

July 15, 2020

**MINUTES OF THE REGULAR MEETING
BOARD OF TRUSTEES
HELD VIA ZOOM VIDEOCONFERENCE
(due to COVID-19 public assembly restrictions)
STENOGRAPHICALLY RECORDED
JULY 15, 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 Martin Novick	Jim Antonelli, Village Engineer (Executive Session)
Trustee Nicholas Tsafos	Joseph Macy, Esq. (Executive Session)

EXCUSED:

Trustee Richard Nicklas

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

POLICE REPORT

The June 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	1	1	3
Auto Accidents Property Damage	0	2	11
Aided Cases Resulting from Auto Accidents	1	1	4
Aided Cases Other	7	35	23
Arrests	0	1	0
Summonses-Moving Violations	0	80	150
Summonses-Parking	22	61	14
Fire Calls	0	3	4
Patrol Mileage	4,500	27,300	27,150
Offenses -Case Reports	2	10	6
Suspicious Autos	12	26	7
Suspicious Persons	0	12	11
Suspicious Phone Calls	0	0	0
Recorded Alarms	10	69	88

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Vacant Houses	0	19	22
Disturbances	3	15	23
Malicious Mischief	0	0	0
Non-Case Incidents	0	6	5
Animal Nuisance Complaints	1	4	6
Assist from NCPD	0	0	0

Stop Signs	0
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	0
Fail to Signal	0
No Parking	22
Equipment Violation	0
No Seatbelt	0
Total	22

UPDATE ON GRANTS

Mayor DeVita updated the Board on active grants, including NYS Multi-Modal, for which \$80,000 was received, with an additional \$20,000 forthcoming; NYS DASNY grant of \$75,000 from Sen. Gaughran's office for the Seawall and \$29,000 from Nassau County to renovate the Salt Shed, for which approval is subject to clarification of certain conditions.

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PUBLIC HEARING ON LOCAL LAW 7-2020 (Introductory Law G-2020)

At 7:09 pm, Mayor DeVita opened the public hearing with a discussion of Introductory Local Law 7-2020, concerning a proposed amendment to chapter 135 of the Village Code, Vehicles and Traffic.

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

- Affidavit from Elizabeth Kaye, stating that the legal notice was posted at Village Hall on June 26, 2020;
- Affidavit from the North Shore Leader, showing that the public notice of the July 15, 2020 public hearing was published on July 1, 2020;
- Email from the Village Clerk to the Mayor and Board of Trustees, dated July 8, 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 June 19, 2020;
- Confirmation that the Notice of Public Hearing was sent to NEWS subscribers on July 10, 2020;
- Letter from the Nassau County Planning Commission, dated 7-14-2020, indicating that the local law has been referred to the Village to take action as deemed appropriate.

Mayor DeVita explained that there has been a large influx of non-residents parking at the beach.

The law proposes raising the fine for a first offense traffic infraction to no more than \$250.00, for a 2nd offense to no more than \$350.00, and for a 3rd and subsequent offenses to no more than \$450.00.

Mayor DeVita moved to close the public hearing at 7:20 pm, seconded by Trustee Novick, and approved upon the following poll of the Board:

Mayor DeVita	Aye
Trustee Jusko	Aye
Trustee Miritello	Aye
Trustee Nemshin	Aye
Trustee Nicklas	Excused
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 7-2020 as presented, seconded by Trustee Miritello, and approved upon the following poll of the Board:

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

RESOLUTION ON INCENTVE FOR PAYING FINES EARLY

In order to provide an incentive for paying parking fines in a timely manner, Mayor DeVita moved to set fines at \$250 for a first offense, with an incentive reduction to \$150 if paid within 10 days of the date of the parking summons, 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	Excused
Trustee Novick	Aye
Trustee Tsafos	Aye

BUILDING REPORT

None given.

MINUTES of the Board of Trustees meeting, held on June 17, 2020, was approved as amended on a motion by Mayor DeVita and seconded by Trustee Novick upon the following poll of the Board:

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

The **FINANCIAL REPORT** for June 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.

ANNUAL APPOINTMENTS

The **ANNUAL ORGANIZATIONAL MEETING** of the Village of Laurel Hollow was called to order.

Mayor DeVita appointed Jeffrey Nemshin as Deputy Mayor for the official year.

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Mayor DeVita made the following Trustee assignments for the official year.

<u>ASSIGNMENT</u>	<u>NAME</u>
Mayor in Charge of Police & Fire	Daniel F. DeVita
Trustee in Charge of Beach & Waterways	Jeffrey Miritello
Trustee in Charge of Buildings & Grounds	Martin Novick
Trustee in Charge of Roads	Kevin Jusko
Trustee in Charge of Budget	Nicholas Tsafos
Trustee in Charge of Emergency Mgmt & Planning	Jeffrey Nemshin
Trustee in Charge of Communication/Technology & Insurance	Richard Nicklas

Mayor DeVita made the following appointments:

	<u>NAME</u>	<u>TERM EXPIRES</u>
Deputy Clerk / Court Clerk	Nancy Popper	07/2021
Harbormaster	Jeffrey Miritello	07/2021
Village Historian	Elizabeth Watson	07/2021
Member, Planning Board	Chris Hadjandreas	07/2025
Member Board of Zoning Appeals	Jeffrey Blumin	07/2025
Chair, Board of Zoning Appeals	Russell Mohr	07/2021
Chair, Planning Board	Chris Hadjandreas	07/2021
Associate Village Justice	James McCrorie	07/2021
Assistant Village Prosecutor	Dwight Kennedy	07/2021
Chief Village Prosecutor	Jeffrey Blinkoff	07/2021
Building Inspector, Code Enforcement Officer, Building Official, Tree Warden, Street Commissioner, Local Administrator-Floodplain Development, Stormwater Management Officer	Michael F. McNerney	07/2021
On Call Code Enforcement Officer	Vacant	
Dock Committee:	Jeffrey Miritello	07/2021
	Jeffrey Nemshin	07/2021
	Kevin Jusko	07/2021

It was moved by Trustee Miritello, seconded by Deputy Mayor Nemshin, that the Mayor's appointments be approved.

The Clerk polled the Board as follows:

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

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Mayor DeVita stated that the following officials remain in office:

	<u>NAME</u>	<u>TERM EXPIRES</u>
Member, Planning Board	Nancy Jones	07/2021
	James Galtieri	07/2022
	Elizabeth DiBlasio	07/2023
	Scott Abrams	07/2024
	<u>NAME</u>	<u>TERM EXPIRES</u>
Member, Board of Zoning Appeals	Russell Mohr	07/2021
	Louis Lebedin	07/2022
	Cindy Kaufman	07/2023
	Vincent Parziale	07/2024

BE IT RESOLVED, that the requirements set forth in §3-306 of the Village Law of the State of New York concerning “official undertakings” of the Clerk/Treasurer, Deputy Clerk/Court Clerk, Village Justice, and the Associate Village Justice, be deemed satisfied by Utica National Insurance Group Faithful Performance Bond #SU4274307 in the amount of \$500,000; and, be it further

RESOLVED, that the regular meetings of the Board of Trustees shall be held at 7:00 pm. as follows:

Wednesday	September 16, 2020
Wednesday	October 14, 2020
Tuesday	November 10, 2020
Wednesday	December 9, 2020
Wednesday	January 13, 2021
Wednesday	February 10, 2021
Wednesday	March 10, 2021
Wednesday	April 14, 2021
Wednesday	May 12, 2021
Wednesday	June 16, 2021
Wednesday	July 14, 2021

and, be it further

RESOLVED, that the Village adopt the INVESTMENT POLICY, most recently amended on April 9, 2013, February 11, 2015 and March 14, 2018 attached to and made a part of these minutes, including the designation of depositories outlined therein, and, be it further

RESOLVED, that the funds of the Village, deposited in a bank authorized by said INVESTMENT POLICY, be subject to withdrawal upon check when signed on behalf of the Village by any one of the following: Mayor, Clerk / Treasurer or Deputy Village Clerk, with checks in the amount of \$5,000.00 or more requiring two signatures; and, be it further

RESOLVED, that the procurement policy previously adopted, and amended on September 16, 2010, be further amended to incorporate changes authorized in

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Local Law 2-2015, adopted by the Board of Trustees on February, 11, 2015, affixed to and made a part of these minutes, and, be it further

RESOLVED, that the Village continue to utilize the Employee Handbook, including all compliance policies, previously adopted and revised, and, be it further

RESOLVED, that, as permitted by §5-524(6) of the Village Law of the State of New York, the Clerk / Treasurer be authorized to make payment in advance of audit of claims for public utility services, employee benefit contributions (pass-thru amounts) and insurance premiums, postage, freight and express charges, and that, as permitted by §5-524(7), the Clerk / Treasurer be authorized to make payment in advance of audit for a village officer, including the Village Justice and Acting Village Justice, to attend training provided by the education department or given by their county magistrate's association. Such claims must be presented for audit at the next regular meeting, and, be it further

RESOLVED, that, as permitted in §99-b. of the General Municipal Law, "Receipts for money received; records of money disbursed by check", the Clerk / Treasurer be authorized to accept check images in lieu of cancelled checks from payor banks, and, be it further

RESOLVED, that the Clerk / Treasurer, Deputy Clerk / Court Clerk and Highway Supervisor be authorized to attend meetings of their respective professional associations and New York State Department of Education Training Workshops, that the Clerk / Treasurer be authorized to attend the Annual NYCOM Fall Training School, that the Court Clerk be authorized to attend annual training, all reimbursed for travel & / or mileage at the current IRS rate, and, be it further

RESOLVED, that the "North Shore Leader" be, and the same hereby is, designated as the official newspaper of the Village, there being no newspaper published regularly in the Village, and, be it further (amended 8/18/2020 by BOT to add Oyster Bay Guardian as additional official newspaper).

RESOLVED, that the Board of Zoning Appeals shall meet on the second Thursday of each month providing they have business to transact, and, be it further

RESOLVED, that the Planning Board shall meet on the third Wednesday of each month providing they have business to transact, and, be it further

RESOLVED, that the Village Hall shall be closed on the following holidays in the 2020-2021 official year:

2020

Labor Day	Mon.	September 7 th
Columbus Day	Mon.	October 12 th
Veteran's Day	Wed.	November 11 th
Thanksgiving	Thurs.	November 26 th
Day after Thanksgiving	Fri.	November 27 th
Christmas Day	Fri.	December 25 th

2021

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New Year's Day	Fri.	January 1 st
Martin Luther King Day	Mon.	January 18 th
President's Day	Mon.	February 15 th
Good Friday	Fri.	April 2 nd
Memorial Day	Mon.	May 31 st
Independence Day	Mon.	July 5 th - observed

Deputy Mayor Nemshin moved to approve the foregoing resolutions, 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	Excused
Trustee Novick	Aye
Trustee Tsafos	Aye

DISCUSSION OF REVISION TO PERMIT PROCESS FOR REMOVAL OF WHITE PINES AND NORWAY MAPLES

Trustee Jusko discussed a proposal to simplify the permit process for removing White Pines and Norway Maples, considered by other villages such as Lloyd Harbor to be invasive and or nuisance species. Chris Hadjandreas, Chairman of the Planning Board, indicated that removal might impact the existing canopy the White Pines provide and that removal should be tied to replacement trees. Trustee Miritello suggested that the trees under power lines be given faster approval. Mayor DeVita suggested continuing the discussion at a future meeting.

DISCUSSION OF SQUATTER MATTER CONTINUED

Mayor DeVita referred to the Village of Kensington code, which requires homes rented to tenants to be registered with the Village. The Town of Huntington and the Village of Amityville maintain registers of vacant buildings. Mayor DeVita instructed Village Attorney Avrutine to draft a proposal regarding rentals and vacant buildings for further discussion.

PARKING OF BOATS AT DOCK

The Board continued its discussion concerning whether to issue tickets for boats docked longer than 10 minutes. Village Attorney Avrutine confirmed that the police and Harbor Master both have the authority to issue tickets.

APPOINT CLERK/TREASURER AS ALTERNATE ELECTION INSPECTOR FOR THE VILLAGE ELECTION ON SEPTEMBER 15, 2020

Mayor DeVita moved to appoint Elizabeth Kaye as an alternate Election Inspector due to concern that a second spike in COVID-19 might cause an inspector to cancel at the last minute, seconded by Trustee Tsafos, approved upon the following poll of the Board:

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

APPROVAL OF ABSTRACTS

Mayor DeVita moved that the following abstracts of vouchers be approved for payment and for approval to pay August vouchers, after review by Mayor DeVita, plus prepayment of Guidici Electric's invoice for \$2,195.00 so as not to forfeit the Justice Court Grant (JCAP) for installation of a beach camera subject to Trustee Nicklas approval, seconded by Trustee Tsafos, and approved upon the following poll of the Board:

- | | | |
|--------------------|------------------|-------------|
| • Abstract # 25 | Trust & Agency | \$13,062.90 |
| • Abstract # 1080 | Capital Projects | \$13,400.00 |
| • Abstract # 1113 | Prepays | \$15,482.83 |
| • Abstract # 1112 | General Fund | \$48,931.51 |
| • Guidici Electric | | \$2,195.00 |

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

RENEWAL OF VILLAGE ATTORNEY CONTRACT

Mayor DeVita moved to approve the contract renewal with Village Attorney Avrutine, effective June 1, 2020-May 31, 2021, as presented, 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	Excused
Trustee Novick	Aye
Trustee Tsafos	Aye

ATTORNEY FEES FOR BZA AND PLANNING BOARD

Discussion ensued regarding whether legal fees incurred in connection with a Zoning Board or Planning Board application should be charged to the applicant. Village Attorney Avrutine cautioned that this is done by other north shore villages but can lead to unchecked billing. Mayor

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DeVita suggested an administrative fee for tree removal applications submitted to the Planning Board and indicated that he would discuss the idea with the Planning Board Chairman.

ADJOURN TO EXECUTIVE SESSION

Mayor DeVita moved to adjourn to Executive Session at 8:47 pm to discuss litigation matters, seconded by Trustee Jusko, approved by the following poll of the Board:

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

The Board returned to public session at 9:25 pm.

There being no further business to come before the Board, Mayor DeVita moved to adjourn the meeting at 9:25 pm, seconded by Trustee Jusko, and approved by all present.

Elizabeth Kaye
Elizabeth Kaye, Clerk / Treasurer

ALSO PRESENT:
Chris Hadjandreas
Randy Jones

Chairman, Planning Board
Cold Spring Harbor Lab

THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES WILL BE HELD AT 7:00 P.M. ON WEDNESDAY, SEPT. 16, 2020