

**MINUTES OF THE REGULAR MEETING
BOARD OF TRUSTEES
HELD VIA ZOOM VIDEOCONFERENCE
(due to COVID-19 public assembly restrictions)
STENOGRAPHICALLY RECORDED
MAY 13, 2020
7:00 PM**

PRESENT:

Mayor Daniel F. DeVita	Howard Avrutine, Village Attorney
Trustee Kevin Jusko	Elizabeth Kaye, Clerk / Treasurer
Trustee Jeffrey Miritello	Michael F. McNerney, Supt. of Building Dept.
Trustee Jeffrey Nemshin	Nancy Popper, Deputy Clerk/Court Clerk
Trustee Richard Nicklas	Jim Antonelli, Village Engineer
Trustee Martin Novick	
Trustee Nicholas Tsafos	Joseph Macy, Esq. for Executive Session
	Todd Steckler, Esq. for Executive Session

EXCUSED:

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

RESIDENTS' CONCERNS

Mr. Anthony Emmanuel, 1686 Route 25A, was in attendance to address the recent squatter incident at 1690 Route 25A. The Mayor recounted the Route 25A incident and the Stillwell Lane incident and the cooperation of County and local police during these and the breadth of the squatting problem on Long Island. Mayor DeVita indicated that the Board would discuss later in the meeting how the Village and Police could be made aware of the presence of vacant houses in the Village in order to monitor activity.

POLICE REPORT

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

	Totals this Month	Totals year-to-date	Totals prior year- to- date
Auto Accidents Personal Injury	0	0	2
Auto Accidents Property Damage	0	2	7
Aided Cases Resulting from Auto Accidents	0	0	3
Aided Cases Other	9	25	15
Arrests	1	1	0
Summonses-Moving Violations	6	79	94
Summonses-Parking	2	3	3
Fire Calls	0	3	3

Patrol Mileage	4,500	18,150	18,800
Offenses -Case Reports	4	5	4
Suspicious Autos	2	10	5
Suspicious Persons	4	10	7
Suspicious Phone Calls	0	0	0
Recorded Alarms	9	46	57
Vacant Houses	3	15	11
Disturbances	3	7	12
Malicious Mischief	0	0	0
Non-Case Incidents	2	6	2
Animal Nuisance Complaints	1	3	3
Assist from NCPD	0	0	0

Stop Signs	1
Cell Phone	0
Speeding	0
Unlicensed Operation	0
Uninspected MV	0
DWI	0
No Insurance	0
Expired Registration	0
Disobey Traffic Control Device	0
Following Too Closely	0
Defective Lights	0
Obstructed View	1
Fail to Signal	0
No Parking	2
Equipment Violation	4
No Seatbelt	0
Total	8

MINUTES of the Board of Trustees meetings, held on April 6, 2020 and May 1, 2020, were approved as amended on a motion by Mayor DeVita and seconded by Trustee Nicklas 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 April 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.

WAIVER OF ORDINANCE FOR DRONE ACTIVITY

Mayor DeVita reported on a grant by Nassau County and by the Cold Spring Harbor Protection Committee to pay for drones to survey the harbor shoreline and to map pollution activity. Mayor DeVita asked the Board to waive the applicable provisions of Section 85-9 of the Village Code for this drone activity in May and September. Trustee Miritello then moved to waive the applicable provisions of Section 85-9 of the Village Code to permit drone activity in May and September as requested by the Cold Spring Harbor Protection Committee, seconded by Mayor DeVita, and approved by 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

SQUATTERS

The Board discussed means by which the Village could prevent repetition of the squatter incident that occurred at the home on Route 25A. It was suggested that rentals be registered with the Village and new owners could be required to notify the Village within 30 days of taking ownership that the home might be vacant or potentially rented to a third party. Real estate agents could be advised of this requirement at the time of a sign permit application. The legislation would be discussed at the next regular meeting.

ENGINEER'S REPORT

Village Stormwater Program

Board members reviewed the Engineer's Report concerning the Village Stormwater Program. The Clerk/Treasurer reported that no comments had been received regarding the Draft Stormwater Management Program Annual Report Year 2020, prepared by the Village Engineer, which had been posted to the website and available at Village Hall for public comment. Trustee Miritello moved that he be authorized to execute the MCC Form and that the Village Engineer be

authorized to submit the Final Report on behalf of the Village, seconded by Trustee Nicklas, approved by all present.

BUILDING DEPARTMENT REPORT

No report for this meeting.

PARKING TICKET FINES

The Board discussed increasing the parking ticket fine from \$150.00 to \$250.00, or if pled by mail, the fine could be reduced. Village Attorney Avrutine was instructed to draft legislation.

GREATER LONG ISLAND RUNNING CLUB OCEAN TO SOUND RELAY; RESCISSION OF APPROVAL FOR BIKE PORTION OF TRIATHLON

Mayor DeVita reported on the Greater Long Island Running Club's letter to the Village, advising that the club's Ocean to Sound Relay (OSR) would be traveling along Rte. 25A and avoiding local Village roads. The Mayor recounted how permission to run the race through the Village including 25A was revoked years ago because of lack of safety and liability concerns. Given the complete disrespect and refusal to comply with the Village's disallowal of the OSR, Mayor DeVita proposed revoking the permission given to GLIRC for its August 30th Triathlon bike leg through Village roads. He moved to revoke approval for the reasons expressed, seconded by Trustee Tsafos, approved by all present 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

FIXED ASSET POLICY

Mayor DeVita moved to set a threshold of \$1,000.00 for coding the purchase of fixed assets under which the purchase would be coded as an expense, seconded by Deputy Mayor Nemshin, approved by a 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

2020-2021 TAX WARRANT

Mayor DeVita moved, seconded by Deputy Mayor Nemshin, and approved by a poll of the Board, that the following resolution be adopted:

YOU ARE HEREBY COMMANDED to receive and collect from the several persons named in the tax roll hereunto annexed, the several sums stated in the last column hereof opposite their respective names, being a total of \$2,825,898.25 for the following purposes:

For the Current Budget \$ 2,825,898.25

YOU ARE FURTHER COMMANDED to receive and collect such sums without additional charge between the first day of June, 2020 and the first day of July, 2020, both inclusive; and thereafter to collect with such of the sums as have not been theretofore collected, an additional charge as prescribed by the New York State Real Property Tax Law for each month or fraction hereof until paid.

YOU ARE FURTHER COMMANDED to file the tax roll and warrant in your office on or before the first day of February, 2021, and to deliver to the Board of Trustees at the same time an account of the taxes remaining due and unpaid; describing each parcel of real property upon which taxes are unpaid, showing the person or persons to whom the parcel is assessed and showing as to each parcel in the amount of tax unpaid.

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

TAXPAYER PROTECTION PROGRAM

The Board discussed the Taxpayer Protection Program (TPP), enacted by the state legislature and adopted by Nassau County to spread the recent property tax increase over five years through the form of an exemption. After a discussion of the benefits to homeowners who might have experienced a tax increase, Mayor DeVita moved to approve the TPP Exemption and apply it to the 2020-2021 Village Assessment Roll, seconded by Deputy Mayor Nemshin, approved by 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

Mayor DeVita moved that the following abstracts of vouchers be approved for payment, including claims by Avrutine & Associates, Berkman Henoch et al, having clarified certain questions, and authorizing pre-payment of the Police Bill as per contract before the next meeting with a check

date of 6/1/2020, seconded by Trustee Nicklas, and approved upon the following poll of the Board:

- Abstract # 23 \$4,911.60
- Abstract # 1110 \$15,934.16
- Abstract # 1110a \$66,540.14

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

ACTUARIAL EVALUATION EVERY TWO YEARS TO BE IN COMPLIANCE WITH GASB 75

Mayor DeVita moved to adopt the GASB 75 standard, requiring an actuarial evaluation of OPEB (Other than Pension Benefits) every two years rather than the previously approved every three years, seconded by Trustee Tsafos, approved by 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

RENEW KANE EXTERMINATING TERMITE CONTRACT

Trustee Nicklas moved to renew the Kane Exterminating Contract at \$300.00/year, 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

RENEW SST COMMUNICATIONS CONTRACT FOR TELEPHONE SUPPORT

Mayor DeVita moved to renew the contract with SST Communications for telephone support at \$344.00 for theyear, 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

RENEW STREET CLEANING CONTRACT WITH TOWN OF OYSTER BAY

The Board expressed its desire to renew the Street Cleaning contract with the Town of Oyster Bay, expiring June 30, 2020, as well as to pursue an IMA for other public works services. The Clerk was instructed to look into this matter.

CHANGE JUNE BOARD MEETING TIME TO 6:00 PM

Mayor DeVita moved to change the June board meeting from 7:00 pm to 6:00 pm, seconded by Trustee Tsafos, 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

EXECUTIVE SESSION

Mayor DeVita moved to adjourn to Executive Session to discuss litigation matters, seconded by Trustee Nicklas, and approved upon a 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 Board returned to public session at 9:43 pm.

AUTHORIZE OUTSIDE COUNSEL TO SIGN SETTLEMENT AGREEMENT WITH CROWN CASTLE

Mayor DeVita moved to authorize outside counsel to sign the Settlement Agreement with Crown Castle as presented, 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

There being no further business to come before the Board, Mayor DeVita moved to adjourn the meeting at 9:50 pm, seconded by Trustee Tsafos, and approved by all present.

Elizabeth Kaye
Elizabeth Kaye, Clerk / Treasurer

ALSO PRESENT:
Anthony Emmanuel

1686 Route 25A

THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES WILL BE HELD AT 6:00 P.M. ON WEDNESDAY, JUNE 17, 2020