

**MINUTES OF THE REGULAR MEETING  
BOARD OF TRUSTEES  
VILLAGE HALL  
JANUARY 8, 2020  
7:00 PM**

**PRESENT:**

Mayor Daniel F. DeVita  
Trustee Kevin Jusko  
Trustee Jeffrey Miritello  
Trustee Jeffrey Nemshin  
Trustee Richard Nicklas  
Trustee Martin Novick  
Trustee Nicholas Tsafos

Howard Avrutine, Village Attorney  
Elizabeth Kaye, Clerk / Treasurer

**MAYOR DE VITA** called the meeting to order at 7:00 p.m. with the Pledge of Allegiance.

**POLICE REPORT**

The Board reviewed the Oyster Bay Cove Police Department's Monthly Report for December, 2019, which was distributed to the Board upon receipt. Statistics are as follows:

	Totals this Month	Totals year-to-date	Totals prior year- to- date
Auto Accidents Personal Injury	0	5	4
Auto Accidents Property Damage	3	22	41
Aided Cases Resulting from Auto Accidents	0	7	14
Aided Cases Other	2	52	55
Arrests	0	0	0
Summonses-Moving Violations	14	252	243
Summonses-Parking	0	38	61
Fire Calls	1	13	15
Patrol Mileage	4,650	54,750	54,750
Offenses -Case Reports	1	14	7
Suspicious Autos	4	18	24
Suspicious Persons	2	17	9
Suspicious Phone Calls	0	0	2
Recorded Alarms	22	196	185
Vacant Houses	7	61	61

Disturbances	5	51	35
Malicious Mischief	0	0	1
Non-Case Incidents	1	10	4
Animal Nuisance Complaints	0	19	12
Assist from NCPD	0	0	0

Stop Signs	5
Cell Phone	0
Speeding	2
Unlicensed Operation	0
Uninspected MV	0
DWI	0
No Insurance	3
Expired Registration	0
Disobey Traffic Control Device	3
Following Too Closely	0
Defective Lights	1
Unsafe Pass	0
Fail to Signal	0
No Parking	0
Driving on Shoulder	0
No Seatbelt	0
Total	14

Sergeant Mergel was present and spoke to the Board regarding recent events.

#### **PUBLIC HEARING ON LOCAL LAW A-2020 – ADJOURNED**

Mayor DeVita moved to reschedule the public hearing on introductory Local Law A-2020 regarding permissible hours for construction activity and commercial landscaping for the February regular meeting, seconded by Trustee Nemshin, approved by all present. For more information, see section below entitled “Construction and Commercial Landscaping on Saturdays”.

## **PUBLIC HEARING ON SYOSSET FIRE DISTRICT CONTRACT RENEWAL**

Mayor DeVita opened the public hearing on the Syosset Fire District Contract renewal at 7:08 pm.

Village Attorney Avrutine reported that the new contract is for a five-year term, from 2020 to 2024 and that the formula utilized to calculate the fees to be paid by the Village to the Fire District would be the same as under the expiring contract.

Village Attorney Avrutine entered the following items into the record:

- Proposed Contract with Syosset Fire District for fire protection in the area of the Village of Laurel Hollow located south of Route 25A
- Affidavit of Posting prepared by Elizabeth Kaye stating that the public notice was posted on December 13, 2019
- Affidavit of Publication prepared by the North Shore Leader stating that the public notice was published on December 18, 2019
- Document that confirms that the Notice of Public Hearing was published to the Village of Laurel Hollow website on December 17, 2019
- Document that confirms that the Notice of Public Hearing was sent to NEWS subscribers on January 2, 2020

After discussion by the Board, Mayor DeVita moved to close the public hearing at 7:14 pm, seconded by Trustee Nicklas, approved by all present.

Trustee Novick moved to authorize Mayor DeVita to execute the contract with Syosset Fire District, as corrected for one typographical error, seconded by Trustee Jusko, approved by all present.

## **BUILDING DEPARTMENT REPORT**

No report.

## **ENGINEER'S REPORT**

A written report was submitted, updating the Board on Phase II Road Work and other matters. The Village's paving contractor has removed and reset stone block curbing in front of #47 and #50 Springwood Path, and has repaved a portion of the cul-de-sac to correct a drainage issue. There are still two water valves that must be uncovered, and the Jericho Water District has been contacted for assistance locating them. The residents at #30 Overlook Drive have filed a complaint concerning a puddle in their driveway apron, and the contractor is investigating.

## **RESIDENTS' CONCERNS**

Mr. Biton, 16 Springwood Path, expressed concern with the planned road opening near his home at 6 Springwood Path.

**MINUTES** of the Board of Trustees meeting, held on December 11, 2019, were approved by all present on a motion by Trustee Tsafos and seconded by Trustee Novick. **MINUTES** of the Board of Trustees special meeting, held on January 4, 2020, were approved by all present on a motion by Trustee Jusko, seconded by Trustee Nicklas.

The **FINANCIAL REPORT** for December 2019 and the **REPORT OF UNPAID TAXES** were distributed to the Board prior to the meeting for review. Bank statements and reconciliations were reviewed by Trustee Tsafos prior to the meeting.

## **CONSTRUCTION AND COMMERCIAL LANDSCAPING ON SATURDAYS**

Mayor DeVita discussed draft legislation to amend previously introduced Local Law A-2020, limiting construction activity on Saturdays to the hours 9:00 am to 4:00 pm. The amendment would include commercial landscaping. Mayor DeVita moved to schedule a public hearing on the revised legislation for the February meeting, seconded by Trustee Nemshin, approved by all present.

## **APPROVAL OF ABSTRACTS**

Mayor DeVita moved that the following abstracts of vouchers and additional claims as noted be approved for payment, seconded by Trustee Tsafos, and approved by all present:

- Abstract # 17 Trust & Agency \$1,274.00
- Abstract # 1078 Capital Projects \$27,432.24
- Abstract # 1098 & 1099 Prepaids \$10,119 & 13,281.66
- Abstract # 1100 General Fund \$26,962.90

Claims by Todd Steckler, Esq. (\$8850), Court Prosecutors Blinkoff and Kennedy (\$250.00 each) and Stenographer Koenig (\$150.00)

## **APPOINTMENT OF REGISTRAR**

Mayor DeVita moved to appoint Richard LaMarca, Town of Oyster Bay, as Registrar for a two-year period from December 31, 2019 to December 31, 2021, seconded by Trustee Nicklas, approved by all present.

## **AED/CPR RECERTIFICATION TRAINING**

Trustee Jusko moved to approve Security & Safety Training, based on the following quotes, for recertification training of Village Staff and Officials, seconded by Trustee Nemshin, approved by all present:

1. **Cardiac Life:**  
4-hour course with 2-year certification for **\$500** (up to 5 people) and  
4-hour course with 2-year certification for **\$799** (up to 10 people). (This company provided training to us in the past)
2. **Security & Safety Training:** 90-minute course with 2-year certification  
**@\$55/person.** We need a minimum of 5 people for the training to be provided on site at Village Hall. ( $55 \times 5 = \$275$ )  
(This company provides training to CSHL)

3. **Certification Center NY:** 3-hour course with 2-year certification **@\$100/person.** We need a minimum of 8 people for the training to be provided on site at Village Hall. (This company provides training to Oyster Bay Cove Police).

### **RETURN OF TAX ROLL**

The Board reviewed the ACCOUNT OF UNPAID TAXES prepared by the Clerk/Treasurer pursuant to §1436 of the Real Property Tax Law of the State of New York. The Board elected not to conduct a tax lien sale at this time. Board members individually certified the report, and a copy of the report will be attached to and made a part of these minutes.

### **INTRODUCTORY LOCAL LAW B-2020 – TAX CAP OVERRIDE**

The Clerk presented a draft of Introductory Local Law B-2020, authorizing a property tax levy in excess of the limit established in the General Municipal Law, §3-c, after which it was moved by Trustee Nemshin, seconded by Trustee Novick and approved by all present, that a public hearing be scheduled for February 12, 2020 at 7:00 p.m., or as soon as possible thereafter, on said local law, and that the Clerk be authorized and directed to publish and post the required notice of public hearing.

### **INSURANCE RENEWAL**

Trustee Nicklas moved to approve renewal of the insurance Package Policy, Public Officials and Storage Tank policies, from Salerno Insurance, for the period 2/6/2020 thru 2/6/2021, for \$78,388.82, seconded by Trustee Jusko, approved by all present.

### **ANNUAL SAFETY COMMITTEE REPORT**

The Board, sitting as the Safety Committee, reported that for the year 2019, there was one injury reported.

### **RENEWAL OF 5-YEAR HARBORMASTER AGREEMENT WITH TOWN OF OYSTER BAY**

Trustee Miritello moved to authorize Mayor DeVita to execute the Harbor Master Agreement with the Town of Oyster Bay, seconded by Trustee Novick and approved by all present.

### **RESOLUTION SETTING OFFICES TO BE FILLED, DATE & TIME OF VILLAGE ELECTION**

The following resolution was moved by Mayor DeVita, seconded by Trustee Jusko:

RESOLVED that the offices to be filled at the next general election and the terms thereof are as follows:

TRUSTEE	Two Years
TRUSTEE	Two Years
TRUSTEE	Two Years
JUSTICE	Four Years

and,

BE IT FURTHER RESOLVED, that, pursuant to §15-104(3) of the Election Law of the State of New York, said election shall be held on Tuesday, June 16, 2020; from noon to 9:00 p.m. at Village Hall, and

BE IT FURTHER RESOLVED that the Village Clerk shall cause this resolution to be published as required by law.

The Clerk polled the Board as follows:

In favor:

Mayor DeVita	Aye
Trustee Jusko	Aye
Trustee Miritello	Aye
Trustee Nemshin	Aye
Trustee Nicklas	Aye
Trustee Novice	Aye
Trustee Tsafos	Aye

### EXECUTIVE SESSION

Mayor DeVita moved to adjourn to Executive Session at 8:25 pm to discuss employee and litigation matters, seconded by Trustee Jusko, approved by all present.

The Board returned to public session at 9:00 pm on a motion by Trustee Miritello, seconded by Trustee Nicklas, approved by all present.

Mayor DeVita moved to amend the existing contract, dated 10/14/2014, with Building Superintendent, Michael McNerney to reflect a salary of \$70,000, a schedule of eighteen hours per week and medical benefits, seconded by Trustee Nemshin, approved by all present.

Mayor DeVita moved to amend the employee handbook § 806 (medical), § 809 (dental) § 810 (optical), seconded by Trustee Jusko, approved by all present, to reflect the following language:

- part-time employees, excluding seasonal or temporary employees, working at least 18 hours per week and hired on or before 10/14/2014, shall be entitled to health insurance benefits. This Resolution is not retroactive to past employees no longer employed by the Village.

There being no further business to come before the Board, Trustee Jusko moved to adjourn the meeting at 9:20 pm, seconded by Trustee Tsafos, and approved by all present.

Elizabeth Kaye  
Elizabeth Kaye, Clerk / Treasurer

### ALSO PRESENT:

Sergeant Mergel	Oyster Bay Cove Police
Randy Jones	Cold Spring Harbor Lab
Lynn Tone	568 Cold Spring Road
Tomy Biton	16 Springwood Path

THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES WILL BE HELD AT 7:00 P.M. ON WEDNESDAY, FEBRUARY 12, 2020