

Inc. Village of Lawrence, November 4, 2010

The regular meeting of the Board of Trustees was held on Thursday, November 4, 2010, at Lawrence Village Hall, 196 Central Avenue, Lawrence, New York 11559.

Mayor Oliner called the meeting to order at 8:00 PM

Those members present were: Mayor Martin Oliner  
Deputy Mayor Joel A. Mael  
Trustee Edward I. Klar  
Trustee Michael A. Fragin  
Trustee Simon Felder

Also present were: David E. Smollett, Administrator, Elizabeth Kaye, Deputy Clerk/Treasurer

### **GOOD AND WELFARE**

Mayor Oliner opened the Good & Welfare portion of the meeting.

Ms. Muehlgay, Central Avenue, expressed frustration over the lack of non-metered parking for guests of the apartment building residents who don't have private driveways. Her family and friends are not permitted to feed the meters due to Shavuot. Ms. Muehlgay suggested a guest pass for Sabbath observers. Mayor Oliner indicated that the Board would take this matter under advisement.

Ms. Muehlgay complained about a brown water problem. Mayor Oliner indicated that he will be meeting with local utility companies to discuss the problem. Trustee Klar suggested Ms. Muehlgay call the water company to have the mains near her home flushed.

Administrator Smollett informed the Board about a fax he received from the MTA indicating that the LIRR will have limited service over the weekend in Lawrence due to switch work being done.

**NEW BUSINESS**

Item 3 –

Ms. Handel, Lawrence Association, requested permission to hold the next Lawrence Association meeting on November 10<sup>th</sup> at the Lawrence Yacht and Country Club and she requested a waiver of the room fee. Mayor Oliner stated that although no application had been filed, he believed the waiver should be granted subject to a future written application. Trustee Klar suggested that the request for the room and fee waiver be made on a one-time only basis and that future meetings be subject to the application first being filed. Trustee Fragin moved to permit the Association to meet one-time only without an application on file and with a fee waiver, which was seconded by Trustee Klar, and unanimously approved.

Trustee Fragin moved to approve the minutes of the regular meeting of October 14, as corrected, and the Executive Session minutes of October 14, which was seconded by Deputy Mayor Mael and unanimously approved.

Trustee Fragin questioned a payment included in the Sewer Fund Abstract. Administrator Smollett indicated that there had been a major sewer break on Rock Hall Road where water was streaming into the pit. An outside company had to be called in on an emergency basis to dig and de-water the pit in order for the pipe to be repaired. Highway personnel repaired the road and sidewalks to save the Village money.

Trustee Fragin questioned a claim on the Recreation Fund Abstract for repairs to the walk-in refrigerator. Administrator Smollett said that repairs are handled by two companies: LB Kitchen and Frenchie. Administrator Smollett explained that no companies had bid on our request for an on-call arrangement.

Trustee Fragin stated that the Village reimburses its retirees for the Medicare supplement in a haphazard manner for some on a monthly basis, but different for others. Trustee Fragin suggested that the Village standardize the schedule of payments.

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Trustee Fragin inquired about the expense under Shade Trees on the Revenue & Expenditure Report. Administrator Smollett explained that this time of year is the Village's planting season and that trees are expected to be delivered next week.

Trustee Fragin questioned the buy-back of vacation time by certain employees. Mayor Oliner commented that the contract is silent on the timing of buy-backs.

Deputy Mayor Mael asked why funds in Flushing Bank for the Sewer Fund were deposited in a checking account. Mayor Oliner explained that he and Administrator Smollett had negotiated the highest rate over 1%, and currently a good return. Flushing Bank secures the Village's funds through a Letter of Credit backed by the Federal Home Loan Bank system.

Trustee Fragin moved to approve the General Fund Abstract #'s 611-612, Trust Fund Abstract # 228, Recreation Fund Abstract #32, Sewer Fund Abstract # 33 and Payroll Abstract #'s 2275-2276 with the exception of the vacation pay-out of \$15,000 pending clarification. Trustee Klar amended the motion to approve the Abstracts as mentioned but also to exclude the legal bills for Henderson, Kaufman and Bee. Trustee Felder mentioned that the entire board should examine these legal bills before paying them. Mayor Oliner suggested tentatively approving the legal bills, subject to Board review and approval. Deputy Mayor Mael questioned this procedure and indicated that he would rather have legal advice before approving in this manner.

Trustee Fragin amended the motion to approve the Abstracts as previously stated and to allow the Mayor to pay legal bills VR 897-901, VR 907-917, VR 902-906 after his review, which was seconded by Trustee Klar and approved upon the following vote:

Mayor Oliner -	Aye
Deputy Mayor Mael -	Nay
Trustee Klar -	Aye
Trustee Fragin -	Aye
Trustee Felder -	Nay

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Trustee Fragin commended Deputy Clerk/Treasurer Kaye for paring down the Code update distribution list.

Item 2 –

Administrator Smollett informed the Board that the one-year contract with Mittman Electric for street light maintenance and electric work around the Village is due to expire at the end of November. The contract has a one-year extension option. Mayor Oliner suggested renewing the contract for routine work, then bidding out work that is more of a project nature. Deputy Mayor Mael asked if Mittman was asking for an increase. Administrator Smollett indicated that there was no increase involved. Deputy Mayor Mael suggested notifying Mittman of the Village's decision. Trustee Felder reported that a couple of light-pole brackets were broken off in the Business District. Mayor Oliner moved to authorize a one-year extension with Mittman Electric, which was seconded by Trustee Fragin and approved by all with the exception of Deputy Mayor Mael, who recused himself on the basis of having used Mittman Electric at his personal residence.

### **OLD BUSINESS**

Item A –

Administrator Smollett discussed the results of his study regarding long-term parking in Lot #3 for employees working in the Business District. Administrator Smollett recommended allocating spots for permitted parking, for which stickers could be purchased on a semi-annual or annual basis, the cost of which would be \$500.00/year or \$300.00 semi-annually. Deputy Mayor Mael suggested making the new permits effective January 1, 2011. The Board inquired the reason for not allowing overnight parking in municipal lots, suggesting security reasons. Administrator Smollett was asked to inform shopkeepers, medical buildings and schools about the new permit program. Deputy Mayor Mael moved to authorize the new long-term parking permit, to become effective January 1, 2011, for an annual fee of \$500.00 or semi-annual fee of \$300.00, which was seconded by Trustee Klar and unanimously approved.

Item B-

Administrator Smollett updated the Board on parking issues on Causeway between Broadway and Rock Hall Road. Dr. Hamlet, Causeway, had brought concerns to the Board's attention at the last meeting. Administrator Smollett reported that Causeway is not passable when there is construction, landscaping trucks or cars parked on both sides. Mayor Oliner recommended addressing this specific problem, while Deputy Mayor Mael recommended an overall approach addressing all streets in the Village where parking is a problem. Trustee Felder suggested that the Administrator develop a policy and make recommendations to the Board. Trustee Klar suggested that width measurements be taken on all Village streets and that a rational idea for parking be developed. Trustee Fragin agreed that a more comprehensive review was needed. Mayor Oliner concluded that the consensus of the Board was to come up with an overall plan for parking on the narrower Village streets. Administrator Smollett, with input from the Building Department, was asked to provide the Board an analysis at the next meeting and to send a questionnaire to the residents asking for their experiences. The Board asked that Dr. Hamlet be apprised of the planned study.

Item C –

Administrator Smollett explained that Beechwood, Forest and Lakeside Drive West measure between 22'-24' and that when there is parking on either side of the street, only one car can pass through. Currently, Beechwood and Forest have restricted parking on one-side from 7:00 am – 9:00 am and 3:00 pm – 5:00 pm and there are no restrictions on Lakeside Drive West. Mayor Oliner commented that there is a problem primarily when residents hold fund-raising functions. Deputy Mayor Mael recommended including these streets in the overall analysis discussed earlier.

Item D –

Trustee Klar moved to accept the Park Commission's recommendation that a \$4,000 refund be issued to Mrs. Forst, representing approximately a 75% refund for her late husband's golf membership, which was seconded by Trustee Fragin and unanimously approved.

Trustee Klar discussed Tennis & Marina Rates for 2011. The Park Commission recommended a 20% discount for the 35-and under tennis category (small group of people). The Board required additional information on membership, so it decided it would come back to this discussion.

Trustee Klar recommended that the authorities of the Park Commission be incorporated into the Village Code. Trustee Klar had discussed this with the Village Attorney who agreed with this recommendation.

Trustee Klar moved to raise the cost of a recreation pass from \$350 to \$450 for the 2011 season, with no increase in greens fees. There was no second to the motion.

Deputy Mayor Mael moved to reduce the recreation pass by \$25.00, from \$350.00 to \$325.00, which was seconded by Trustee Fragin. The motion carried upon the following vote:

Mayor Oliner -	Nay
Deputy Mayor Mael -	Aye
Trustee Klar -	Nay
Trustee Fragin -	Aye
Trustee Felder -	Aye

Mayor Oliner asked Administrator Smollett to schedule a meeting next week between the Park Commission and the Trustees to resolve issues between the two Boards.

### **MAYOR'S REPORTS**

A meeting is scheduled with regard to the relocation of the library to a parcel adjacent to Temple Israel. Mayor Oliner is concerned with setting a precedent of building on front lawns. Mayor Oliner polled the board regarding this issue. Trustee Fragin voiced concern about parking and turning on Fulton Street, currently a dead-end and residential street, into an entry point for a parking lot. Trustee Fragin also indicated that he would have to see information on the structure before commenting and was not

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sure that this was a matter for the Board of Trustees. Deputy Mayor Mael and Trustee Klar did not have an opinion at this time, preferring to wait until they could see plans, although Trustee Klar was concerned about subdividing and congestion on the side-streets. Mayor Oliner will convey the Board's thoughts in his meeting.

Trustee Felder reported that residents have complained about vehicle break-ins and asked if residents could be notified to contact police when this occurs. Ms. Handel will include this matter in the Association's newsletter.

Deputy Mayor Mael suggested placing "dummies" in the front seat of auxiliary cars parked overnight. The Auxiliary Officer present at the meeting mentioned that the placement of cameras to record the immediate surrounding areas is being discussed at the precinct.

Deputy Mayor Mael discussed his concern with "thru-lots." He indicated that the Village needs to pass a local law to regulate the situation when a resident purchases a house and lot behind the homeowner's property and then the resident tears the house down and puts up an addition or recreational structure which now fronts onto a different street. He would like to amend the Code to establish the setback from the street in such cases to 40'.

Deputy Mayor Mael asked if a No Thru traffic sign exists on Regent Drive. Mayor Oliner responded in the affirmative. Deputy Mayor Mael moved to have the sign removed, which was seconded by Trustee Klar and approved upon the following vote:

Mayor Oliner -	Nay
Deputy Mayor Mael -	Aye
Trustee Klar -	Aye
Trustee Fragin -	Aye
Trustee Felder -	Aye

Mayor Oliner believes the sign is still a deterrent.

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Deputy Mayor Mael asked about the status of the letter to residents requesting contact information. Mayor Oliner indicated that that the mailing would be done shortly.

Deputy Mayor Mael asked Administrator Smollett if he had met with representatives of Temple Sinai concerning traffic congestion. Administrator Smollett indicated that he had not. Deputy Mayor Mael indicated that he had observed a traffic jam there this evening and stressed that the roads cannot be jammed because emergency vehicles need to pass by.

Deputy Mayor Mael indicated that he had met with Building Superintendent Ryder and Administrator Smollett to discuss easing the number of applications requiring BBD approval. Mayor Oliner asked that the recommendations be drafted in written form for his review.

Deputy Mayor Mael informed the Board that a resident on Muriel Avenue with a private security guard stopped an intruder from entering the home.

Trustee Klar asked about the status of appointments on hold-over since July. Mayor Oliner stated that one or two positions are not yet determined and he has a meeting scheduled with Trustee Fragin next week concerning one of the hold-over appointments.

Trustee Fragin asked Building Superintendent Ryder about abandoned properties. Three residents have received notices of non-compliance and will now be issued appearance tickets.

Mayor Oliner reported that LIPA has received 42 summonses for putting poles up without permits. LIPA maintains that it is exempt from permit fees.

At 10:20 pm, Deputy Mayor Mael moved to adjourn to Executive Session to discuss matters of pending or potential litigation, which was seconded by Trustee Klar, and unanimously approved.



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The Board returned to public session. At 10:44 pm, Deputy Mayor Mael moved to close the meeting, which was seconded by Trustee Fragin and unanimously approved.

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

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David E. Smollett, Administrator,  
Clerk/ Treasurer