

The Regular meeting of the Board of Trustees was held on Monday, January 7, 2019 at the Lawrence Village Hall, 196 Central Avenue, Lawrence, New York 11559.

Those members present were: Mayor Alex H. Edelman  
Deputy Mayor Michael A. Fragin  
Trustee Uri Kaufman  
Trustee Daniel J. Goldstein

Also present were: Ronald Goldman, Village Administrator  
Gerry Castro, Deputy Village Clerk  
Lina Fusco, Deputy Village Treasurer  
Village Attorney, Peter Bee, Esq.  
Alison Cohen, Secretary to the BOT

Absent were: Trustee Syma F. Diamond

**WORK SESSION** - Mayor Edelman called the work session to order at 7:25 p.m.

No Board action was taken.

Work Session ended at 8:05 p.m.

**REGULAR MEETING** - Mayor Edelman called the regular meeting to order at 8:12 p.m.

**PUBLIC HEARING** – A Public Hearing regarding proposed Local Law #1 of 2019 to amend Section 52 of Chapter 212 of the Village Code concerning Fence Height When Enclosing a Swimming Pool (Bill No. 1 of 2019 attached hereto as “Exhibit A”)

**Board Action:** Trustee Kaufman moved to open the Public Hearing regarding proposed Local Law #1 of 2019 to amend Section 52 of Chapter 212 of the Village Code concerning “Fencing” (attached hereto as “Exhibit A”). Deputy Mayor Fragin seconded the motion. All in favor.

Village Attorney Peter Bee explained that the purpose of the proposed Local Law #1 of 2019 is to make clear that the swimming pool fence heights remain subject to the provisions of Chapter 12 of the Village Code; and for that reason the proposed additional language has been added.

Deputy Mayor Fragin requested clarification regarding fences between neighbors who share side yards and back yards, etc. Village Attorney Peter Bee stated that the Village Code’s Chapter 12 does address different heights when the same fence is either a side yard or other yard fence, and also doubles as a pool fence. Deputy Mayor Fragin inquired whether that provision addresses when the fence is between two different, adjoining residences and not on the same property. Discussion ensued in this regard.

Village Deputy Administrator Gerry Castro read aloud the Village Code and Board of Building Design Presumptions and Recommendations, which clarified the answer to Deputy Mayor Fragin's inquiry.

**Board Action:** Upon hearing no further comments or discussion, Trustee Goldstein moved to close the Public Hearing regarding proposed Local Law #1 of 2019 to amend Section 52 of Chapter 212 of the Village Code concerning "Fencing". Mayor Edelman seconded the motion. All in favor.

**Board Action:** Mayor Edelman moved the approval to adopt proposed Local Law #1 to amend Section 52 of Chapter 212 of the Village Code concerning "Fencing" (attached hereto as "Exhibit A") Trustee Goldstein seconded the motion. All in favor.

### **PLEDGE OF ALLEGIANCE**

### **PRESENTATION TO RETIRING LCFD CHIEF DAVID CAMPBELL**

Mayor Alex H. Edelman stated that it is a privilege to have retiring Lawrence-Cedarhurst Fire Department Chief David Campbell in attendance at tonight's meeting. Mayor Edelman stated that the Village greatly appreciates his service. The Mayor went on to say that Chief Campbell has served the Village of Lawrence for twenty-five (25) years and the Village feels a real loss with his retirement but is sure that Chief Campbell has left the Village with someone quite capable in charge; Chief McHugh, in his place. Mayor Edelman read aloud a Proclamation on behalf of the Village and presented it to Chief Campbell. He thanked Chief Campbell for his service to a resounding round of applause, in recognition of Chief Campbell.

**Approval of minutes:** BOT December 13, 2018

**Board Action:** Mayor Edelman moved the approval of the December 13, 2018 BOT meeting minutes. Trustee Goldstein seconded the motion. Deputy Mayor Fragin stated that he had proposed a question regarding the December 13, 2018 meeting draft minute's Item #2 to approve setting a Public Hearing for proposed Local Law #1 of 2019 – authorizing a property tax levy in excess of the limit established in General Municipal Law §3-c for the January 7, 2019 BOT meeting; which was withdrawn. Deputy Mayor Fragin believed that there was a vote taken during the Work Session. Upon full review of the December 13<sup>th</sup> meeting's Work Session audio, it was determined that there was no vote taken; no motion made; it was a matter of comment and/or opinion as asked and received by Mayor Edelman. Village Attorney Peter Bee stated however, that the minutes should read as the Board wishes, since they are the minutes of this Board. Discussion ensued in this regard. In addition, Deputy Mayor Fragin stated, for the record, that "despite having read the minutes and at the risk of not having any revisionist history; I can say categorically that I have not at any time supported commercial development at the sewer plant; nor do I; nor have I. So any attempt to

miss-categorize that is in fact, false". Mayor Edelman stated that he was glad the Deputy Mayor clarified that. All in favor.

### **GOOD & WELFARE**

- 1) Trustee Goldstein stated that at the last meeting there was discussion regarding the bike lane on Causeway and Deputy Village Administrator Gerry Castro did some research and considered different options. One option was that the road is split in half and half of the road is made into a shared roadway; where one half is for the people biking and/or walking, and if there's no one there, the cars can go there. While on the other side, if there are people in the bike lane, they'll drive on the other side. Mr. Castro clarified that when a particular direction of travel the lane itself is not wide enough to accommodate both the bicycle and car, they use what's called a "shared lane"; and there are stencils delineating and showing that bicycles can enter, so that motorists are aware. Discussion ensued in this regard. Rochelle Kevelson of 21 Causeway, inquired if this would affect the Eruv that is on one side of the road. The response was that the Eruv would in no way be affected. Jacqueline Handel inquired regarding the entrance and exit of the LY&CC golf course and tennis facility being an issue. LCFD Chief Campbell, in his concern for public safety, recommended referring this to engineers. Further discussion ensued. Mayor Edelman suggested that the Village hire an outside consulting engineer for their recommendations regarding the installation of a bike/pedestrian lane on Causeway. Trustee Goldstein stated that he would like to be involved in choosing who the Village hires/uses. Village Administrator Ronald Goldman noted that the Village has used Sam Schwartz Engineering in the past, who is "The Guru". He had been available to the Village previously, even on an advice basis, according to Mr. Goldman. Discussion ensued; scope and price were discussed as well as multiple proposals. Deputy Mayor Fragin and Ms. Paris Popack suggested that the Village take a look at making the entire Village more appealing to bicyclists, families, etc. Mr. Goldman stated that he would reach out to Sam Schwartz Engineering and get a proposal.
- 2) Trustee Kaufman stated that the Board had previously taken the time to analyze a lot of different options regarding the 3.8 acre site of the former sewage treatment plant, which he feels is a very smart thing to do. "We received an appraisal for looking at something similar to the Regency. In an effort to continue the process of analyzing all our options I received a proposal from a company called the Market & Feasibility Advisors. They would give us a study for the feasibility and the economics of a multi-purpose community center that would have an all-year round indoor swimming pool; it would have all-year round indoor

sports facilities, which would include a basketball gym, and a floor (not an ice), a floor for the kids to play hockey, a lot of kids like to play floor hockey and lacrosse and volleyball and things like that. This company, Market & Feasibility Advisors, is very well known in this space, particularly for everything related to municipal swimming pools. That's what I was told by numerous people. They are a well known firm, actually out of Chicago, and they gave us a very, very competitive proposal to do all of the above, for \$22,500.00; and I would like to have it approved." Mayor Edelman stated that he felt this amount was rather high and suggested getting other proposals as well, which is in line with the Village's Procurement Policy. Trustee Kaufman responded that he had received proposals from multiple firms and this was the best by far. Discussion ensued in this regard and as to who would get the proposals. The Mayor stated that the Village would get other proposals and Trustee Kaufman stated that he would get two other proposals to comply with the Village's Procurement Policy; for a vote at the next BOT meeting. Village Administrator Ronald Goldman inquired if more than two proposals could be obtained. Trustee Kaufman responded: "Get as many as you like. I am not closed minded. I would be delighted to see what other proposals... But I say this, and I'm saying this; there's no anger; I'm just; there have been a number; this thing is beginning to drag. There have been a number of instances. We feel, and maybe wrongly, but we feel where this Board has made requests or even voted on things and somehow they didn't get done. This is going to get done." Mayor Edelman responded: "Nothing got done because we constantly had different ideas and different proposals and different things, endlessly, endlessly. We started this conversation a year and a half ago. Then we had a hotel; then we had a nursing home; then we had an apartment house; now we have this; now we have a proposal for a swimming pool. Everything costs money and we haven't even done anything." Trustee Kaufman interjected that so far the Board has spent a sum total of \$5,000.00. Deputy Mayor Fragin addressed the Mayor, saying: "Exactly. The Board voted many months ago to do, had start an RFEI process to ask for exactly these types of proposals, that we would be able to get them and evaluate them." Mayor Edelman responded that none had been gotten to date. Deputy Mayor Fragin stated: "Because we never asked for them." Mayor Edelman stated: "We should get three estimates." Conversation went back and forth regarding the \$5,000.00 already spent, comparing it to \$22,500.00, which was considerably more expensive. Deputy Mayor Fragin stated: "Mr. Mayor, we never, we never, that process never began; for whatever. So, requests for expressions of interest, that's an RFEI, was voted upon by the Board that we would have gotten ideas about... Instead the individual Board members have had to individually solicit some of these ideas on their own and to see if they're evaluating. Truthfully, it's

much more efficient if the Village itself would be doing it. I'm not sure what the hang-up is or where the bottle-neck is as far as having that done; but if the insistence is now that we..." Mayor Edelman interjected: "This just came up Michael. This issue of building a swimming pool study came up just a month ago." Deputy Mayor Fragin responded: "No, we've been talking about the swimming pool for more than a year": stated Trustee Kaufman. Mayor Edelman responded: "Not over here, we were talking about a swimming pool by the Country Club." Deputy Mayor Fragin responded: "If there was a location at the Country Club, to put it, but I'm not willing to put it on the driving range; and I know many other people are not willing to put it on the driving range..." Mayor Edelman stated: "I didn't have a location..." Trustee Kaufman responded: "This has nothing to do with location. We are measuring the feasibility of a pool. Where you put **the** pool is utterly irrelevant. Somehow we vote on things and we get a survey monkey. So I make the following motion:"

**Board Action:** Trustee Kaufman moved the approval to direct the Administration to come back with at least two (2) other written proposals for a study for a swimming pool and sports complex by the next meeting. Deputy Mayor Fragin seconded the motion. Discussion ensued regarding the feasibility of the timeframe, etc. The vote was as follows:

Mayor Edelman	-	Nay
Deputy Mayor Fragin	-	Aye
Trustee Goldstein	-	Aye
Trustee Kaufman	-	Aye

The motion carries.

Lawrence Association President and LY&CC Tennis Club President, Ms. Paris Popack, inquired if she could comment on the above. The Mayor and Trustee Goldstein responded affirmatively. Ms. Popack stated that she was "wondering if at what point the public would have any say on this? Do you give your residents a say on any of this? At what point is that?" Trustee Kaufman responded: "Well, first of all, it's every meeting and you may speak now. But second of all, and I'm only speaking for myself; I was hoping when this process ends and it will end, and at least we have a consensus, which means three (3) votes as to what we want to see the future, I would like to have a town hall meeting. Let everyone

come down and be heard, for positive or for negative; whatever they think, and then we'll decide." Ms. Popack responded: "Perfect. Thank you."

- 3) Lawrence resident and Trustee Goldstein's son, Aaron Goldstein, stated that he "wanted to know what's up with the parking meter guys, I guess you could say? Because it seems like at least over the last six (6) months that has been increasing drastically, and you have a lot of ticket people and I don't know; I don't want to say anything bad about them. But clearly they're not looking, as I have a parking pass." Mayor Edelman inquired: "You think they're ticketing people? That the meters are broken? Or the meters are expired or just ticketing people?" Mr. Goldstein responded: "No, I have a parking pass for in the back parking lot and they gave me at least (already) five (5) or six (6) tickets; and I have a parking pass." I'm not sure if they're looking at my car, or anything, but they could be..." Mayor Edelman interjected: "If that happens, I'm sure you can bring them in to the Village and explain yourself..." Village Administrator Ronald Goldman went on to say: "And which, in fact Mr. Goldstein is well aware of the fact that he's been in to our office. That in the course of the year there's been an allegation that we've over extended ourselves in terms of the numbers of tickets. In fact, the number of tickets is down. Mr. Goldstein has a pass that would permit employee parking. There may have been some confusion but I have the number of tickets that Mr. Goldstein has brought in. They've been presented to the Court and they've been dismissed. And the last time Mr. Goldstein paid a ticket was in 2017. In the interim there are approximately six to eight; I'm not certain at the moment. I can count them; that were presented to the Court; and in fact the inconvenience of them having to appear, it was presented on his behalf, to the Court, and the Court rendered those as a dismissal. We've spoken to the meter people. There seems to have been some discrepancy as to where to place the permit that would enable him to park at "Long Term Parking". We've received no other complaints in terms of excessive tickets and in fact this Village, unlike other villages, does not support itself by charging more for tickets. And our tickets, in fact, the fees are less than our neighboring Village of Cedarhurst. So Mr. Goldstein is well aware of the fact that if he chooses to come, either to the Court, or to other sources, myself included, to make the pitch for him; so as a business resident he doesn't have to necessarily be inconvenienced, he's well aware of that. If there's a specific complaint against a specific traffic enforcement agency, that too can be brought to the Village. I'm sorry..." Mayor Edelman interjected: "We have, by the way, checked our records and the tickets given out this year so far, we've given out two hundred tickets; approximately two hundred tickets fewer than last year. Do don't tell me there's been a massive increase." Mr. Goldstein inquired: "What about the year before that?" Mayor Edelman responded: "I'm not

going to go back three (3) years. The question was between last year and this year.” Mr. Goldstein stated: “Maybe the year before that there’s even more.” This discussion went on back and forth. It was noted that there is a New York State Law as to the location of the placement of parking permits, which is on the driver’s side rear window; and in fact a driver may be ticketed if the permit/sticker is placed in the wrong location on the car. Further discussion ensued. Trustee Goldstein inquired if the law could be changed to accommodate cars that are parked “head out”, which would make the code enforcement agents walk around the car to view the permit/sticker. (Per the change in Village Code allowing cars to park “head out” in the specified lot.) Mr. Goldman apologized to Trustee Goldstein for the inconvenience of having to put the parking permit/sticker in the correct spot.

### **NEW BUSINESS**

#### **Item 1 – Approve Abstracts #'s**

<b>General Fund</b>	<b>#925, 926</b>
<b>Recreation Fund</b>	<b>#337, 338</b>
<b>Payroll</b>	<b>#122818</b>

**Board Action:** Trustee Goldstein moved the approval of General Fund Abstracts #925 and #926. Mayor Edelman seconded the motion. All in favor.

**Board Action:** Trustee Goldstein moved the approval of Recreation Fund Abstracts #337 and #338. Trustee Kaufman seconded the motion. All in favor.

**Board Action:** Trustee Goldstein moved the approval of Payroll Fund Abstract #122818. Trustee Kaufman seconded the motion. All in favor.

#### **Item 2 – Approve replacement irrigation system for LY&CC Tennis Courts**

Village Attorney Peter Bee clarified that this item has been determined to be predominantly a public work matter rather than a purchase contract, which in fact would place the recommended bidder at \$26,750.00, below the \$35,000.00 threshold for competitive bidding. Trustee Goldstein objected to the recommended bidder, Automatic Irrigation Design, who was, in fact, not the lowest bidder (at \$26,750.00). He did not have good personal experiences with this vendor. Trustee Goldstein went on to say that he has used Green Turf Irrigation, the lowest proposal at \$23,000.00, many times, and has been very pleased with his work, service and response. As a result, he recommends Green Turf Irrigation for the replacement irrigation system for the LY&CC tennis courts; not Irrigation Design; as recommended by Mr. Cory Menking of the LY&CC and LY&CC Tennis Professional Mr. Chris Morales. Mr. Menking had a difficult time reaching the person at Green Turf that Trustee Goldstein spoke of and was told

that they mainly did residential properties. The President of Automatic Irrigation Design, Scott, picked up his cell phone and came to meet with Mr. Menking and Mr. Morales; gave them a very professional binder and proposal. Deputy Mayor Fragin did observe that although the Village is not required by law or compelled to do so, it should go with the lowest bidder, unless the lowest bidder is disqualified for some reason. Mr. Morales stated that every time he has dealt with Green Turf in the past (they've been servicing the sprinkler system since Tennis Professional Mark Harrison was with the Village), he had to call them non-stop to do repair work. He went on to say that every time they've done repair work they always basically charged the Village more and were basically residential. Trustee Goldstein stated that that was wrong. Green Turf (in particular, AI) services all of his buildings, which are all commercial buildings. Discussion ensued in this regard. It was decided that a meeting with Green Turf would be set up as soon as possible, with Trustee Goldstein in attendance.

**Board Action:** Deputy Mayor Fragin moved to table this item, which was unanimously approved by the Board, with the understanding that Trustee Goldstein, Village Deputy Administrator Gerry Castro, Mr. Cory Menking and Mr. Chris Morales would meet with Green Turf to discuss the issue.

After sending and receiving a text message to AI at Green Turf (who was in Orlando), Trustee Goldstein stated that AI's partner at Green Turf would meet with them tomorrow morning.

### **Item 3 –Approve Annual Tennis Court Reconditioning at the LY&CC**

**Board Action:** Deputy Mayor Fragin moved to approve North East Suppliers, the lowest responsible proposal, to clean, re-grade and recondition the nine (9) tennis courts at the LY&CC, for \$16,900.00; and to return throughout the year to maintain and pitch the courts at no extra cost/charge. Mayor Edelman seconded the motion. All in favor.

### **Item 4 – Approve alarm installation/modification for LY&CC accessory buildings**

Village Administrator Ronald Goldman stated that he had hoped to present this item to the Board tonight (a proposal from David Tropper/SafeHome 360, regarding alarm installations), but Mr. Tropper cancelled the meeting (last Friday) to be rescheduled at a later date. Mr. Goldman added that Mr. Tropper was very courteous about the delay.

LCFD Chief David Campbell stated that with regard to the installation/modification of a fire alarm for the LY&CC accessory buildings, he was very happy that the Village was looking doing this. He did add that the Village needs to give those accessory buildings at the LY&CC addresses because the call would come in to the Firehouse as "101 Causeway" (the Park House/main building), and he was concerned that this would delay arrival at the appropriate location. Mr. Goldman responded that he had indeed discussed this with the Fire Department and although he was not sure it was viable, he hoped to name/label the accessory buildings as "101A", "101B", "101C", etc. So it would not interfere with the postal address/service, but it would be an in-house

determination to assist the LCFD in locating the correct building. It was noted that this could be addressed specifically with the alarm company as well.

**Board Action:** This item was tabled.

On motion by Trustee Kaufman, seconded by Deputy Mayor Fragin, and unanimously approved, the Board adjourned at 9:13 p.m.

This is to certify that I, Ronald Goldman, read the preceding minutes, and they are in all respects a full and correct record of such proceedings.

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Ronald Goldman, Administrator,  
Clerk/Treasurer

**EXHIBIT A**

**VILLAGE OF LAWRENCE  
BOARD OF TRUSTEES**

Local Law No. 1 of 2019

A LOCAL LAW TO AMEND  
CHAPTER 212 OF THE VILLAGE  
CODE CONCERNING FENCE  
HEIGHT WHEN ENCLOSING A  
SWIMMING POOL

**BE IT ENACTED**, by the Board of Trustees of the Village of Lawrence, as follows:

**Section 1.** Section 52 of Chapter 212 of the Village Code, entitled “Fencing”, is hereby amended to read as follows:

212-52 Fencing. Every swimming pool shall be enclosed by a fence or wall approved by the Building Inspector in compliance with Residential Code of New York State, Appendix G, or Building Code of New York State, Section 3109, but the height of such fence shall not exceed six feet, **but shall remain subject to the provisions of Chapter 12 of this Code.**

**Section 2.** As this law makes no change to existing law, but merely clarifies two existing provisions of law, this local law is determined not to be an “action” within the meaning of the State Environmental Quality Review Act (“SEQRA”).

**Section 3.** This local law shall take effect immediately upon filing with the Office of the Secretary of State.