

**MINUTES OF THE REGULAR MEETING  
BOARD OF TRUSTEES  
February 14, 2024, 6:30 PM**

**PRESENT:**

Mayor Daniel F. DeVita  
Deputy Mayor Kevin Jusko  
Trustee Nancy Jones  
Trustee Jeffrey Miritello  
Trustee Richard Nicklas  
Trustee Nicholas Tsafos

Howard Avrutine, Village Attorney via Zoom  
Elizabeth Kaye, Financial Consultant  
Renee Augusto, Deputy Clerk/Court Clerk  
James Antonelli, Village Engineer  
Michael McNerney, Building Inspector  
Kate Hillmann, Clerk/Treasurer

**EXCUSED:**

Trustee Jeffrey Nemshin

**MAYOR DEVITA** called the meeting to order at 6:30 pm with the Pledge of Allegiance.

**POLICE REPORT:** The Board reviewed the Oyster Bay Cove Police Department Monthly Report for January 2024, which was distributed to the Board prior to the meeting. Police Sergeant Distefano and Police Officer Agulo were present to answer questions. Statistics for the month are as follows:

	Totals this month	Totals this year	Totals prior year to date
Auto Accidents Personal Injury	1	1	1
Auto Accidents Property Damage	3	3	3
Aided Cases Resulting from Auto Accidents	1	1	1
Aided Cases Other	6	6	4
Arrests	0	0	0
Summonses - Moving Violations	21	21	36
Summonses - Parking	0	0	2
Fire Calls	1	1	0
Patrol Mileage	4,650	4,650	4,650
Offenses - Case Reports - Page 2	1	1	2
Suspicious Autos	5	5	5
Suspicious Persons	2	2	3
Suspicious Phone Calls	0	0	0
Recorded Alarms	11	11	10
Vacant Houses	0	0	1
Disturbances	1	1	2
Malicious Mischief	0	0	0
Non-Case Incidents	0	0	1
Animal Nuisance Complaints	1	1	0
Assist From NCPD	0	0	0

Stop Signs	0
Cell Phone	0
Speeding	0
Unlicensed Operation	1
Uninspected mv	8
DWI	0
No Insurance	6
Expired Registration	0
Disobey Traffic Control Device	0
Vio. Village Ordinance	0
Following Too Closely	0
Fail to Keep Right	0
Improper Turn	0
No Parking	0
Equipment Violation	6
No Seatbelt	0
<b>Total</b>	<b>21</b>

**PUBLIC HEARING ON INTRODUCTORY LOCAL LAW B-2024 (LL 2-2024) – TAX CAP OVERRIDE:** At 6:34 pm the public hearing commenced on proposed introductory Local Law B-2024, which seeks to allow the Village to override the State mandated tax cap, if necessary for the 2024-2025 fiscal year budget, which has not yet been completed. The Village Attorney introduced the Exhibits for the hearing. Mayor DeVita then explained that General Municipal Law §3-c limits increases in property tax levies to no more than 2% over the previous year's tax levy. The Village is proposing legislation to allow an override of this tax cap as a prophylactic measure because the Board has not yet completed the budget for the next fiscal year. He does not expect the state-imposed tax cap will be exceeded, but the legislation is necessary in the event the cap is exceeded, even if by arithmetic error. The tentative budget will be presented in March 2024 and this law must be enacted prior to commencement of the Village budget process. Although Mayor DeVita does not anticipate taxes being raised, he noted that it is good municipal practice to have this measure in place to avoid a potential penalty imposed by the State in the event the tax cap is exceeded without the benefit of this law.

It was moved by Mayor DeVita, seconded by Trustee Tsafos, and unanimously carried that the public hearing be closed at 6:43 pm.

The Village Attorney indicated that this matter is deemed Type II under the New York State Environmental Quality Review Act.

It was moved by Mayor DeVita, seconded by Trustee Nicklas, and unanimously carried that Introductory Local Law B-2024/Local Law 2-2024 be adopted, as presented.

The stenographically recorded transcript regarding adoption of this local law is appended to these minutes.

**BUILDING REPORT – EXPIRATION OF MALLICK BP #3110 – 3 SHADY LANE:** Building Permit #3110 for interior renovations at the Mallick residence was originally issued in April 2021 and was extended for 9 months making the new expiration date 7/23/2023. Despite repeated reminders to Mr. Mallick by the Deputy Clerk, it was allowed to expire. Mr. Mallick would like to request an extension to finish the project. Upon motion by Mayor DeVita, seconded by Trustee

Nicklas, and approved by those present, the Board authorized a nine-month extension of this permit, with a \$7,493.75 fee.

**BUILDING REPORT – EXPIRATION OF VITAGLIANO BP #3113 – 1576 LAUREL HOLLOW**

**ROAD:** Building Permit #3113 for driveway renovations at the Vitagliano residence was originally issued July 2020 and, despite repeated reminders to Mr. Vitagliano by the Deputy Clerk, it was allowed to expire on 1/8/22. Mr. Vitagliano would like to request an extension to allow time for a final inspection to be done to close the permit. Upon motion by Mayor DeVita, seconded by Trustee Tsafos, and approved by those present, the Board authorized a three-month extension of this permit, with a \$1,302.12 fee.

**BUILDING REPORT – REQUEST FOR WAIVER OF REQUIRED FEE – AYOUB BP #3521 – 31 PICARDY LANE:**

The Ayoub's received Planning Board approval for tree removal associated with Building Permit #3521 to construct a swimming pool, with other amenities in their rear yard, which permit is still pending and yet to be issued. The Ayoub's began work moving fill associated without first obtaining the permit. The Building Inspector immediately stopped the work, and a summons was issued along with imposition of a fee for working without a permit which is 3 times the regular fee, which totaled \$18,495.00. Mr. Ayoub is requesting that the fee be waived. Upon motion by Mayor DeVita, seconded by Trustee Nicklas, and approved by those present, the Board denied the request to waive the fee.

**VILLAGE ENGINEER REPORT –STORM WATER SYSTEM CLEANING ON LAUREL**

**HOLLOW ROAD:** The Village Engineer discussed the upcoming stormwater report that he will be preparing for Board approval and submission to New York State. He explained the additional items that will need to be addressed in this year's report.

**MINUTES** of the Board of Trustees Regular Meeting held on January 10, 2024, were distributed to the Board prior to the meeting for review. It was moved by Mayor DeVita, seconded by Trustee Tsafos, and approved by those present, that the minutes be approved.

**FINANCIAL REPORT** and the **REPORT OF UNPAID TAXES:** The Financial Consultant reported on the January 2024 Financial Report and the Report of Unpaid Taxes, which were distributed to the Board prior to the meeting for review.

Upon motion by Mayor DeVita, seconded by Trustee Tsafos, and approved by those present, the Board approved a budget transfer in the amount of \$17,581.14 from Contingency account A1990 to Highway Overtime Account A5110.11, Highway Misc. Account A5110.59, Clerk-Technology Account A1620.41, Clerk-Personal Services Account A1410.11, and VH Electric Account A1620.41 to cover various costs such as software upgrades and personnel services.

**UPDATE OF COLD SPRING HARBOR LABORATORY (CSHL) EXPANSION PROJECT:**

Copies of the Quarterly Update were provided to the Board prior to the meeting. Steve Monez, Vice President and Chief Facilities Officer at CSHL made a presentation to the Board on the status of the various portions of this project. He reported on the following project items which were further described in the presentation handouts provided.

- Erosion Control/SWPP Adherence
- Permanent Landscaping Plan
- Construction Vehicles/Restricted Roadways
- Vehicles Right-Hand Turn Entering/Exiting Project Site
- White Noise Backup Safety Signals

- Vibration Monitoring

In addition to the project update Steve Monez also gave a presentation on the Landscape Plan which was distributed to the Board prior to the meeting. The next update to the Board will be presented at the May meeting.

**APPROVAL OF ABSTRACTS:** The abstracts were distributed to the Board prior to the meeting for review. It was moved by Mayor DeVita, seconded by Trustee Nicklas, and approved by those present, that the abstracts of vouchers presented by the Village Clerk-Treasurer be approved for payment.

**INCREASE TO EXCESS UMBRELLA LIABILITY INSURANCE:** Trustee Nicklas reported that the Village insurance broker Salerno suggested that the Village increase the coverage for excess liability as a precaution. Trustee Nicklas will provide prices to the Board to be discussed at the March meeting.

**RATIFY DOCK LICENSE AND AGREEMENTS:** Mayor DeVita reported to the Board that there have been unmarked floating docks placed for winter storage in Village waters within the Inner Harbor of Cold Spring Harbor that have not been approved by the Board. Harbormaster Jeff Miritello was able to locate the owners of the unmarked docks. The Mayor asked the Village Attorney to draft an agreement with each dock owner requiring payment of a fee to the Village which was distributed to the Board for review. Upon motion by Trustee Miritello, seconded by Deputy Mayor Jusko, and approved by those present, the Board authorized the Mayor to ratify the License and Operating Agreement between the Village and Walter Morris dated 12/15/2023 and Kevin Mullins dated 1/13/2024.

**APPROVAL OF CPR AND AED TRAINING FOR VILLAGE OFFICIALS/EMPLOYEES:** CPR certifications for Village employees will expire in March 2024. These certifications must be current in order for the Village to comply with the laws regarding maintenance and use of an automatic defibrillator onsite. The Clerk obtained 3 proposals for providing the required training and circulated this information to the Board for review. The Board agreed that the proposal by Cardiac Life was the most cost-effective. During the discussion Lee Israel, Liaison for Intergovernmental Affairs mentioned that he is aware of a CPR Trainer that works with the local fire departments that he will forward contact information to the Village Clerk. Upon motion by Mayor DeVita, seconded by Trustee Jones, and approved by those present, the Board authorized an expenditure not to exceed \$850.00 for CPR Training.

**APPOINTMENT OF VILLAGE REGISTRAR AND DEPUTY REGISTRAR OF VITAL STATISTICS:** It was moved by Mayor DeVita, seconded by Trustee Miritello and unanimously carried, that Town of Oyster Bay Town Clerk, Richard LaMarca be appointed Registrar of Vital Statistics for the Village of Laurel Hollow effective January 1, 2024; further that Deputy Town Clerk, Donna Antetomasso, be appointed Deputy Registrar of Vital Statistics for the Village of Laurel Hollow, both for two-year terms. Upon the appointment of the Registrar/Deputy Registrar by the Village, the Town of Oyster Bay maintains records of vital statistics on behalf of the Village at no charge to the Village.

**PROPOSED NEW STREET SIGNS:** The Board discussed renderings of designs for new street signs provided by Inter-Government Liaison Lee Israel. The Board will review the renderings for discussion at the March 2024 Board meeting.

**COURT AUDIT FOR YEAR END 5/31/23:** The Court Clerk distributed the Financial Statements for Year End 5/31/23 prepared by the Village Auditor for the Board to review. It was moved by Mayor DeVita, seconded by Trustee Tsafos, and approved by those present, that the Board accept the draft 2022-23 Independent Court Audit prepared by Cullen & Danowski, LLP.

**REQUEST TO CONDUCT SPECIAL EVENT – WEST SIDE RUN:** The Board reviewed the request from John Barnes, Principal of West Side School, to conduct the West Side Run on Sunday, May 5, 2024. It was moved by Mayor DeVita, seconded by Deputy Mayor Jusko and approved by all present that the request be approved subject to conditions as outlined below, and any new conditions imposed at the suggestion of the Village's insurance consultant.

1. All race activities shall occur between the hours of 8:00 a.m. and 2:00 p.m.
2. The race sponsor/applicant shall ensure that there is NO parking or stopping on any Village roads, and the event shall not create any unreasonable disturbance to the residents of the Village.
3. The race sponsor/applicant shall be responsible for providing appropriate supervision and adequate protection for all participants, workers, volunteers, motorists, and spectators.
4. The race sponsor shall provide to the Village a Certificate of Insurance for the event naming the Village as an additional insured in an amount not less than \$5,000,000. This certificate shall be delivered to the Laurel Hollow Village Clerk at least five (5) days in advance of the date of the event.
5. The race sponsor/applicant shall execute an Indemnification and Hold Harmless Agreement from any and all claims and liabilities which arise in connection with the issuance of this permit by any participants, workers, volunteers, motorists and spectators.
6. All roads in the Village used in connection with this event are to be used by each participant, worker, volunteer, motorist and spectator at his or her own risk. The sponsor shall be responsible for obtaining releases from all participants stating that all Village roads are to be used at the risk of each participant.
7. All activities occurring within the Village are to be coordinated with the Oyster Bay Cove Police Department. If the Oyster Bay Cove Police Department requires additional personnel to provide adequate protection, the sponsor shall pay for all costs and charges, including, but not limited to, overtime payment for all police officers used.
8. After the conclusion of the event, the race sponsor/applicant shall promptly remove from the Village of Laurel Hollow all signs and collect and remove all debris generated by race participants, workers, volunteers, motorists and spectators. The use of spray paint as a directional guide on Village roads is strictly prohibited.

Any breach of the foregoing conditions, or any violation of the local laws of the Village shall be, in and of itself, grounds for the Village to immediately revoke Village approval.

**RUBIN REQUEST FOR KAYAK REMOVAL AND STORAGE FEES:** The Rubin's submitted a letter to the Board requesting that the fees for not removing their kayak by the Village-mandated deadline be waived. The Deputy Clerk reported to the Board that she highlighted the dates in the boating rules and sent out reminder emails regarding the removal deadline. It was moved by Mayor DeVita, seconded by Trustee Nicklas, and approved by those present, that the Board deny the request for waiver and/or reduction of the removal and storage fees.

**EXECUTIVE SESSION-** The Board adjourned to Executive Session at 8:10 p.m. to discuss personnel matters.

The Board returned to public session at 8:40 pm.

**HIRING OF A PART TIME RECORDS RETENTION CONSULTANT:** It was moved by Mayor DeVita, seconded by Deputy Mayor Jusko and approved by all present, that the Board approve the hiring of Maryellen Hillmann as a part-time records retention consultant at an hourly rate of \$20.00 to continue the project started by Jonathan Cerrochi to compare the Village's scanned files with its paper records so that the Village may obtain permission from New York State to destroy the paper records.

There being no further business before the Board, the meeting was adjourned at 8:50 p.m.

THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES WILL BE HELD AT 6:30 P.M. ON WEDNESDAY, MARCH 13, 2024.

*Cathryn Hillmann*

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Cathryn Hillmann, Village Clerk

**ALSO PRESENT:**

John Tuke, CSHL

Steve Monez, CSHL

Chris Hadjandreas, Planning Board Chairman

Trevor Knight, CSHL

Steven Bantz, Resident

Lee Israel, Liaison for Intergovernmental Affairs

Michelle Antonelli

Ray O'Hara, Resident

James Murphy, Attorney for CSHL