

**MINUTES OF THE SPECIAL MEETING  
BOARD OF TRUSTEES  
VILLAGE HALL  
AUGUST 15, 2018  
7:00 PM**

**PRESENT:**

Mayor Daniel F. DeVita	Howard Avrutine, Village Attorney
Trustee Kevin Jusko	Elizabeth Kaye, Clerk / Treasurer
Trustee Jeffrey Miritello	James Antonelli, Village Engineer
Trustee Jeffrey Nemshin	
Trustee Martin Novick	
Trustee Nicholas Tsafos	

**EXCUSED:**

Trustee Nicklas

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

**POLICE REPORT**

No formal police report given. Sergeant Mergel was present and updated the Board regarding recent events.

**BUILDING DEPARTMENT REPORT** – none given

**PUBLIC HEARING/COLD SPRING HARBOR LABORATORY; SPECIAL USE PERMIT AND SLOPE DISTURBANCE PERMITS**

The public hearing then commenced on the application of the Cold Spring Harbor Laboratory for a special use permit, site plan approval and to disturb steep slopes pursuant to Laurel Hollow Village Code §145-6(C)(1) and §145-12(C)(1)(d) in order to construct a new 95-space surface parking lot to be used for service vehicles and for construction of temporary annex to the existing Marks office building at the Cold Spring Harbor Laboratory, 1 Bungtown Road. The proposed parking lot is also known as Section 26, Block D, Lots 18 and 19 on the Nassau County Land and Tax Map. The proposed temporary Marks office building annex is also known as Section 26, Block D, Lots 16, 17, 20, 27, and 29 on the Nassau County Land and Tax Map. All proposed construction is as shown on the plans last revised July 2, 2018 submitted to the Board of Trustees. The public hearing was stenographically recorded and a copy of the transcript is appended to these minutes.

The exhibits were made part of the record and discussion ensued, including testimony by Arthur Brings, Vice-President and Chief Facilities Officer of the Cold Spring Harbor Laboratory and James Murphy, Esq., attorney for the Cold Spring Harbor Laboratory. After discussion by the Board, it was moved by Mayor DeVita, seconded by Trustee Tsafos and unanimously carried, with Trustee Nicklas not present, that the hearing be closed to further evidence and testimony.

It was moved by Trustee Jusko, seconded by Trustee Miritello and unanimously carried, with Trustee Nicklas not present, that the Board declare itself lead agency under SEQRA.

It was moved by Trustee Miritello, seconded by Trustee Nemshin and unanimously carried, with Trustee Nicklas not present, that the action be deemed unlisted under SEQRA.

It was moved by Trustee Tsafos, seconded by Mayor DeVita and unanimously carried, with Trustee Nicklas not present, that the Board enact a negative declaration under SEQRA.

It was moved by Trustee Jusko, seconded by Trustee Tsafos and unanimously carried, with Trustee Nicklas not present, that the application be approved in accordance with the following resolution:

**Case Nos. SUP1-2018, S1-2018 and S2-2018**

**INC. VILLAGE OF LAUREL HOLLOW – BOARD OF TRUSTEES**

**COLD SPRING HARBOR LABORATORY – SPECIAL USE PERMIT,**

**SITE PLAN APPROVAL and DISTURBANCE OF SLOPE**

WHEREAS, on August 15, 2018, the Board of Trustees of the Village of Laurel Hollow held a public hearing relative to the application of the Cold Spring Harbor Laboratory for a special use permit, site plan approval and to disturb steep slopes pursuant to Laurel Hollow Village Code §145-6(C)(1) and §145-12(C)(1)(d) in order to construct a new 95-space surface parking lot to be used for service vehicles and for construction of temporary annex to the existing Marks office building at the Cold Spring Harbor Laboratory, 1 Bungtown Road. The proposed parking lot is also known as Section 26, Block D, Lots 18 and 19 on the Nassau County Land and Tax Map. The proposed temporary Marks office building annex is also known as Section 26, Block D, Lots 16, 17, 20, 27, and 29 on the Nassau County Land and Tax Map. All construction is as shown on the plans last revised July 2, 2018 submitted to the Board of Trustees; and

WHEREAS, a legal notice was published in the North Shore Leader on July 25, 2018 and said notice was appropriately posted at the Village Hall Bulletin Board as required by Law; and

WHEREAS, affidavits of mailing to the persons listed in the files were presented by the applicant; and

WHEREAS, the Nassau County Planning Commission indicated no objection or modification; and

WHEREAS, Board Members did visit the site in order to familiar themselves with existing conditions and the proposed application; and

WHEREAS, the Board, as lead agency, did deem the project to qualify as an unlisted action under SEQRA and issued a negative declaration with respect thereto, having determined that the relief requested will not have an adverse impact upon the environment; and

WHEREAS, the Village Engineer indicated that the plans as submitted are generally acceptable; and

WHEREAS, all who wished to be heard were heard.

NOW, THEREFORE, BE IT RESOLVED that the Board voted unanimously (with Trustee Nicklas not present) to approve the application as submitted subject to the following requirements:

1. A landscaping plan shall be submitted to the satisfaction of the Board of Trustees and to add evergreen screening around the proposed parking lot.;
2. It is understood that all rules and regulations of the Village and any other applicable jurisdiction continue to apply, all fees must be paid, and all plans and development must be to the satisfaction of the Building Department and Village Engineer; and,
3. Failure to comply with any of the conditions of this approval may result in stop work orders, suspension or revocation of building permits, withholding of Certificate of Occupancy and any other remedy the Village may require.

Mayor DeVita moved to schedule the public hearing on the **COLD SPRING HARBOR LABORATORY'S** proposed revised 2018 Master Plan for Wednesday, Sept. 12, 2018, at 7:00 pm, seconded by Trustee Tsafos, all approved.

## **ENGINEER'S REPORT**

Village Engineer Antonelli reported on two proposed change orders and requested formal approval; Change Order # 1 for additional milling and paving of Woodvale Drive from Waylor Lane to #12 and from #3 to Cold Spring Road for \$46,000 and Change Order #2 for additional milling and paving of Moore's Hill Road from #24 to Cove Road for \$34,750. Deputy Mayor Nemshin moved to approve the foregoing change orders, seconded by Trustee Jusko, all approved.

The **MINUTES** of the July 11, 2018 meeting of the Board were approved as amended by all present on a motion by Mayor DeVita, seconded by Trustee Novick.

## **APPROVAL OF ABSTRACTS**

Trustee Jusko moved, seconded by Deputy Mayor Nemshin, and all approved, that the following abstracts of vouchers be approved for payment:

- Abstract #1057 H (capital fund) in the amount of \$12,360.00
- Abstract #1061 prepaid in the amount of \$32,287.56
- Abstract # 1062 in the amount of \$184,662.48

The **FINANCIAL REPORTS** for July, 2018 and the **REPORT OF UNPAID TAXES** were distributed to the Board. Bank statements and reconciliations were reviewed by Trustee Tsafos prior to the meeting.

## **MUNICIPAL AUDIT SERVICES AGREEMENT**

Mayor DeVita moved to authorize execution of the Agreement with Municipal Audit Services for audit of Tax Receipts by Utilities & Telecommunication Companies for the period 2015-2017, subject to Village Attorney review, seconded by Trustee Tsafos, all approved.

## **SEA BARRIER**

The Board indicated its support of a thirty-day extension to the comment period regarding The Army Corps of Engineers' proposal to build a sea barrier in western Long Island Sound.

## **UPGRADE WATER FILTRATION SYSTEM FOR VILLAGE HALL**

This item was tabled to the next meeting.

## **RESIDENTS' END-OF-SUMMER PARTY**

The Board approved the residents' party planned for September 8<sup>th</sup>, and Mayor DeVita will communicate with Ms. Brignoni.

## **NEW CONSTRUCTION AND TREE REMOVAL**

Mayor DeVita addressed the need to review the Village's laws with respect to new construction and tree removal due to recent extensive tree removal at a site for a proposed new home. No action taken.

## **SOLAR PANEL PROJECT**

Mayor DeVita moved to award Sunation Solar Systems, Inc., as the sole bidder, the Solar Panel Installation project on the Village Hall roof for a cost of \$36,000/13,120 watts, seconded by Deputy Mayor Nemshin, all approved.

## **CROWN CASTLE**

Village Attorney Avrutine reported that Village Consultant, Richard Comi, recommended that the Village proceed with public hearings on the proposed sites for installation of twenty-five (25) new wireless telecommunications nodes, each date focusing on a specific group of nodes. The Board selected the following dates among those proposed by Mr. Comi other than December 4<sup>th</sup>:

- Tues., Sept. 25, 2018 at 7:00 pm
- Tues., Oct. 16, 2018 at 7:00 pm
- Tues., Oct. 30, 2018 at 7:00 pm
- Wed. Nov. 28, 2018 at 7:00 pm
- Tues., Dec. 4, 2018 at 7:00 pm

Mayor DeVita moved to set the public hearings on the proposed installation of nodes on the above dates, all hearings to be held at the Hawkins Meeting Room at Cold Spring Harbor Labs,

subject to confirmation by Mr. Comi of his availability on December 4<sup>th</sup>, seconded by Trustee Nemshin, all approved.

There being no further business to come before the Board, Trustee Jusko moved to adjourn the meeting at 9:30 pm, seconded by Trustee Miritello, all approved.

*Elizabeth Kaye*

Elizabeth Kaye, Clerk / Treasurer

ALSO PRESENT:

Arthur Brings  
Randy Jones  
James Murphy, Esq.  
Tammy Cunha  
Gerry Rosen  
Sgt. Mergel

Cold Spring Harbor Lab  
Cold Spring Harbor Lab  
Murphy & Lynch  
for Cold Spring Harbor Lab  
for Cold Spring Harbor Lab  
Oyster Bay Cove Police Department

THE NEXT MEETING OF THE BOARD OF TRUSTEES WILL BE HELD AT 7:00 P.M. ON WEDNESDAY, SEPTEMBER 12, 2018, AT WHICH TIME A PUBLIC HEARING WILL BE HELD ON THE COLD SPRING HARBOR LABORATORY'S PROPOSED 2018 MASTER PLAN