

April 6, 2020

**MINUTES OF THE REGULAR MEETING  
BOARD OF TRUSTEES  
HELD VIA ZOOM VIDEOCONFERENCE  
(due to COVID-19 public assembly restrictions)  
STENOGRAPHICALLY RECORDED  
APRIL 6, 2020  
7:00 PM**

**PRESENT:**

Mayor Daniel F. DeVita	Howard Avrutine, Village Attorney
Trustee Kevin Jusko	Elizabeth Kaye, Clerk / Treasurer
Trustee Jeffrey Miritello	Nancy Popper, Deputy Clerk/Court Clerk
Trustee Jeffrey Nemshin	
Trustee Richard Nicklas	
Trustee Martin Novick	
Trustee Nicholas Tsafos	

**EXCUSED:**

Michael F. McNerney, Supt. of Building Dept.

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

**POLICE REPORT**

The March Police Report was distributed to the Board prior to the meeting. No oral report was given.

**PUBLIC HEARING ON LOCAL LAW 6-2020 (Introductory Law F-2020)**

Mayor DeVita opened the public hearing at 7:22 pm with a discussion of Introductory Local Law 6-2020, concerning a proposed amendment to Chapter 88 of the Village Code related to Hawking, Peddling & Solicitation.

Village Attorney Avrutine read the following Exhibit items into the record:

- Copy of page from the March 18<sup>th</sup> edition of the North Shore Leader showing that the public notice of the April 6<sup>th</sup> hearing was published (Affidavit of Publication forthcoming)
- Affidavit from Elizabeth Kaye that the legal notice was posted on the bulletin board at the Village Hall on March 13, 2020
- Email from the Village Clerk to the Mayor and Board of Trustees sent on March 27, 2020, with local law in final form attached
- Confirmation that the Notice of Public Hearing was published to the Village of Laurel Hollow website on March 12, 2020
- Confirmation that the Notice of Public Hearing was sent to NEWS subscribers on April 2, 2020
- Letter from the Nassau County Planning Commission, dated April 3, 2020, stating that the local law has been referred to the Village to take action as deemed appropriate.

April 6, 2020

Attorney Avrutine explained that the proposed law was to address a settlement with Aptive Environmental, which had threatened to challenge the existing law on First Amendment grounds. Mayor DeVita indicated that the proposed law includes a provision requiring issuance of a permit by the Village authorizing door to door solicitation within 10 business days of submission of an application as set forth in Chapter 88 of the Code and eliminates the \$200.00 permit fee. A provision remains allowing residents to opt out of the solicitation.

Mayor DeVita announced that the record would remain open for five days for any member of the public to submit comments.

Trustee Nicklas moved to close the public hearing at 7:31 pm, seconded by Trustee Miritello, and approved by all upon the following poll of the Board:

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

Village Attorney Avrutine indicated that this matter is a Type II action under SEQRA, and no further environmental review is required.

Mayor DeVita moved to adopt Local Law 6-2020 as presented, seconded by Deputy Mayor Nemshin, and approved by all upon the following poll of the Board:

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

## **PUBLIC HEARING ON FISCAL 2020-21 TENTATIVE BUDGET**

At 7:33 pm, Mayor DeVita opened the public hearing on the Tentative Budget for fiscal year 2020-2021.

Mayor DeVita explained that the proposed tax levy reflects an increase of \$153,682 over the 2019-2020 levy, primarily due to an increase in the police budget of \$100,000 plus outside legal fees in connection with the Crown Castle lawsuit. This translates to approximately \$255.00 per household.

Trustee Miritello moved to close the public hearing on the tentative budget at 7:46 pm, seconded by Trustee Jusko, approved by all upon the following poll of the Board.

Mayor DeVita	Aye
Trustee Jusko	Aye

April 6, 2020

Trustee Miritello	Aye
Trustee Nemshin	Aye
Trustee Nicklas	Aye
Trustee Novick	Aye
Trustee Tsafos	Aye

Village Attorney Avrutine indicated that this matter is a Type II action under SEQRA, and no further environmental review is required.

Mayor DeVita moved to approve the tentative budget as final, seconded by Trustee Nicklas, and approved by all upon the following poll of the Board:

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

### **ENGINEER'S REPORT**

None provided.

### **BUILDING DEPARTMENT REPORT**

Mayor DeVita addressed a request to extend an open driveway permit for 568 Cold Spring Road, which is awaiting a 239(f) review from Nassau County. Deputy Mayor Nemshin moved to extend the permit for 568 Cold Spring Road 1 1/2 years, seconded by Trustee Miritello, and approved upon the following poll of the Board:

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

Mayor DeVita addressed a request to extend a retaining wall and driveway permit for 44 Timber Ridge. Mayor DeVita moved to extend the permit until April 10, 2020 at no fee, seconded by Trustee Jusko, and approved upon the following poll of the Board:

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

### **APPROVAL OF ABSTRACTS**

April 6, 2020

Trustee Jusko moved that the following abstracts of vouchers plus three add-ons be approved for payment, seconded by Trustee Miritello, and approved upon the following poll of the Board:

- Abstract # 21 & 22, Trust & Agency \$ 15,000 & \$15,350
- Abstract # 1108 Prepays \$ 15,485.49
- Abstract # 1109 General Fund \$31,461.89

Add ons:

Home Depot - \$1127.71  
West Side Engineering- \$760.00  
Kaiser Marine - \$5040.00

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

**MINUTES** of the Board of Trustees meeting, held on March 11, 2020, were approved as amended on a motion by Trustee Nicklas and seconded by Deputy Mayor Nemshin and upon the following poll of the Board:

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

The **FINANCIAL REPORT** for March 2020 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.

#### **RENEW EMPIRE DENTAL COVERAGE**

Mayor DeVita moved to renew Empire Dental coverage for the term 6/1/2020 to 5/31/2021 for active employees at the rates in effect, seconded by Trustee Nicklas, and approved upon the following poll of the Board:

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

April 6, 2020

There being no further business to come before the Board, Trustee Jusko moved to adjourn the meeting at 8:01 pm, seconded by Trustee Tsafos, and approved by all present.

Elizabeth Kaye  
Elizabeth Kaye, Clerk / Treasurer

THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES WILL BE HELD AT 7:00  
P.M. ON WEDNESDAY, MAY 13, 2020