4 month.

5 MAYOR DeVITA: The builders get
6 nothing, the builders get nothing, no
7 CO, no anything until the taxes are
8 paid.

9 MS. KAYE: And they are paying. So
10 it's -- but we're earning money on it,
11 so...

12 MAYOR DeVITA: All right, great.
13 So, let's move on to the agenda.

14 I sent an e-mail out last night.
15 Congratulations to Trustees Miritello,
16 Novick and Jusko and Judge Joe D'Elia
17 for your reelection. Thank you for your
18 anticipated service and there will be no
19 raise, but great.

20 We had 37 people vote, which I
21 thought, I was happy. We normally get
22 in uncontested, around 50, and that's in
23 June. September is the beginning of
24 school. I think a lot of people are
25 preoccupied, and with the pandemic and

1 all of that, I think it was a pretty
2 good turn out.

3 And everyone voted across the
4 Board, right, Liz?

5 MS. KAYE: Yes.

6 MAYOR DeVITA: Which is good, which
7 means they supported our whole team. So
8 congratulations, again. And I guess Liz
9 will be sending, if she hasn't already,
10 the oaths of office.

11 MS. KAYE: I have. As of tonight,
12 Trustee Jusko is legitimate.

13 MAYOR DeVITA: Okay.

14 MS. KAYE: Waiting for the others.

15 MAYOR DeVITA: Did you hear that,
16 Miritello, you're illegitimate.

17 MR. AVRUTINE: Liz, did you do a
18 motion on the minutes?

19 MS. KAYE: Yes.

20 MR. AVRUTINE: Just making sure, I
21 was studying for the next item.

22 MAYOR DeVITA: Okay. So, next, the
23 North Shore Leader business.

24 So, we went over the last time we
25 were having such severe, severe problems

1 with publishing the legal notices. We
2 even had to change meetings, which cost
3 money for everyone involved. So we
4 switched back to the Oyster Bay
5 Guardian, which I'm not a fan of the
6 paper, but they seem to publish the
7 legal notices on time. We can't have
8 two official papers. So we have to, I
9 guess, vote to remove the Leader as the
10 official paper. I am going to call
11 Grant Lally, he's the owner, and just
12 tell him it's stupid to lose a client
13 over something like legal notices, but
14 we tried, right, Liz, tried and tried
15 and for tried months.

16 MS. KAYE: The last hurrah was the
17 last meeting when we were concerned that
18 we were only going to run the ad in one
19 paper, when we had them both as our
20 paper. I sent the Leader the list of
21 candidates the next day, never got in.
22 It never got in and the election is
23 over. I asked please confirm receipt.

24 MAYOR DeVITA: Nothing, it's been a
25 problem.

1 MS. KAYE: I just don't get it.

2 MAYOR DeVITA: I don't get it
3 either.

4 In any event, we need a motion,
5 Howard, to remove that?

6 MR. AVRUTINE: Yes.

7 MAYOR DeVITA: Okay, I will move to
8 remove the Leader as the official paper.
9 I think we already appointed the
10 Guardian.

11 MS. KAYE: Yes.

12 MAYOR DeVITA: Second, Trustee
13 Jusko?

14 TRUSTEE JUSKO: Yes.

15 MAYOR DeVITA: Trustee Miritello?

16 TRUSTEE MIRITELLO: Aye.

17 THE COURT: Deputy Mayor Nemshin?
18 Jeff, you're muted.

19 DEPUTY MAYOR NEMSHIN: I know, aye.

20 MAYOR DeVITA: Trustee Tsafos?

21 TRUSTEE TSAFOS: Aye.

22 MAYOR DeVITA: Trustee Nicklas, I'm
23 sorry, I'm back and forth on these
24 screens.

25 TRUSTEE NICKLAS: Aye.

1 MAYOR DeVITA: Next, the draft
2 legislation on squatters.

3 Howard, do you want to talk about
4 this continuation of the discussion?

5 MR. AVRUTINE: I've spoken to the
6 Mayor about, you know, there's a lot of
7 different avenues and approaches to take
8 to this. So the Mayor had instructed me
9 to start with rental registration
10 whereby any homeowner who will be
11 renting a property must register. And
12 in addition to registering, must also
13 provide a copy of the rental agreement,
14 as well as a form that identifies the
15 tenant. Also, it creates an obligation
16 by a real estate broker who is paid a
17 commission for a rental to ensure that
18 those things are done, as well, sort of
19 a redundancy. And, obviously sets forth
20 penalties for failure to comply with
21 those requirements. This way, it
22 doesn't go so far as to have a rental
23 permit, like a lot of jurisdictions do.
24 It's more of a simple registration and
25 identification so that the Village is

1 advised as to which homes are being
2 rented and who the tenants are going
3 forward.

4 Also, there is a provision in here
5 that makes the people's identities and
6 information not subject to the freedom
7 of information law on the basis of the
8 invasion of privacy exception.

9 TRUSTEE MIRITELLO: So how are real
10 estate agents going to know about this?

11 MR. AVRUTINE: How are they going
12 to know about the law?

13 TRUSTEE MIRITELLO: Yes.

14 MR. AVRUTINE: If they are doing
15 work in the Village, they should check
16 Village requirements because many
17 jurisdictions do have these types of
18 regulations.

19 TRUSTEE MIRITELLO: It's been going
20 on for years without it, why would they
21 check?

22 MR. AVRUTINE: I can't say whether
23 they'll check or won't check.

24 MAYOR DeVITA: Let me tell you
25 something about brokers. They know

1 everything about our rules, where to put
2 the signs, what to put on the signs, our
3 tree laws. They know how many you can
4 take down. Trust me, the ones who work
5 regularly in the Village know, but there
6 is no reason we can't hand them a copy
7 of this when they come in for a sign,
8 that kind of thing.

9 But other than that, we publicize
10 it the best we can.

11 MR. AVRUTINE: If you wanted to,
12 after adoption of the law, I presume
13 there are, what I'll call usual
14 suspects, certain brokers or agencies
15 that do a fair amount of sales in the
16 Village, and we can e-mail over to their
17 offices copies of this to tell their
18 staff.

19 MAYOR DeVITA: There's probably a
20 half a dozen that do a lot in the
21 Village. I'm happy to send it to a
22 dozen. We'll send an e-mail with a copy
23 of the law.

24 TRUSTEE MIRITELLO: As long as we
25 make some kind of -- don't kind of

1 spring it on them without a lot of
2 notice, without any notice.

3 TRUSTEE NICKLAS: How do we monitor
4 this?

5 MR. AVRUTINE: How do we monitor
6 what?

7 TRUSTEE NICKLAS: Monitor what is
8 going on with the renting and --

9 MAYOR DeVITA: I guess, Rich, it's
10 like with a lot of building codes stuff.
11 We find out about it after it happens,
12 in terms of violation. And it's like
13 any other law, we try and put it out
14 there. I've got to tell you, it's
15 funny. Let's keep in mind, there's so
16 many things bubbling about. I think we
17 talked about -- let's just bite off a
18 little bit here at a time.

19 There are so many new residents,
20 these homes are flipping so fast we
21 don't know who is in them. This goes
22 back to the other, which we can talk
23 about in another meeting about, should
24 they file a copy of the deed with us.
25 We don't know whose living where.

1 But putting that all aside, this is
2 much more narrow, it's just meant to
3 address the immediate problem with
4 respect to the squatters where we had
5 two instances in the Village already
6 where they said they had legal rentals,
7 you know the background. So all we can
8 do, we are not able to heal the whole
9 problem. But in terms of what can we do
10 and try to have an effect, I think
11 that's all this really is.

12 TRUSTEE NICKLAS: Can a -- from
13 reading this thing, it looks like the
14 tenant can sublet; is that right?

15 MR. AVRUTINE: Well, that would be
16 up to the owner. If they do, they have
17 to notify the same way that it has --
18 whoever is occupying the home, pursuant
19 to a lease agreement, has to register.
20 We don't determine whether somebody
21 should be able to sublet or not, that
22 would be the property owner.

23 MAYOR DeVITA: As opposed to, I
24 thought, Rich, maybe you were getting at
25 trying to sublet a room, which is

1 illegal.

2 TRUSTEE NICKLAS: Yes.

3 MAYOR DeVITA: Are you guys good
4 with this?

5 TRUSTEE MIRITELLO: Yes.

6 MAYOR DeVITA: So, Howard, what's
7 the next step?

8 MR. AVRUTINE: The next step would
9 be to schedule a public hearing for next
10 month's meeting on the Local Law. We'll
11 get it into the appropriate format, I
12 will work with Liz on that. And unless
13 anybody has any proposed changes in the
14 interim, or any suggestions for changes,
15 please let me know; otherwise, it will
16 be presented at the public hearing as
17 distributed to the Board.

18 MAYOR DeVITA: So I'll move that we
19 set a public hearing for this local law
20 for the October meeting.

21 Second?

22 DEPUTY MAYOR NEMSHIN: I'll second.

23 MAYOR DeVITA: Deputy Mayor
24 Nemshin.

25 Trustee Miritello?

1 TRUSTEE MIRITELLO: Aye.

2 MAYOR DeVITA: Trustee Tsafos?

3 TRUSTEE TSAFOS: Aye.

4 MAYOR DeVITA: Trustee Jusko?

5 TRUSTEE JUSKO: Aye.

6 MAYOR DeVITA: Trustee Nicklas?

7 TRUSTEE NICKLAS: Aye.

8 MAYOR DeVITA: Okay, great.

9 Are you good with all of that,
10 Howard, Liz?

11 MS. KAYE: Yes.

12 MAYOR DeVITA: It has my name to it
13 but it's not me, wait, the next one is,
14 I'm sorry. Ordinance regarding no dogs
15 on beach.

16 I just wanted to point out, it's
17 funny, Jeff Miritello and I got e-mails
18 a couple of weeks ago from a resident
19 saying that someone left a power washer
20 at the top of the dock, right, Jeff, and
21 some other equipment. Jeff figured out
22 who it was so we didn't have to do
23 anything.

24 The next morning, like 6:30, I said
25 I wonder if the equipment is still

1 there. So I went on the camera and
2 there's some lady running her dog along
3 the beach back and forth, back and
4 forth, back and forth. And we had
5 complaints from some of the people
6 saying, people let their dogs on the
7 beach.

8 You know we have a sign. It's
9 funny, we have a sign but no ordinance,
10 other than your dog should be on a
11 leash. But we don't have anything
12 saying your dog is not allowed on the
13 beach, other than a sign. So I just
14 thought -- I am not trying to push this,
15 this is for discussion -- should we have
16 an ordinance backing that up, let it go
17 and just remind people to not put the
18 dogs on the beach.

19 What do you think?

20 TRUSTEE NICKLAS: I have never seen
21 as many dogs on the beach as I did this
22 year. I think it's a simple enough
23 ordinance to say that we have it as an
24 ordinance because it is annoying.

25 MAYOR DeVITA: Well, number one,

1 it's annoying; number two, as I tried to
2 stress in the newsletter, in common
3 parley, it's disgusting and you're
4 supposed to pick up after your dog and
5 if you don't you pollute the water. It
6 sounds stupid, but it's polluting the
7 water with bacteria right on the oyster
8 patch.

9 Most people, I assume, are good,
10 walk their dogs down there and are
11 responsible. But we have people
12 thinking it's born-free time and unleash
13 their dogs and let them run, even when
14 people are on the beach.

15 TRUSTEE MIRITELLO: When you say
16 the beach, are you talking about the
17 swimming area of the beach? Are you
18 talking about the low tide area where
19 the oysters are?

20 MAYOR DeVITA: It's all beach.

21 TRUSTEE MIRITELLO: So no dogs
22 allowed at all without a leash.

23 MAYOR DeVITA: On the beach.

24 TRUSTEE MIRITELLO: That means all
25 the way from the boating dock all the

1 way to --

2 MAYOR DeVITA: Auxiliary lot.

3 TRUSTEE MIRITELLO: So people like
4 Dan DeRoulet you're going to tell him he
5 can't walk his dog anymore.

6 MAYOR DeVITA: Dan walks his dog
7 all the time. I honestly have never
8 seen him on the beach, if you have seen
9 him on the beach. He walks all the time
10 in the area, right, have you seen him on
11 the beach, though?

12 TRUSTEE MIRITELLO: You see people
13 with their dogs. I think the truth of
14 it is that the raccoons and the geese
15 are polluting the water and the possums
16 and everything else living around there
17 are doing more harm than the dogs are.
18 Certainly, in the swimming area, I think
19 it's annoying that dogs are running
20 around. I think in the other places,
21 I'm not real keen about passing an
22 ordinance about that.

23 TRUSTEE NICKLAS: We are just
24 talking about the beach area, aren't we?

25 TRUSTEE MIRITELLO: No, we're

1 talking about the low tide area where
2 the oysters are.

3 TRUSTEE NICKLAS: Isn't that the
4 beach?

5 TRUSTEE MIRITELLO: Nobody lays out
6 there. I'm talking about where people
7 are laying out.

8 MAYOR DeVITA: Jeff, how do you
9 stop a dog from going from one area to
10 another when he's unleashed, or from
11 pooping from one area to another.

12 TRUSTEE MIRITELLO: It should be
13 leashed, for sure.

14 DEPUTY MAYOR NEMSHIN: Maybe the
15 ordinance should be more about the leash
16 than about the beach.

17 TRUSTEE NICKLAS: More about the
18 annoyance. If you're down at the beach,
19 and you've got the dogs an another dog
20 comes by, they go at each other but they
21 can't get at each other but they're
22 leashed, they're barking, it's really a
23 pain in the butt.

24 MAYOR DeVITA: If they are on the
25 beach, do you really think the owner is

1 picking up after that?

2 DEPUTY MAYOR NEMSHIN: My dogs
3 don't go on the beach but most people
4 are pretty diligent about picking up,
5 but some people are not, so they could
6 be just as not in the street as they
7 could be on the beach.

8 MAYOR DeVITA: This is another
9 problem. We have complaints on Ridge
10 Road there are large dog droppings,
11 someone isn't picking up. Beats me why
12 they do that.

13 Anyway, do you want to continue
14 discussion? Do you want to --

15 TRUSTEE MIRITELLO: Good idea.

16 MAYOR DeVITA: -- draft something?

17 DEPUTY MAYOR NEMSHIN: Let me ask a
18 question but this may cause more of a
19 problem.

20 Would we consider limited hours to
21 have the dogs on the beach or is that
22 just going to attract more people? In
23 other words, we go to a beach up in
24 Maine when we are up there and before
25 8:00 a.m. they allow dogs on the beach,

1 it's a free-for-all. These are very
2 dog-friendly areas.

3 TRUSTEE MIRITELLO: November,
4 January, February, March, April, if
5 people just want to get out and run a
6 little bit, I don't see that in --

7 TRUSTEE NICKLAS: I like dogs, I'm
8 not anti-dog. The question I have is
9 during this summer when people are on
10 the beach relaxing, sunbathing,
11 whatever, why do we need a dog there.

12 TRUSTEE MIRITELLO: No, no, I
13 agree, maybe this, during swimming times
14 or periods, no dogs on the beach.

15 MAYOR DeVITA: How about from
16 April 1 to November 1, no dogs allowed
17 on the beach.

18 MR. McNERNEY: Montauk, Town of
19 East Hampton handles it spring to fall
20 you're allowed to have dogs on the beach
21 up until 9:00 a.m.; after that, you
22 cannot. And in the winter you can have
23 them all day long, in the other months.

24 DEPUTY MAYOR NEMSHIN: That would
25 make sense to me, except what happens is

1 the way it is now -- I don't know, this
2 year is unusual because everybody was
3 running to stay local and I think that's
4 why it's unusual. Hopefully, next year
5 will be different, people will be able
6 to travel again. But if you start
7 putting out more information with more,
8 it's almost like encouraging more people
9 like, oh, I didn't know we were allowed
10 to have dogs on the beach. It might be
11 better left alone than if we start
12 getting into the weeds with this thing
13 and starting to come up with times and
14 it just may encourage more people to use
15 it who are not using it now.

16 TRUSTEE MIRITELLO: How about no
17 dogs on the beach when the beach is
18 open?

19 MAYOR DeVITA: That doesn't help,
20 Jeff, because we have a summer without
21 lifeguards. People are down there
22 bathing anyway. That's what I am saying
23 it's a seasonal thing, it would make
24 sense, and I still think dogs should be
25 on leashes.

1 DEPUTY MAYOR NEMSHIN: The leash
2 thing, I think you should do, although
3 people are going to suspend that rule
4 and the dog will go in the water. But
5 to start adding hours and specific
6 hours, I think you are going to
7 encourage more people to use the beach.

8 TRUSTEE NICKLAS: I don't see how
9 that encourages anyone, I don't get the
10 logic.

11 DEPUTY MAYOR NEMSHIN: The logic is
12 -- it does say no dogs allowed, right?
13 Now you have to change the sign to say
14 dogs allowed these hours, not allowed
15 these hours, so it says no dogs allowed.

16 MAYOR DeVITA: It's like, oh, now
17 we have a dog park.

18 TRUSTEE NICKLAS: People enter the
19 beach, they're not looking for signs.

20 MAYOR DeVITA: Well, they need to
21 be educated more anyway.

22 Why don't we continue this
23 discussion. We have a long time until
24 spring. I think it's something we
25 should either tighten the restrictions

1 about leashes on the beach or I'm not
2 sure why other people are not worrying
3 about the feces thing. Me, that would
4 bother me the most. Who wants to walk
5 into a pile of dog-poo.

6 MR. McNERNEY: I think if you ask
7 Carlos and Nick and --

8 MAYOR DeVITA: Dave does the rocks
9 every Friday.

10 MR. McNERNEY: They are cleaning up
11 the feces on the beach every day, every
12 morning. I've been told that before.

13 DEPUTY MAYOR NEMSHIN: That's a
14 bigger problem. Maybe it needs more
15 direction than what we're are talking
16 about, I didn't know we had a problem.

17 MAYOR DeVITA: Let's continue the
18 discussion, we will be talking to the
19 highway guys and see what they think the
20 problem area is down there, if they see
21 there's a problem area.

22 DEPUTY MAYOR NEMSHIN: All right.

23 MR. McNERNEY: Yes.

24 MAYOR DeVITA: Storm committee
25 shouldn't be my name, storm committee,

1 Jeff Nemshin, do you want to discuss, or
2 have you met?

3 DEPUTY MAYOR NEMSHIN: Kevin, would
4 you mind taking the lead on this? I
5 don't have that e-mail open with the
6 list.

7 TRUSTEE JUSKO: Okay. So Jeff,
8 Jeff and I met trying to come up with
9 ways to, I guess, educate residents how
10 to prepare for storms so that the
11 Village doesn't get as many calls. We
12 modeled this after -- Town of Oyster
13 Bay, I believe, sends it out once a
14 year, reminders of things to do. So
15 that would be the main premise of what
16 we were suggesting is to have a news
17 letter, a bulletin that comes out before
18 the storm season to remind people to do
19 things such as -- or reminding them,
20 suggesting they either install a
21 generator, bury the line from their
22 house to the street because that will
23 always be the last to be reestablished
24 if the line goes down, prune trees every
25 few years and then, of course, make sure

1 that the generator is working, serviced,
2 that it is exercising for the more
3 permanent ones. For the people who have
4 portable generators, same things, make
5 sure you have gas on hand before a storm
6 or make sure it is running.

7 We mentioned, talked about for the
8 residents who have well water, if they
9 don't have a generator one of the big
10 issues if the power goes out and they're
11 not able to flush their toilets, we want
12 to remind them to fill your bathtub with
13 water because you can also scoop it out
14 and put it in the toilet and be able to
15 flush the toilets. Check on your
16 neighbors.

17 The other thing we talked about is
18 -- this will open up another can of
19 worms -- the Village needs to be more
20 lenient with some of the large trees
21 that have come down, like some have,
22 near homes that they kill somebody or
23 destroy property.

24 I personally know a family in Sands
25 Point where a massive tree came down.

1 Thank God, nobody was home. The tree
2 cut the house in half.

3 I know, I was talking to Liz today,
4 our arborist might claim that the tree
5 is healthy and might be perfectly
6 healthy, but that doesn't mean a tree
7 can't blow over.

8 Across the street from Jeff
9 Miritello there was a massive tree that
10 came down towards the street. It looked
11 perfectly healthy. If it went the other
12 way, who knows what damage could have
13 happened to that family.

14 So, it's a tough one, because I
15 don't know how you, quite frankly, in
16 this environment where the storms are
17 occurring, how do you determine what
18 tree may or may not come down and cause
19 harm. So I would hate to be the one
20 that says no to that and something
21 devastating happens. Coming back, we
22 thought a newsletter reminding residents
23 to prepare for storms would be a first
24 step.

25 We also just recognize that, as

1 earlier, we live in a wealthy community.
2 That doesn't mean that people have a lot
3 of common sense. Taking care of
4 themselves is not necessarily something
5 that a lot of them can do, and some of
6 these basic items like make sure you
7 have gas before a storm, you would think
8 would be something everybody would do
9 and it's clearly not.

10 So, I think a good start in
11 educating people is sending out
12 reminders to be prepared.

13 TRUSTEE MIRITELLO: There is more
14 tweaking we can even do with this. I'm
15 sorry, guys, I never responded to Jeff
16 and Kevin, but there's a few things more
17 we can mention.

18 DEPUTY MAYOR NEMSHIN: Jeff, when
19 you missed the meeting we elected you
20 head of the -- two to nothing vote.

21 TRUSTEE MIRITELLO: All right.
22 Another suggestion is to fill garbage
23 pails with water because the bathtub is
24 going to run out if you are out of water
25 for a week and you need to flush your

1 toilet. You can also put a garbage bag
2 and a garbage pail and fill that with
3 water so it won't leak.

4 I think we should also talk more to
5 people. Certainly a big generator, one
6 that most of you have that can do your
7 whole house is great to have, but it's a
8 costly thing, it's a permanent thing
9 that takes a lot. But I think we can
10 make it, at least educate people that
11 even a small 2001 generator can get you
12 by. You can live fairly comfortably for
13 a week or two weeks with a small
14 generator that doesn't burn a lot of
15 gas. You can get hot water from it.
16 You can keep you refrigerators going,
17 keep your freezer going.

18 MR. McNERNEY: Do you mean a
19 portable generator -- I don't mean to
20 interrupt -- a portable generator that
21 runs on gasoline?

22 TRUSTEE MIRITELLO: Yes. I'm
23 afraid to say yes, because there is
24 probably some law that says you can't
25 use it.

1 MR. McNERNEY: No, no.

2 TRUSTEE MIRITELLO: What I
3 described to you guys, it looks like a
4 Dr. Seuss story at my house when I'm
5 hooking up the generator with extension
6 cords all over the place.

7 DEPUTY MAYOR NEMSHIN: It's a
8 portable generator. As a matter of
9 fact, we just got one temporary because
10 my big generator broke in the middle of
11 the storm, so I went and got a temporary
12 one. Anyway, it came with a single
13 plug, a 220, and on the other end there
14 is like six or eight single individual
15 plugs. It actually comes with it so you
16 don't have to have the Dr. Seuss effect.

17 TRUSTEE MIRITELLO: Still, the
18 extension cords are going all over the
19 place.

20 In any event, you can get by pretty
21 well. I don't see why anybody won't
22 just invest. Some of these generators
23 are so small you can carry them, they
24 weigh 40 or 50 pounds. You can carry
25 them, you can take them to ball games,

1 they're tailgate generators, they get
2 you by. It's amazing what you can use
3 with these small things. I would think
4 that almost everybody would want to know
5 at least they can get by with these
6 things.

7 DEPUTY MAYOR NEMSHIN: I think the
8 idea is to inform people that there are
9 more options than a whole house major
10 investment generator.

11 MAYOR DeVITA: Can I ask you guys
12 this, Mike McNerney, weigh in on this,
13 we're having a number of new houses
14 built and substantial renovations.

15 Do you think that given the cost of
16 construction being high and the cost of
17 some size generator is -- I'm not going
18 to say low -- but can you absorb it in
19 new construction? Should we make it a
20 requirement that new houses or certain
21 size renovations should have a certain
22 size generator, I'm just throwing this
23 out here.

24 DEPUTY MAYOR NEMSHIN: I don't
25 think so because it's someone's

1 business. These are just suggestions,
2 and if they want to have no generator
3 they can have no generator.

4 TRUSTEE MIRITELLO: I feel the same
5 way.

6 MAYOR DeVITA: You know what, I
7 would agree with you before this storm,
8 but when people are calling, hollering,
9 screaming I have no water, dying in the
10 heat, I'm not saying this cures the
11 problem, but...

12 DEPUTY MAYOR NEMSHIN: Well,
13 they'll be on notice.

14 MAYOR DeVITA: It pushed back on
15 the people who say, hell, I'm not
16 spending \$5,000 on a generator even
17 though I'm building a \$2 million house,
18 then they're bitching and moaning to us
19 during the storm. I'm just throwing it
20 out there.

21 DEPUTY MAYOR NEMSHIN: Dan, they
22 will be on notice. We sent a newsletter
23 prior to this storm. We re-send it
24 every year with suggestions. That's
25 almost enough. We say guys, we warned

1 you, we advised you, we made a
2 recommendation and you chose not to do
3 it.

4 MAYOR DeVITA: I know. But you
5 don't say that to a resident.

6 TRUSTEE TSAFOS: With these 2000
7 kilowatt or 6000 kilowatt generators I
8 don't think we should force people to do
9 it in a construction, but maybe we get
10 them to get like an outlet because I
11 used to have a gas generator or a switch
12 that's outside of the house and, God
13 forbid, they lose power and all of a
14 sudden they decide they want to buy a
15 generator they don't have the Dr. Seuss
16 effect with extension cords all over the
17 place. They can just plug it into this
18 thing and go on their merry way and it's
19 part of the electrical cost. It might
20 be and extra \$500 or \$1,000 for
21 something like that.

22 MR. McNERNEY: What you are
23 referring to, Trustee Tsafos, is a
24 transfer switch.

25 TRUSTEE TSAFOS: Yes, not the full

1 transfer switch like the automatic
2 generator has. But like with me, after
3 Hurricane Irene, then we had Hurricane
4 Sandy. So right after Hurricane Irene I
5 went out and bought an 8000 kilowatt
6 generator for \$1,500. It came with this
7 switch where you take the big extension
8 cord that has that outlet that you have
9 to twist in place and I connected it to
10 the outside of my house, and I connected
11 it to the panel, because I do those
12 things, right. And it has a switch
13 where you switch certain circuits on and
14 keep all the others off. It's simple
15 enough to do. I don't think everyone
16 can do this, but it was simple enough
17 and the entire cost of the generator
18 with the switch was like \$1,800.

19 MR. McNERNEY: Like I say, that
20 switch is called a transfer switch. It
21 can be used on a portable generator or
22 on a permanent one.

23 The only thing I have to say about
24 what the Mayor is talking about is, and
25 Liz, correct me if I'm wrong, at least I

1 know the other two Villages I work in
2 were inundated with telephone calls and
3 complaints.

4 Were you guys the same way?

5 MS. KAYE: Yes.

6 MAYOR DeVITA: What, are you
7 kidding? We would be --

8 MR. McNERNEY: For days doing
9 nothing but fielding phone calls from
10 angry residents who were blaming them
11 for something they obviously had nothing
12 to do with.

13 MAYOR DeVITA: Mike, Mike,
14 absolutely. That was my testimony
15 before this legislature. We became the
16 call center for PSEG. I have to say 95
17 percent of our residents were really
18 good about that, they were not nasty.
19 But, nevertheless, it's there. I'm not
20 saying we should do it, but how much is
21 a transfer switch when you are doing
22 construction if you have that installed.
23 Is it a big deal? People have the
24 option, they may say, oh, the storm is
25 coming I'm glad I have that switch.

1 DEPUTY MAYOR NEMSHIN: Installing
2 something is specific to the side unit
3 that you're getting, so you're not going
4 to just set up a switch, I don't
5 believe, without having the actual unit
6 or know what unit you are buying
7 size-wise and connection-wise.

8 The units are not so bad. This
9 portable one I bought as a backup was
10 \$800 at BJ's, it's 65 or 7500. I had
11 borrowed one of those during the storm.
12 I had a single-room air conditioner on
13 it. I had a couple of refrigerators and
14 a freezer on it, you can put a lot on
15 that thing.

16 So I don't think, if you are going
17 to make someone have a requirement of a
18 generator of some form, you don't say
19 well, just let them put the switch in
20 because I don't really know if that
21 makes sense. I think it's specific to
22 the size of the generator. You don't
23 just hook it into your panel. I know
24 someone who has that set up and he has
25 it connected. An electrician, I don't

1 think it's legal, connected it to his
2 entire panel. Before he turns it on he
3 shuts all his switches off. He turns on
4 the generator and he can turn on what he
5 wants knowing that he can't turn
6 everything on, otherwise it will --

7 MR. McNERNEY: That's not illegal,
8 that's perfectly legal.

9 TRUSTEE TSAFOS: That's exactly how
10 that works. You turn all the switches
11 off and you turn on certain circuits.

12 MR. McNERNEY: And you can even be
13 selective, turn certain circuits off and
14 on later. Obviously, you want your
15 refrigerator and freezer running
16 constantly, but you may not need that
17 room air conditioner running 24/7. So
18 you make your decisions on the panel.

19 TRUSTEE NICKLAS: Solve everyone's
20 problems and I don't think -- I would
21 vote against anything like that. I
22 think it's a good idea to put something
23 out like Kevin just talked about,
24 advising them like the town does, put
25 in, maybe suggest, these are some of the

1 things you can do with a generator, it
2 is not impossible. But to get beyond
3 that and tell them this and that and how
4 to do that, no.

5 MAYOR DeVITA: Rich, you're right,
6 and that's why I threw it out for
7 discussion. There are probably too many
8 variables and people want to spend money
9 their own way, it was just a thought.
10 If nothing else, we told people if you
11 want to get a permanent generator, you
12 better plan for it. We're in the middle
13 of storm season.

14 TRUSTEE NICKLAS: I have a
15 generator, but I was away, did me no
16 good.

17 MAYOR DeVITA: You could have
18 rented it out at a good buck.

19 TRUSTEE NICKLAS: But you know
20 what? I got reimbursed by USA by just
21 telling them this is how much I lost in
22 food, required no specifics about it.

23 MAYOR DeVITA: I heard that about a
24 couple of companies, okay, good.

25 I have another question for the

1 storm committee. It is more of a
2 practical immediate matter, and maybe
3 just Kevin, and we can talk to Nick, but
4 I still drive around and I see scary
5 large dead branches hanging over the
6 roadway and they're not our trees.

7 Do we -- should we come up with a
8 polite letter first? And people still
9 have debris, horrible debris in their
10 yard on the right-of-way that's not
11 ours.

12 So, this, the committee, or
13 anybody, should we send a polite letter
14 first?

15 DEPUTY MAYOR NEMSHIN: I think we
16 had that as part of our notice to remind
17 people to prune their trees, whether it
18 would be every two years, three years,
19 whatever is recommended.

20 MAYOR DeVITA: No, no, I am talking
21 about from the Isaias storm. You go
22 down either Laurel Hollow Road, you look
23 up, oh, my God, really big dead
24 branches, a good wind can kill somebody.
25 You have tons of walkers on the road and

1 everything else.

2 My question is should we send out
3 violations right away, send a nice
4 letter saying you have these --

5 DEPUTY MAYOR NEMSHIN: Nice letter.

6 MAYOR DeVITA: You have hanging
7 branches or debris in your yard.

8 TRUSTEE NICKLAS: Didn't you
9 identify certain ones on Laurel Hollow
10 Road?

11 TRUSTEE JUSKO: Yes.

12 TRUSTEE NICKLAS: There's one as
13 you go up there that looks like the
14 chandelier at Radio City about to drop
15 on the power line.

16 TRUSTEE JUSKO: They took it down
17 today.

18 MAYOR DeVITA: Who did?

19 TRUSTEE JUSKO: I spoke to Kim.

20 MAYOR DeVITA: That was the one --

21 TRUSTEE JUSKO: It's by 1543?

22 TRUSTEE NICKLAS: Yes.

23 TRUSTEE JUSKO: They took it down
24 today.

25 TRUSTEE NICKLAS: Okay. I didn't

1 go up there today, but I saw it
2 yesterday.

3 MAYOR DeVITA: Thank you, Kevin and
4 thank Kim, she is going out of her way.

5 TRUSTEE JUSKO: While we're on that
6 topic, she has been phenomenal. We call
7 her and within hours or days it's done.
8 I have been trying to contact, and I've
9 spoken on numerous times to Verizon, to
10 get a tree off the line on Moores Hill
11 Road, nothing and they are just
12 unresponsive.

13 TRUSTEE NICKLAS: There's a lot of
14 debris. I take a walk down to the beach
15 and there's a lot of debris on Laurel
16 Hollow Road.

17 MAYOR DeVITA: Yes, on Laurel
18 Hollow Road and it is not ours. It's
19 stuff that comes from people's property.
20 We've removed everything that was ours
21 or is questionable, so that's why,
22 hence, we'll send a nice letter kind of
23 thing.

24 TRUSTEE NICKLAS: Once it gets on,
25 isn't it the legal responsibility where

1 it lands?

2 MAYOR DeVITA: No, no. And in a
3 sense that -- no, if it comes from their
4 tree that is on their property, it's
5 their responsibility.

6 TRUSTEE NICKLAS: Really.

7 MAYOR DeVITA: Yes. Liz and Nancy
8 probably get this. We have -- and the
9 resident will go nameless. There's a
10 fight between neighbors. A tree came
11 down across the driveway and he wanted
12 Mike to come down and say where the
13 property line is. We said no, this is
14 between neighbors. Because the tree
15 came from X's property, fell across the
16 driveway onto Y's property and Y says X,
17 this is your responsibility, get it off.
18 He was right but he wanted to get us
19 involved, but no way. It's where the
20 tree -- it's whoever's tree it is,
21 they're responsible, even if it lands in
22 someone else's yard.

23 TRUSTEE NICKLAS: Is that a Village
24 law or a State law?

25 MAYOR DeVITA: Howard, are you

1 there?

2 MR. AVRUTINE: Yes, I am here.

3 My understanding is that it's the
4 opposite, but I'll look into it.

5 MS. KAYE: That was the
6 understanding I had with that.

7 TRUSTEE NICKLAS: My daughter just
8 went through it. It went into her roof
9 from the neighbor. The neighbor is not
10 responsible.

11 MR. McNERNEY: The neighbor's
12 homeowner's insurance is not
13 responsible.

14 MR. AVRUTINE: It's my
15 understanding, I'll check it if you
16 want.

17 MAYOR DeVITA: Check it, please.

18 MR. McNERNEY: Wherever it's falls,
19 that's whose problem it is.

20 MAYOR DeVITA: The debris I'm
21 talking about on the side of road is
22 debris like, Rich, the guy diagonally
23 across from you, very nice people, but
24 now dead are all pine branches stacked
25 in the right-of-way. There is no pine

1 branches in the -- pine trees in the
2 right-of-way. That was moved onto --
3 that's different, okay.

4 Assuming I am wrong and it's where
5 it falls, that stuff that is dragged
6 onto the right of -- roadway.

7 MR. McNERNEY: Well, it's also
8 stuff that's just fallen on people's
9 property. There's a lot of blow-down,
10 as you guys identified from that last
11 storm.

12 MAYOR DeVITA: Look, there's a guy
13 on Picardy. I can't stand passing the
14 street every day, you guys know it.
15 It's from several storms. He's got
16 gigantic trees that fell on his
17 property, it looks like hell. So, I
18 guess, a polite letter is the answer.

19 Okay. So maybe, Kevin, we'll get
20 together with Nick with that list and
21 figure out who we have to send those
22 letters to.

23 Okay, great, thank you, Committee.

24 And I think maybe we should do a
25 postcard or something, maybe the form

1 the town does about storm preparation,
2 different types of generators, stuff
3 they have to look into. Maybe we can do
4 it in the winter, because technically,
5 the storm season begins -- doesn't it
6 begin like in June or something?

7 MR. McNERNEY: Yes, June to some
8 time in October, I believe.

9 MAYOR DeVITA: Yes, so we'll get
10 that together, thank you.

11 Allpaid. Liz, we've dealt with
12 this at the other meeting and I'll let
13 you explain it, but it's back because
14 papers have been revised and the fees
15 have been set out.

16 MS. KAYE: It's replacing the
17 existing agreement that I think is so
18 old, I'm not quite sure where it is.
19 But we currently take credit card
20 payments for court and this new
21 shellfish guard, credit card only.

22 What I would like to do is
23 substitute, with this new contract, to
24 add taxes that it is giving residents
25 the ability to pay taxes online, but

1 also an e-check option, which is very
2 inexpensive, it's 2 to 3 bucks. Always
3 have the credit card.

4 It also is substituting, instead of
5 a cheap way of charging for credit
6 cards, a percentage. A little e-mail
7 that she tried to prove it's cheaper to
8 use the percentage, I can't remember her
9 calculations offhand, but she gave an
10 example where the tiered actually cost
11 you more; this is credit card again.

12 So this new agreement with the
13 company we're already working with on
14 these three other payment options, we
15 have to add taxes and a rider for
16 e-check. The residents can choose, but
17 at least they have that option. I think
18 a lot of the residents would have
19 benefitted from paying online. It's
20 something many Villages do.

21 TRUSTEE TSAFOS: Who pays the
22 credit card charge, us?

23 MS. KAYE: No.

24 TRUSTEE TSAFOS: The resident does.

25 MS. KAYE: Correct.

1 TRUSTEE TSAFOS: Okay, good.

2 MAYOR DeVITA: That's the way it
3 works with the town. The town, I think,
4 is almost 3 percent.

5 MS. KAYE: We are not paying
6 anything for this.

7 MAYOR DeVITA: Right. It's the
8 resident, it's the convenience of paying
9 by credit card.

10 MS. KAYE: The only thing that we
11 might incur a little, I'm not sure, is
12 to set up our tax roll or our tax bill
13 file online and it's got to be backed --
14 I might have to get our tech guy
15 involved. I did it in Plandome. There
16 was a little technology events, so that
17 remains to be seen. But we are not
18 paying this credit card company anything
19 to manage for them to host online
20 payments, not on the website, it comes
21 from the resident.

22 TRUSTEE MIRITELLO: I would ask
23 that you make it very clear when someone
24 is paying with a credit card how much it
25 is costing them, because...

1 MS. KAYE: It's very expensive for
2 credit cards.

3 TRUSTEE NICKLAS: The e-check is
4 easy.

5 MS. KAYE: E-check is the way to
6 go, in my opinion.

7 TRUSTEE TSAFOS: We should have
8 some type of notice if you select the
9 credit card option that there will be a
10 3 percent charge.

11 MS. KAYE: Absolutely.

12 MAYOR DeVITA: Can they set that
13 up?

14 MS. KAYE: I would say so. It
15 might be on the website, the three ways
16 we can pay, the places we can pay. They
17 have that, I can't remember.

18 TRUSTEE MIRITELLO: Have we gotten
19 to the point where putting a 50 cent
20 stamp on an envelope and writing a check
21 out is an inconvenience?

22 MAYOR DeVITA: People are so used
23 to doing everything online, Jeff. I'm a
24 stamp person but everybody does banking,
25 everything online.

1 MS. KAYE: Yes, I don't pay
2 anything through the mail anymore,
3 nothing.

4 TRUSTEE TSAFOS: It's very rare
5 that I write a check. But I will tell
6 you with the credit card thing a number
7 of people, when you were able to travel,
8 they will pay their income tax with a
9 credit card. They figured out the
10 points with a credit card charge paying
11 your income taxes. If you were going to
12 travel, let's say spring break -- winter
13 break in February and a hotel room for
14 the family was \$1,500 a night, the
15 points you're getting for paying your
16 taxes outweigh the charge from paying
17 the credit card company.

18 But all that being said, with
19 travel being almost non-existent these
20 days, I'm not sure if we want to incur
21 that charge anymore.

22 MAYOR DeVITA: But during the
23 spring, don't forget when the taxes
24 first came, I think there was still a
25 reluctance for people to leave the house

1 and I think people will welcome the
2 opportunity to at least be up to --
3 we'll be modern, we'll have the option.

4 MS. KAYE: The only thing I want to
5 be able to ensure is that delinquent
6 taxes get online. So if you're
7 delinquent, you can't get online and pay
8 your current bill.

9 MAYOR DeVITA: What --

10 MS. KAYE: Your old taxes have to
11 be paid first.

12 MAYOR DeVITA: What if they pay the
13 tax and the penalty online, they can't
14 do that?

15 MS. KAYE: If you're delinquent.
16 So say we have residents who are
17 delinquent now, and then last year, and
18 online they --

19 MAYOR DeVITA: Oh, I got you.

20 MS. KAYE: -- they try and pay this
21 year, I have to talk to --

22 TRUSTEE TSAFOS: What about if they
23 paid last year's, the penalty, and this
24 year's?

25 MS. KAYE: I would have to see how

1 that works because I think it could get
2 pretty messed up if they paid this year
3 and they still had an outstanding from
4 prior, so I have to figure out a way not
5 to approve those particular payments, I
6 can reject the payments, in other words.
7 We do that with the beach permits. We
8 will say, sure, pay online and e-mail us
9 your registration. Then they don't
10 e-mail it and we don't approve it, like
11 the transaction never happened. I want
12 that ability for taxes.

13 MAYOR DeVITA: Who do you have to
14 talk to to do that?

15 MS. KAYE: So I can approve or
16 reject a tax receipt.

17 So anyway, that stuff has to be
18 worked out so I'm hoping we can move
19 forward.

20 TRUSTEE TSAFOS: I think the only
21 way to fix that, to monitor, keep
22 monitoring at a minimum is that people
23 are only allowed to pay a certain, up to
24 a certain balance amount and you would
25 make that the current year's tax.

1 MS. KAYE: Something like that.

2 TRUSTEE TSAFOS: You won't pay
3 anything other than that amount.

4 MS. KAYE: I have to work that out,
5 I don't know who is involved.

6 TRUSTEE TSAFOS: -- write off the
7 tax roll and there is little, if any,
8 monitoring from you.

9 MS. KAYE: But, anyway, if we
10 can --

11 MAYOR DeVITA: By the way, before
12 we get -- Howard, I looked it over
13 quickly, you looked it over.

14 MR. AVRUTINE: I did. I looked it
15 over and it's written, it's documents
16 like this that give lawyers a bad name.
17 This thing reads horribly, but, no, it's
18 standard boiler plate.

19 But one thing I wanted to point out
20 about the e-check, I don't know if it
21 really matters but you should be aware.

22 If a check bounces or is stopped
23 then the Village is on the hook for
24 whatever the charge was.

25 MAYOR DeVITA: We would have to

1 recoup it from the resident.

2 MR. AVRUTINE: They're getting --
3 if someone stops the check or it
4 bounces, the Village is paying that to
5 them.

6 MS. KAYE: That's normal in paper
7 checks, too.

8 MR. AVRUTINE: But there is no
9 processing fee there for the Village to
10 pay, is there?

11 MS. KAYE: No, but we charge the
12 residents \$25 on top of that.

13 MR. AVRUTINE: I understand that.
14 All I am trying to say here is this
15 company is going to, I guess, extract
16 from whatever account they are connected
17 to, their fee automatically.

18 MS. KAYE: I see, we will --

19 MR. AVRUTINE: I am just letting
20 you know that that's what this --

21 MS. KAYE: -- be able to make that
22 up.

23 MR. AVRUTINE: They get paid no
24 matter what on the e-check.

25 MS. KAYE: A couple of bucks.

1 TRUSTEE NICKLAS: What about a
2 credit card, Howard?

3 MR. AVRUTINE: A credit card --

4 TRUSTEE NICKLAS: Someone is maxxed
5 out on their credit card and the credit
6 card doesn't pay.

7 MR. AVRUTINE: It will be rejected
8 at the point of payment.

9 MS. KAYE: It won't go through.

10 MR. AVRUTINE: Right. You know, a
11 check can be stopped, but on a credit
12 card if it gets rejected, the
13 transaction is a nullity.

14 TRUSTEE NICKLAS: Okay.

15 MAYOR DeVITA: By the way, Mike, we
16 can call you back, McNerney, for
17 executive session. We can call unless
18 you want to stay on, you're welcome to
19 stay.

20 MR. McNERNEY: How much longer is
21 this going to be, I'm just curious. I'm
22 not looking at the agenda, is there a
23 lot of time or no? I'll just meet you
24 and go away.

25 MAYOR DeVITA: Half hour.

1 MR. McNERNEY: I'll just listen to
2 when you go into executive session and
3 I'll come back on.

4 MAYOR DeVITA: Okay, go ahead.

5 MR. AVRUTINE: I just wanted to
6 make sure I mentioned it, that's all.

7 MS. KAYE: But we can add that on
8 to -- right now the code allows us to
9 collect \$25.

10 MR. AVRUTINE: That's fine. I'm
11 just pointing it out as something.

12 MAYOR DeVITA: Wait, we're talking
13 two different fees. There is the fee
14 the bank charges, let's say 40 bucks.
15 Then we are allowed to charge 25
16 administrative on top of that.

17 Is that what we're talking about?
18 So we can collect from the person the
19 \$40 bounce fee and the \$25
20 administrative fee?

21 MS. KAYE: We just get 25.

22 MAYOR DeVITA: Wait a minute.

23 What if this company charges us the
24 \$40 that the bank charges for the
25 bounced check. Who pays the bounced

1 check fee?

2 MS. KAYE: The Village pays and so
3 does, I guess, the resident at their
4 end. The Village gets charged \$17. The
5 bank also reverses that for us. We are
6 entitled to \$25 from the resident.

7 MAYOR DeVITA: So it should cover
8 it.

9 MS. KAYE: With a substitute check.
10 I'm guessing, Howard, saying the 2 bucks
11 or the 275 that they would have paid for
12 the e-check, the Village?

13 MR. AVRUTINE: Correct, would get
14 that from the Village.

15 MS. KAYE: We would get hit with.

16 MR. AVRUTINE: Correct.

17 MS. KAYE: If a resident's check
18 bounces taxes. So...

19 MAYOR DeVITA: Let's give it a
20 whirl.

21 MR. AVRUTINE: If someone is going
22 to use an e-check I would probably
23 suspect it's not going to happen
24 frequently.

25 MS. KAYE: No.

1 MR. AVRUTINE: But, again, I wanted
2 to alert the Board.

3 MS. KAYE: Okay.

4 MAYOR DeVITA: So, in this, Liz
5 will be able to use this for the oyster
6 program, also?

7 MS. KAYE: That's already -- yes.
8 But it would -- that's already on the
9 system. The calculation will be not
10 tiered as it is now, like zero to 20
11 bucks, or whatever. It's going to be a
12 percentage for a credit card.

13 MAYOR DeVITA: Okay.

14 MS. KAYE: Gave a little
15 calculation, she said it's actually
16 cheaper doing it by percentage, but the
17 resident will also have an e-check. I
18 know there was some frustration with the
19 shellfish that the credit card was -- do
20 you remember that?

21 MAYOR DeVITA: It's \$200 to join,
22 so 2.5 percent, you're talking another
23 50 bucks. You're muted, Jeff.

24 TRUSTEE MIRITELLO: It was 175, but
25 I think the charge was 5 or 8 bucks.

1 MAYOR DeVITA: But now --

2 TRUSTEE MIRITELLO: It's going to
3 be a percentage, 2 percent.

4 MAYOR DeVITA: So that's still
5 cheap.

6 MS. KAYE: It comes out cheaper
7 this way. I think having the e-check,
8 if you are comfortable with that, which
9 I am, I do e-checks, it's very cheap, a
10 couple of bucks.

11 TRUSTEE JUSKO: It's guaranteed to
12 get there.

13 TRUSTEE MIRITELLO: I will send it
14 again.

15 MAYOR DeVITA: So, do you need a
16 motion to approve this?

17 MS. KAYE: Yes.

18 MAYOR DeVITA: So I'll move to
19 approve the Allpaid contract with the
20 Village.

21 Second?

22 TRUSTEE NICKLAS: Second.

23 MAYOR DeVITA: Trustee Nicklas.

24 Trustee Jusko?

25 TRUSTEE JUSKO: Aye.

1 MAYOR DeVITA: Trustee Tsafos?

2 TRUSTEE TSAFOS: 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: That's everyone

9 right.

10 Next, Liz, abstracts.

11 MS. KAYE: The September abstracts

12 are mostly routine. Fire --

13 MAYOR DeVITA: You are breaking up.

14 MS. KAYE: Syosset fire is on

15 there.

16 MAYOR DeVITA: See if you lean

17 closer to the mic, that seems to help.

18 MS. KAYE: Syosset fire is one of

19 larger bills on there, as well as --

20 (audio distortion) is for the two Oyster

21 Bay fire companies from 2019. We're

22 usually billed in August, and August 19

23 never was billed. And all the Villages,

24 Oyster Bay Cove, we were e-mailing and

25 trying to get them to bill us, and it

1 never happened, so we gave up. It
2 finally got billed to the town so the
3 town disbursed those bills, they were
4 never paid. Just for Trustee Tsafos it
5 was accrued, not going to be in this
6 year's numbers, but we are paying this
7 now, for last year, and we should be
8 paying a bill right now for 2020, we
9 will see.

10 TRUSTEE TSAFOS: Accrued means it's
11 been picked up as expense --

12 MS. KAYE: Correct.

13 TRUSTEE TSAFOS: -- May 31st, but
14 the real cash outlay is happening now.

15 MS. KAYE: Right, to ratify
16 approval in public for our August
17 vouchers.

18 MAYOR DeVITA: Don't let anyone
19 tell you these are volunteer fire
20 companies. These are pensions that we
21 are paying for. So in any event, you
22 need -- and the Syosset Fire was about
23 118,000, the first half, and I think
24 those are the biggies, right, Liz?

25 MS. KAYE: Yes. Then we have some

1 cross checks being returned for a few of
2 the --

3 MAYOR DeVITA: You broke up.

4 MS. KAYE: Damage deposit, we have
5 one or two of them, they are
6 construction I signed off, but that's
7 coming out of the trust fund, that's
8 their money being returned.

9 MAYOR DeVITA: Okay. Approval of
10 the abstracts, I'll move.

11 Second?

12 TRUSTEE NICKLAS: Second.

13 MAYOR DeVITA: Second by Trust
14 Nicklas.

15 Trustee Jusko?

16 TRUSTEE JUSKO: Aye.

17 MAYOR DeVITA: Trustee Tsafos?

18 TRUSTEE TSAFOS: Aye.

19 MAYOR DeVITA: Deputy Mayor
20 Nemshin?

21 DEPUTY MAYOR NEMSHIN: Aye.

22 MAYOR DeVITA: Trustee Miritello?

23 TRUSTEE MIRITELLO: Aye.

24 MAYOR DeVITA: So, okay, budget
25 transfers.

1 MS. KAYE: Yes, nothing, none.

2 MAYOR DeVITA: Okay, good.

3 This new document disposition
4 schedule, Liz, I looked at it briefly.
5 Some of it goes up some years, some of
6 it goes down some years.

7 MS. KAYE: Can you hear me?

8 MAYOR DeVITA: Yes.

9 MS. KAYE: The retention schedule
10 the Villages have been using for 100
11 years I think is now being cobbled
12 together with some other separate
13 retention schedule. Some things have
14 changed. I sent the Board highlights,
15 it's on the website, but the bottom line
16 is it's called the ME-1 retention and
17 disposition schedule. It is being,
18 whatever the word is, disbanded and this
19 new schedule LGS-1 is active and Boards
20 have until January 1st to adopt it. So,
21 it's just a matter of adopting it and we
22 can then begin filing for our records
23 disposal.

24 MAYOR DeVITA: There's a draft
25 resolution in the packet.

1 MS. KAYE: Correct.

2 MAYOR DeVITA: So, this is
3 something that the State, that we have
4 to do.

5 MS. KAYE: We have no choice,
6 otherwise, we can't dispose of records
7 legally.

8 MAYOR DeVITA: If anybody does not
9 have any questions or comments, I will
10 move to approve it, pursuant to the
11 resolution in the packet calling for the
12 adoption of the new retention and
13 disposition schedule for New York local
14 governments.

15 Second?

16 TRUSTEE MIRITELLO: Second.

17 MAYOR DeVITA: Trustee Miritello.
18 Trustee Jusko?

19 TRUSTEE JUSKO: Aye.

20 MAYOR DeVITA: Trustee Nicklas?

21 TRUSTEE NICKLAS: Aye.

22 MAYOR DeVITA: Deputy Mayor
23 Nemshin?

24 DEPUTY MAYOR NEMSHIN: Aye.

25 MAYOR DeVITA: And Trustee Tsafos?

1 TRUSTEE TSAFOS: Aye.

2 MAYOR DeVITA: So, Liz, annual
3 sexual harassment training.

4 MS. KAYE: The annual training is
5 due and last year I think was a little
6 hectic trying to get everybody that
7 signed on that link to learn and do
8 their own thing, and some people
9 couldn't use it. So, I think they just
10 were -- I think it was very
11 disorganized. It's something we can
12 discuss a better way of doing it this
13 year.

14 MAYOR DeVITA: First of all, Liz,
15 you are breaking up, I don't know if
16 it's your microphone or whatever.

17 Just so people know, this is
18 mandated by the State. Last year it was
19 a short timeframe to do it and we just
20 have to do it. It's a sit at your
21 computer, right, interactive, you answer
22 questions.

23 MS. KAYE: I had our, you know,
24 Frankie, our new seasonal employee sit
25 on his phone. He did the State version,

1 New York State's version. And then I
2 did some Q and A with him. Lifeguards
3 do it on their phones, it's fine.

4 But I just want the Board to give
5 me some suggestions on how to do it
6 because it's got to be --

7 MAYOR DeVITA: I couldn't hear, you
8 broke up.

9 MS. KAYE: It has to be
10 interactive, that's the catch.

11 MAYOR DeVITA: The interactive, if
12 I remember correctly, the computer, when
13 you do the program, it asks you
14 questions and you pick the answers and
15 all that.

16 MS. KAYE: I don't remember, I
17 remember the one Salerno gave us.

18 MAYOR DeVITA: That's what it was
19 last year.

20 MR. McNERNEY: It's like a 40
21 minute or 35 minute thing where you're
22 watching videos and they're asking you
23 questions about it, that kind of thing.

24 MAYOR DeVITA: So the link should
25 be sent to everyone.

1 MS. KAYE: I have to get the link
2 again if that's the way you want to do
3 it this year.

4 MAYOR DeVITA: That's the way we're
5 going to do it. I'm not going to say
6 who, but we had one who did not
7 participate last year and this year,
8 honestly, we cannot tolerate that. This
9 is all about being exposed for lawsuits,
10 so everybody has got to do it. Some of
11 it is the most ridiculous stuff you've
12 ever heard of, but this is what the
13 State says we have to do to protect
14 ourselves. So, God forbid, we have a
15 couple of people who don't do it,
16 something happens, we get sued. I am
17 telling you that is first thing they
18 want to do, is there training, can you
19 ensure that everyone took it.

20 So I think everyone here is good
21 from last year, but we just have to do
22 it. And, Liz, you put a deadline when
23 it has to be done and we'll just do it.
24 And if people are dragging their feet,
25 you let me know privately and I will let

1 them know privately. All right?

2 MS. KAYE: Okay, I will look into
3 that.

4 Safety report.

5 MAYOR DeVITA: Okay, safety report.
6 Safety report.

7 This is a meeting of the Safety
8 Committee, which is the Board of
9 Trustees. We've had no accidents, so
10 that's the end of the report, so that's
11 good news.

12 Then we have to make a motion to
13 adjourn to executive session.

14 TRUSTEE NICKLAS: I make a motion.

15 MAYOR DeVITA: Trustee Nicklas and
16 I'll second.

17 All in favor?

18 TRUSTEE JUSKO: Aye.

19 TRUSTEE MIRITELLO: Aye.

20 TRUSTEE TSAFOS: Aye.

21 DEPUTY MAYOR NEMSHIN: Aye.

22 MAYOR DeVITA: So, Howard, are you
23 there?

24 MR. AVRUTINE: Yes.

25 (Continued on next page.)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

(At this time, the Board adjourned into Executive Session, returned to the public session at 8:03 p.m. and adjourned the meeting at 8:03 p.m.)

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