

The regular meeting of the Board of Trustees was held on Thursday, July 12, 2012, at Lawrence Village Hall, 196 Central Avenue, Lawrence New York 11559.

Those members present were: Mayor Martin Oliner
Deputy Mayor Joel A. Mael
Trustee C. Simon Felder (left meeting at 9:07p.m.)
Trustee Michael A. Fragin
Trustee Irving Langer

Also present were: David E. Smollett, Administrator
Abraham Farber, Deputy Treasurer
Alison Cohen, Secretary to the BOT
A. Thomas Levin, Village Attorney (arrived at 8:35 p.m.)

Mayor Oliner opened the meeting at 8:10 PM.

Mayor Oliner welcomed Trustee Langer and congratulated him on joining the BOT and wished him well.

GOOD & WELFARE

1. Lawrence Association: Ronald Goldman, President of the Lawrence Association, welcomed Mr. Irving Langer on behalf of the Lawrence Association, and wished him the best of luck. He thanked the Board in advance for the use of the LY&CC meeting room for the Association's next season.

2. Marina parking lot: - Trustee Fragin asked for an update on the Marina parking lot. Administrator Smollett said that Mr. Ryder had the soil tested, but had not received the results yet. Also, the Administration was working on having the blocks removed. Mayor Oliner said that J & B raised two issues; the water/soil issue. Most of the water has been removed, and as far as the blocks, they will be removed within the next two weeks. Mayor Oliner said that we would have to see what to do with the property, which was discussed at further length. Before it was a dumping ground, it had been used as a guest parking lot. Trustee Fragin wanted to set a time table for the cleanup and document how this was allowed to happen.

APPROVAL OF MINUTES – 6/14/12 & 7/6/12 BOT Meeting

Mayor Oliner moved to approve the minutes from the 6/14/12 BOT meeting. Trustee Felder seconded. All in favor.

Mayor Oliner moved to approve the minutes from the 7/6/12 BOT meeting. Trustee Fragin seconded. All in favor except for Trustees Mael and Fragin who abstained.

NEW BUSINESS

Item 1 – Approval of abstracts – General Fund #655 & #656, Recreation Fund #65 & #66, Sewer Fund #55, Payroll #2319 and Trust Fund #243.

Board Action: Trustee Fragin moved to approve the General Fund #655 & #656, Payroll #2319, Sewer Fund #55, and Trust Fund #243 abstracts. Mayor Oliner seconded. All in favor.

Trustee Fragin moved to approve the Recreation Fund #65 & #66 abstracts. Mayor Oliner seconded. All in favor.

Item 2 – Announce June 19, 2012 Election Results

Administrator Smollett, as the Village Clerk and Election Officer, announced the certified election results for the Village elections held on June 19, 2012. They are as follow:

Martin Oliner – Mayor	479 votes
C. Simon Felder – Trustee	470 votes
Erwin (Irving) Langer – Trustee	455 votes
Donald J. Buchalter – Village Justice	430 votes

These results have been certified by the Village Clerk and Election Officer, David Smollett; as well as by the Chairperson of the Inspectors, Mr. Aaron Phillipson.

Board Action: None.

Item 3 – Golf Membership refund request due to medical injury

Administrator Smollett presented a golf membership refund request from Elissa Epstein due to injuries she sustained that will prevent her from playing golf. She had not played at all this season. However, the request was submitted after the cutoff for refunds. Mayor Oliner instructed LY&CC General Manager Leo McMahon to present the request to the Park Commission for their recommendation and to follow up with the Board.

Board Action: None.

Item 4 – Appointments

Mayor Oliner stated that the elected officers (himself, Trustee Felder, and Trustee Langer) were already known. He congratulated Donald J. Buchalter, who was re-elected to a four year term as Village Court Justice. Mayor Oliner made the following

appointments (as noted in the attached Exhibit A, however, excluding David Seidemann as Alternate to Zoning Board of Appeals):

Deputy Mayor -	C. Simon Felder
Commissioner of Police –	Joel A. Mael
Commissioner of Fire –	Michael A. Fragin
Commissioner of Finance –	Michael A. Fragin
Commissioner of Public Works/Highway –	Irving Langer
Commissioner of Parks & Recreation –	Irving Langer
Commissioner of Sanitation –	Joel A. Mael
Acting Village Justice –	Simon Gluck
Park Commission, Commissioner-	Irving Langer
Park Commission, Commissioner-	Jacqueline Handel

Mayor Oliner said all other expiring positions will be held over by current appointees until further action.

Board Action: Mayor Oliner moved to approve the appointments. Trustee Felder seconded. Trustee Mael declined his appointments to Commissioner of Police and Sanitation.

Discussion ensued regarding the number of commissioners on the Park Commission. Mayor Oliner moved to increase the number of commissioners to eleven. Trustee Felder seconded. Vote recorded as follows:

Mayor Oliner	Aye
Trustee Felder	Aye
Trustee Langer	Aye
Trustee Mael	Nay
Trustee Fragin	Nay
Motion passed.	

Item 5 – LCFD Revocable License for property usage & SEQRA Declaration

Village Attorney Tom Levin explained that there is an existing encroachment of a piece of the fire house on Village property, which precludes them from getting proper CO's or financing. On the new building plans that they are contemplating, there are two minor areas of encroachment proposed on Washington Avenue. The Village is permitted to grant a license to occupy the Village property for a period period of years with rights of revocation. Mr. Levin said the Board is being asked to approve the revocable license for the existing encroachment and the potential future encroachment that is designated on this plan. A SEQRA determination is also required, and Mr. Levin

recommended a negative declaration that the proposed license has no significant environmental impact. This would authorize Mayor Oliner to sign the agreement. Benevolent, the owner of the property and the LCFD have already signed the agreement. Mayor Oliner said that this was a very narrowly drawn agreement, pertaining only to the fire department in the context of the new building they are planning to build on Washington Avenue.

Board Action: Mayor Oliner moved to declare the Board of Trustees as the lead agency, designate the proposed action as an Unlisted Action under SEQRA, issue a negative declaration that the proposed action would not result in any significant adverse environmental impact, and authorize the Mayor or his designee to sign the revocable license agreement with the Lawrence Cedarhurst Fire Department in the form prepared by the Village Attorney. Trustee Langer seconded. All in favor.

Item 6 – Ratify approval of DEC Consent Order

Village Attorney Tom Levin explained that pursuant to his discussions with the New York State Department of Environmental Conservation (DEC) pertaining to environmental issues at the Village Sewage Treatment Plant, the DEC issued a consent order to the Village imposing civil penalties totaling \$10,000.00 to be paid in two installments of \$5,000.00 each, on June 15th of 2012 and June 15th of 2013, respectively. The Village already sent in the first payment of \$5,000.00. Mr. Levin said that this was an excellent outcome for the Village as the potential penalties could have been much greater.

The Board is now being asked to ratify the Consent Order

Board Action: Mayor Oliner moved to ratify the Consent Order as negotiated. Trustee Fragin seconded. All in favor.

Item 7 – Local law to amend the Code of the Village of Lawrence, in relation to waivers of off-street parking regulations

Village Attorney Tom Levin explained the proposed amendment (Bill L1201A - attached hereto as Exhibit B) which authorizes the Village Administrator to modify parking regulations in the vicinity of events taking place at the homes of Village residents.

Board Action: Mayor Oliner moved to open the hearing. Trustee Langer seconded. All in favor.

No public comments were made. Mayor Oliner moved to close the hearing. Trustee Fragin seconded. All in favor.

Mayor Oliner moved to adopt the proposed Local Law. Trustee Fragin seconded. All in favor. The Village Administrator will provide a copy of the legislation to General Code Publishers Corp. after filing with the Secretary of State.

Item 8 – Discussion regarding parking restrictions on Doughty Blvd. between 3 – 5 A.M. and 2 hr. parking

Administrator Smollett introduced a resolution (Resolution attached hereto as Exhibit C) for Board approval to amend Village Code Section 200-61 to allow parking on Doughty Blvd. between Broadway and Central Avenue, between the hours of 3 a.m. and 5 a.m. as well as suspending the two hour parking restriction for this location.

Administrator Smollett advised that in consultation with Counsel, it was determined that no public hearing was necessary to enact this amendment. Trustee Fragin advised that the proposed amendment should be modified to permit parking only on the west side of Doughty Blvd. since there is no place for parking along the east side of Doughty Blvd. between Broadway and Central Avenue.

Board Action: Trustee Fragin moved to approve the amendment, with the proposed modification as shown in Exhibit D annexed. Mayor Oliner seconded. All in favor.

Item 9 – Continuation of Public Hearing for LCFD Fire Protection Contract

Board Action: Mayor Oliner moved to defer the continuation of the public hearing for LCFD Fire Protection Contract for another month. All in favor.

Items 10 and 11 – Tennis Pro Contract and Golf Pro Contract

Mayor Oliner stated these items are being deferred as the contracts are not ready for signature this evening.

Item 12 – BOT Monthly Meeting Dates through July 2013

Mayor Oliner asked the Board members to review the dates and e-mail to him any proposed changes.

Board Action: None.

Item 13 – 2013 Golf Membership Rates

Mr. Leo McMahon presented the following rate schedule for the 2013 season and advised that the Park Commission recommended their adoption.

Gold	\$5,200.00
Gold Res	\$2,950.00
Silver	\$3,750.00
Silver Res	\$2,450.00
Bronze	\$2,875.00
Bronze Res	\$2,250.00
Family	\$7,500.00
Family Res	\$5,300.00
Jr. Ex	\$2,500.00
Jr. Ex Res	\$2,000.00

Trustee Fragin asked if there were minutes of the Parks Commission's meeting. Mr. McMahon responded that this was a unanimous vote. Discussion ensued as to why certain rates were raised from 2012 while others remained the same.

Board Action: Mayor Oliner moved to approve the rates. Trustee Felder seconded.

Additional discussion ensued. Trustee Langer asked Mr. McMahon to get a listing of rates of other clubs in the area. Mayor Oliner deferred further action on this item pending receipt of additional information.

Item 14 – Approve Carpet Bids for LY&CC

Mayor Oliner stated that this item is being deferred.

Item 15 – Procurement of Electronic Radar Speed Sign/Trailer

Administrator Smollett said that the Village had a portable speed sign/radar trailer that does not operate anymore and cannot be repaired.. Mayor Oliner said that the Village will acquire a loaner unit to try out.

Board Action: None.

Item 16 – Discussion – Outdoor Dining

Discussion ensued regarding allowing local restaurants to designate areas for outdoor dining. Mr. Ryder advised that the Board of Zoning Appeals had declined permission for outdoor dining to a restaurant in the area. Additional discussion ensued regarding proper jurisdiction for deciding on this matter. Mayor Oliner said this item will be deferred to Executive Session for legal advice.

OLD BUSINESS

1. Williams Street Update of new signage installation. Administrator Smollett said that the Williams Street signage has all been installed conforming to the recommendations by Cameron Engineering. Mayor Oliner added that we are monitoring the intersection very closely.

Resident Hope Nathan raised the issue of cars parking on the sidewalk of William Street. Trustee Mael asked Administrator Smollett to follow up with parking enforcement to monitor this problem and issue tickets to violators.

2 Update stop sign of Harborview South.

Administrator Smollett said he had received a petition and several e-mails from residents of Harborview South in support of placement of the stop sign.

Village Attorney Tom Levin recommended that the Board include updating the Village Code schedule of stop signs.

Board Action: Mayor Oliner moved to amend Village Code § 200-47 to add thereto in its appropriate place in alphabetical order the following additional location: Harborview South traveling north at the intersection with Harborview East, and to notify General Code Publishers of the required change in the Code schedule. Trustee Fragin seconded.

All in favor. Trustee Felder was absent.

ADDITIONAL MATTERS

- 1. Update on seasonal insect manifestation - Clarke's Entomologist.** Trustee Fragin asked whether the Administration received a report from the entomologist hired to conduct the insect survey in the Village. Administrator Smollett said it was received and forwarded to the Mayor. Trustee Mael requested that a copy be forwarded to all Trustees and that in the future all reports from hired contractors should be circulated to the entire BOT upon receipt.
- 2. Welcome.** Mayor Oliner welcomed Alison Cohen to her new position as Secretary to the Board of Trustees.
- 3. Abandoned and Unkempt Properties.** Trustee Mael raised the issue of the ongoing problem of overgrown grass on peoples' properties, boarded up houses, etc. He felt that progress was not being made with this. He stated that he came across a quality of life report from the Town of Hempstead's Supervisor, Kate Murray and James Darcy which outlined new legislation passed by the Town of Hempstead to address these problems.. If the owner receives a summons and does not remedy the problem within five days the Sanitation Department is authorized to have grass cut and litter removed and the cleanup costs will be included in the owner's tax bill plus accrued interest at the rate of 6%. We do not have anything like that in our code. Trustee Mael asked what Mr. Ryder's opinion of us adopting legislation like that would be. Mr. Ryder liked the five day versus ten day response requirement, but deferred to Mr. Levin's expertise. Mayor Oliner stated that we already had the ability and legislation in place to handle these situations, and that summonses were being issued currently. He instructed Mr. Ryder to issue tickets on a daily basis.

Mr. Levin stated that the current Village code allowed 30 days after notice to fix violations; if they fail to remediate the issue, the Village can do the work and charge the property owner. Mr. Levin said that Sec. 70-34 of Village code addressed the unsafe and unsanitary conditions of all properties, not just abandoned properties. It was discussed and agreed that the Village code should be more complete and changed to a shorter, five day notice period, with specific grass height instead of the general unsanitary conditions verbiage. Mr. Levin said that a Local Law is needed to amend the Code. Trustee Mael asked Mr. Levin to draft the regulation in accordance with the changes discussed.

4. **Jackie Hendel** brought up the issue of trees overhanging stop signs and blocking them from view. Mayor Oliner asked Jackie to discuss the specifics with Mr. Ryder.

There being no further business, Mayor Oliner moved to convene in Executive Session to discuss legal advice and matters pertaining to the hiring or firing of one or more particular persons. Trustee Fragin seconded. All in favor.

The Board convened in Executive Session at 9:42 PM.

The Board returned to public session at 10:45 PM. There being no further business, the meeting was adjourned.

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

David E. Smollett, Administrator,
Clerk/Treasurer

EXHIBIT A - ITEM #4 BOT MTG. MINUTES 7/12/12

Appointments & Designations FY
2012-2013

<u>Name</u>	<u>Designation</u>	<u>Term</u>	<u>Expires</u>	
<u>ELECTED:</u>				
Martin Oliner	Mayor	2	2014	
C. Simon Felder	Trustee	2	2014	
Irving Langer	Trustee	2	2014	
Donald J. Buchalter	Justice	4	2016	
<u>APPOINTED:</u>				
C. Simon Felder	Deputy Mayor	1	2013	
Joel A. Mael	Commissioner - Police	1	2013	
Michael A. Fragin	Commissioner - Fire	1	2013	
Michael A. Fragin	Commissioner - Finance	1	2013	
Irving Langer	Commissioner - Public Works/Highway	1	2013	
Irving Langer	Commissioner - Parks & Recreation	1	2013	
Joel A. Mael	Commissioner - Sanitation	1	2013	
David E. Smollett	Clerk/Treasurer	2	2012	HOLDOVER
David E. Smollett	Budget, Records Mgmt, Records Access Officer, Marriage Officer	1	2012	HOLDOVER
Abe Farber	Deputy Village Treasurer	1	2012	HOLDOVER
A. Thomas Levin	Village Attorney	1	2012	HOLDOVER
Simon Gluck	Acting Village Justice	1	2013	
Patricia Coco	Clerk to the Village Justice	1	2012	HOLDOVER
Tom Pantelis	Counsel to ZBA, BBD & Planning Bd	1	2012	HOLDOVER
Gary Mandel	Deputy Prosecutor	1	2012	HOLDOVER
Saul Bienenfeld	Deputy Prosecutor	1	2012	HOLDOVER
Fran Hirmes	Deputy Prosecutor	1	2012	HOLDOVER
Diane Rattner	Deputy Prosecutor	1	2012	HOLDOVER
Lina Fusco	Assessor	1	2012	HOLDOVER
James Thayer	Village Historian	1	2012	HOLDOVER
Lina Fusco	Registrar	1	2012	HOLDOVER
Abe Farber	Deputy Registrar	1	2012	HOLDOVER
<u>Zoning Board of Appeals</u>				
	Chmn, Lloyd Keilson Appt. for Chairman	1	2014	HOLDOVER
	Mark Schreck	3	2013	
	Edward Gottlieb	3	2014	
	Esther Williams	5	2012	HOLDOVER

	Lester Henner	5	2013	
	Alternate, Michael Malek	1	2012	HOLDOVER
	Alternate, David Seidemann	1	2013	
	<u>Board of Building Design</u>			
	Chmn, Benjamin Sporn	1	2012	HOLDOVER
	Barbara Kupferstein	1	2012	HOLDOVER
	Barry Pomerantz	1	2012	HOLDOVER
	Ronni Berman	1	2012	HOLDOVER
	Eva Staiman	1	2012	HOLDOVER
	Alternate, Myrna Breitman	1	2012	HOLDOVER
	Alternate, Abraham Abittan	1	2012	HOLDOVER
	Alternate, Shoshana Weinstock	1	2012	HOLDOVER
	<u>Planning Board</u>			
	Geri Gindea	5	2015	
	Chmn, Geri Gindea	1	2012	HOLDOVER
	Mordy Sohn	5	2013	
	Noah Fleschner	5	2014	
	Edward Yodowitz	5	2016	
	Allen Dorkin	5	2012	HOLDOVER
	Alternate, Lawrence Levitan	1	2012	HOLDOVER
	Alternate, Jacqueline Handel	1	2012	HOLDOVER
	<u>Park Commission</u>			
	Chmn, Barry Schwartz	1	2012	HOLDOVER
	Vice Chmn, Jeffrey Lederman	1	2012	HOLDOVER
	Martin Levi	1	2012	HOLDOVER
	Howard Teitlebaum	1	2012	HOLDOVER
	Howard Siskind	1	2012	HOLDOVER
	Francine Sicklick	1	2012	HOLDOVER
	Michael Levine	1	2012	HOLDOVER
	Barry Mayer	1	2012	HOLDOVER
	Irving Langer	1	2013	
	Jacqueline Handel	1	2013	
Leo McMahan	Golf Course Manager (General Manager)	1	2012	HOLDOVER
	<u>Memorial Park Committee</u>			
	Myrna Breitman	1	2012	HOLDOVER
	Rebbitzen Horowitz	1	2012	HOLDOVER
	Jeanette Schechter	1	2012	HOLDOVER
TD Bank	} Official Depositories	1	2013	
Capital One	} Official Depositories	1	2013	
Citibank	} Official Depositories	1	2013	
Flushing Commercial Bank	} Official Depositories	1	2013	
Community National Bank	} Official Depositories	1	2013	
Town Village Aircraft Safety &	Saul Klausner	1	2012	HOLDOVER

Noise Abatement Committee

Liaison to Nassau County Office of Emergency Management	Dr. Marc Sicklick	1	2012	HOLDOVER
Albright, Viggiano, Zureck & Co.	Village Auditors to audit annual reports of finance of the Village	1	2012	HOLDOVER
Herald	Official Newspaper	1	2012	HOLDOVER
General Code Publishers	Code Publishers	1	2012	HOLDOVER
Cameron Engineering	Village Engineers	1	2012	HOLDOVER

Meetings:

Board of Trustees: Meetings 2nd Thurs at 8:00 pm.

Board of Building Design: Meetings 1st Monday at 7:15 pm

Board of Zoning & Appeals per calendar

Authorized Signatures for

checks:

Mayor, Deputy Mayor, Treasurer

No facsimiles except for Payroll

NOTE: TERMS and EXPIRATION IN BLACK TO BE APPOINTED AT ORGANIZATION NIGHT

EXHIBIT B – Item #7

Bill L1201A

A local law to amend the Code of the Village of Lawrence, in relation to waivers of off-street parking regulations.

Section one. The Code of the Village of Lawrence is hereby amended, by adding thereto a new section, to be section 200-19.1, to read as follows:

“§ 200-19.1. Parking Waiver. Upon being notified of any gathering of persons for an event at or on any property under circumstances which may make such action appropriate, the Village Administrator is authorized to modify or suspend temporarily any or all of the parking regulations in Chapter 200, Article III, of this Code in order to prohibit or limit on-street parking in the vicinity of the property during the periods immediately preceding, during and following the event. The Village Administrator also is authorized to post appropriate temporary signage with respect to applicable parking prohibition or limitation, and any person parking in violation of any such parking restriction shall be guilty of a violation of this chapter.”

Section two. If any part of this local law shall be adjudged to be invalid by any court of competent jurisdiction, such judgment shall not affect, impair or invalidate any other part of this local law, or the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, chapter, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section three. This local law shall take effect immediately upon adoption and filing pursuant to the Municipal Home Rule Law.

EXHIBIT C – ITEM #8

RESOLVED, pursuant to the New York Vehicle and Traffic Law, the New York Village Law and Village Code § 200-3(B), Village Code § 200-61 is hereby amended, effective immediately, by adding thereto the following additional location:

Name of Street	Side	Location
Doughty Boulevard	both sides	between Broadway and Central Avenue

and it is further

RESOLVED, that the Village Administrator is authorized to provide for the installation of such traffic control devices and signage as may be required by law to provide for the enforcement of the foregoing regulation.

EXHIBIT D – ITEM #8

RESOLVED, pursuant to the New York Vehicle and Traffic Law, the New York Village Law and Village Code § 200-3(B), Village Code § 200-61 is hereby amended, effective immediately, by adding thereto the following additional location:

Name of Street	Side	Location
Doughty Boulevard	west side	between Broadway and Central Avenue

and it is further

RESOLVED, that the Village Administrator is authorized to provide for the installation of such traffic control devices and signage as may be required by law to provide for the enforcement of the foregoing regulation.