

The regular meeting of the Board of Trustees was held on Thursday, September 13, 2012, at Lawrence Village Hall, 196 Central Avenue, Lawrence New York 11559.

Those members present were: Mayor Martin Oliner
Deputy Mayor C. Simon Felder
Trustee Joel A. Mael
Trustee Michael A. Fragin – left the meeting at
8:40 pm
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

Mayor Oliner opened the meeting at 7:15 pm. The Board met in public work session, and discussed various items without taking any action. The Board convened the regular meeting at 8:14 PM.

Trustee Fragin advised that due to a last minute conflict he would have to leave the meeting at 8:40pm.

GOOD & WELFARE

1. Mr. Phil Konigsberg raised the issue of flooding on Marbridge Road. Mayor Oliner deferred discussion until Old Business.

2. Jackie Handel raised the issue of address numbers painted on curbs in front of residences. She said the numbers are fading. Mayor Oliner said the matter will be assessed.

3. Lawrence Cedarhurst Fire Department Commissioner Koehler raised the issue of LCFD firehouse expansion and funding options. Mayor Oliner deferred discussion until Agenda Item # 9.

There being no further matters of Good and Welfare, Mayor Oliner moved on to approval of minutes.

APPROVAL OF MINUTES

Board Action: Mayor Oliner moved to approve the minutes of July 12, 2012 BOT meeting, incorporating edits by Village Attorney Levin. Trustee Fragin seconded. All in favor.

Board Action: Mayor Oliner moved to approve the minutes of July 18, 2012 Special BOT Meeting, incorporating edits by Village Attorney Levin. Deputy Mayor Felder seconded. Vote taken as follows:

Mayor Oliner – Aye

Deputy Mayor Felder – Aye

Trustee Langer – Aye

Trustee Mael – Abstain

Trustee Fragin - Nay

Motion carried.

Board Action: Mayor Oliner moved to approve the minutes of July 24, 2012 Special BOT Meeting, incorporating edits by Village Attorney Levin. Deputy Mayor Felder seconded. All in favor except, for Trustees Mael and Fragin who abstained.

Trustee Fragin left the meeting at this point at 8:40pm.

Board Action: Mayor Oliner moved to approve the minutes of August 20, 2012 Special BOT Meeting, incorporating edits by Village Attorney Levin. Deputy Mayor Felder seconded.

Trustee Mael commented on Item # 3 in the minutes regarding the “No Turn on Red” sign on Washington Ave and Broadway. He said he had met with Nassau County Legislator Kopel on this matter and was advised that the County was willing to change the sign back to “No Turn on Red When Pedestrians Are Present”, providing three conditions are met, two of which have already been met. The third condition is that a “No Parking from Here to Corner” sign be placed on Broadway to eliminate two parking spots on Broadway at the southeast corner of the intersection. Trustee Mael moved to place the sign accordingly. There was no second to the motion. Trustee Mael noted for the record that he is concerned about the traffic hazards posed to children on the side streets due to traffic diverting to those streets as a result of the current signage.

Trustee Mael also commented on Item #4 in the minutes, regarding the additional stop sign placed at the south east intersection of Hollywood Crossing and Barrett Road. He expressed concern about possible traffic hazards due to the placement of the sign.

Mayor Oliner said that Mr. Schechtman, traffic engineer, will review the concerns and changes can be made if necessary.

Vote taken on the motion to approve the minutes as follows: All in favor except for Trustee Mael, who abstained.

NEW BUSINESS

Item 1 – Approval of Abstracts

Board Action: Mayor Oliner moved to approve General Fund Abstract #660. Deputy Mayor Felder seconded. All in favor except for Trustee Mael who abstained.

Board Action: Mayor Oliner moved to approve Recreation Fund Abstract #69 with the exception of Voucher #449 to be addressed separately under Item # 11. Deputy Mayor Felder seconded. All in favor except for Trustee Mael who abstained.

Board Action: Mayor Oliner moved to approve Sewer Abstract #56. Trustee Langer seconded. All in favor except for Trustee Mael who abstained.

Board Action: Mayor Oliner moved to approve Trust Fund Abstract #245. Deputy Mayor Felder seconded. All in favor except for Trustee Mael who abstained.

Board Action: Mayor Oliner moved to approve Payroll Abstracts #'s 2320, 2321, 2322, 2323, and 2324. Deputy Mayor Felder seconded. All in favor, except for Trustee Mael who abstained.

Item 2 – Kosher Catering Contracts

Mayor Oliner thanked Trustee Langer for his efforts in negotiating the catering contracts. He advised that the contract with Schick Caterers had been finalized, pending signature, and the contract with Chap A Nosh was near completion. Mayor Oliner tabled approval of this Item until both catering contracts are ready to be signed.

Item 3 – Approve hire of part-time Administrative Clerk at Village Hall

Board Action: Mayor Oliner moved to approve the hiring of Theresa Moriarty to the position of part-time Administrative Clerk at Village Hall at the rate of \$20.00 per hour. Trustee Langer seconded. All in favor.

Item 4 – Appointments

Board Action: Mayor Oliner made reference to the Appointments & Designations FY 2012-2013 schedule (Exhibit A annexed) and moved to appoint all respective designees in positions indicated as “Appoint.” Deputy Mayor Felder seconded.

Trustee Mael, without naming specific names, objected to the appointment of certain members of the Park Commission whom he felt spoke disparagingly of the Country Club and did not have its best interests in mind. Trustee Langer offered to meet with Trustee Mael to discuss the matter.

Mayor Oliner amended his motion to exclude appointment of members of the Park Commission indicated on the schedule as “Appoint,” such appointments to be postponed to a later date. Deputy Mayor Felder seconded. All in favor. All other positions for which terms have expired and no new appointments have been made will continue to holdover as provided by law.

Item 5 – Tennis Pro Contract

Board Action: Mayor Oliner moved to approve the contract for Tennis professional Robert Mark Harrison. Deputy Mayor Felder seconded. All in favor.

Item 6 – Golf Pro Contract

Administrator Smollett read several changes to the contract to be incorporated into the final contract by Village Attorney Tom Levin.

Board Action: Mayor Oliner moved to approve the contract as amended by the changes read by Mr. Smollett. Trustee Langer seconded. All in favor.

Deputy Mayor Felder thanked Trustee Mael for his extensive review and input pertaining to the golf pro and tennis pro contracts.

Item 7 – Public Hearing for proposed amendment to Village Code in relation to excessive noise or disturbance from construction

Administrator Smollett presented local law L 1203 (Exhibit B annexed).

Board Action: Mayor Oliner moved to open the public hearing. Deputy Mayor Felder seconded. All in favor.

There were no comments from the public. Mayor Oliner instructed Village Attorney Levin to amend the local law to include all legal holidays to be treated in the same manner as Saturday and Sunday.

Board Action: Mayor Oliner moved to close the public hearing. Deputy Mayor Felder seconded. All in favor.

Board Action: Mayor Oliner moved to adopt the local law as amended to include legal holidays to be treated in the same manner as Saturday and Sunday. Deputy Mayor Felder seconded. All in favor.

Item 8 – Resolution regarding parking meter regulations

Administrator Smollett presented a “Resolution to Clarify Village Code Provisions Regarding Parking at Parking Meters (Exhibit C annexed).

Board Action: Mayor Oliner moved to adopt the resolution. Deputy Mayor Felder seconded. All in favor.

Item 9 – Continuation of Public Hearing for Lawrence Cedarhurst Fire Department (LCFD) Fire Protection Contract

Board Action: Mayor Oliner moved to continue the public hearing at the next scheduled BOT meeting. Deputy Mayor Felder seconded. All in favor.

Mayor Oliner discussed various options pertaining to the financing of the LCFD firehouse expansion project. Approximately two million dollars is required to fund the project and two potential lenders have been identified who would provide a loan at interest rates ranging from 4.5% - 6%. Mayor Oliner said that the Village of Lawrence would, either separately or as co-lender, provide its own pro-rata share of the finalized loan and collect its pro-rata share of the principal and interest payments thereon.

Trustee Mael apologized to the public for leaving the meeting at 9:47 p.m., due to a prior engagement.

Item 10 – Awarding of the following bids: Electrician, HVAC, Tree services, Trees/Plants, #2 Fuel Oil, Diesel Fuel, Gasoline, Yard Containers, Automotive

Parts, Vector Basin Cleaner, Masonry Supplies, Appliance Repairs, Plumbing Contractor, Appliance Repairs, Asphalt

This item was tabled.

Item 11 – Catering Hall Refund – Park Commission recommendation

Administrator Smollett presented the Park Commission recommendation to refund to Beverly Lobell the \$2,000.00 hall rental fees but not to refund the \$1,500.00 caterer fee.

Board Action: Deputy Mayor Felder moved to accept the recommendation. Mayor Oliner seconded. All in favor.

Item 12 – Set Date for Public Hearing to adopt Local Law L 1204 amending the Code in relation to maintenance of Village Residents' Premises

This item was tabled until the next BOT meeting.

Item 13 – Discussion of Cablevision Application for Franchise Renewal and Scheduling of Public Hearing for community ascertainment

Board Action: Deputy Mayor Felder moved to schedule the public hearing for the BOT meeting on October 18, 2012. Mayor Oliner seconded. All in favor.

Item 14 – Resolution that the Village BOT approves the submission of the 2012 – 2013 Justice Court Assistance Program (JCAP) Grant Application

Board Action: Mayor Oliner moved to approve submission of the 2012 – 2013 Justice Court Assistance Program (JCAP) Grant Application. Trustee Langer seconded. All in favor.

Item 15 – Request from Rambam School for approval of Torah procession on September 23, 2012

Board Action: Mayor Oliner moved to grant the request with the caveat that the route be approved by Sgt. Moulds of the Fourth Precinct. Trustee Langer seconded. All in favor.

OLD BUSINESS

1. Follow up on flooding issues and engineering survey bids.

Mr. Phil Konigsberg of Marbridge Road described chronic flooding issues on Marbridge Road and property damage resulting there-from. Mayor Oliner and Building Superintendent Mike Ryder outlined plans to install pumps to remediate the problem.

2. Golf Membership Refund Request – Park Commission recommendation

Administrator Smollett related the Park Commission's recommendation not to grant a refund request submitted after the deadline.

3. Results of soil testing at Marina parking lot

Administrator Smollett said the soil tests at the Marina parking lot came back negative.

4. Discussions ensued regarding the following:

- Placement of a fountain in Sutton Park pond
- Sam Schwartz Engineers traffic study of Broadway between Sutton Place and 878 Highway
- Intersection of Central Avenue and 878. Mayor Oliner asked Administrator Smollett to provide an update at the next BOT meeting.

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. Deputy Mayor Felder seconded. All in favor.

The Board convened in Executive Session at 10:15 PM.

The Board returned to public session at 10:30 PM.

Board Action: Mayor Oliner appointed A. Thomas Levin as Village Attorney, and Meyer, Suozzi, English & Klein PC. as general counsel, each effective July 1, 2012. On motion by Deputy Mayor Felder, seconded by Trustee Langer, the following motion was approved unanimously.

RESOLVED, that the Board of Trustees hereby approves the Mayor's appointment of A. Thomas Levin, Meyer, Suozzi, English & Klein P.C., as Village Attorney, as a public officer to serve at the pleasure of the Mayor, and the appointment of Meyer, Suozzi, English & Klein P.C. as General Counsel to serve at the pleasure of the Mayor, and it is further

RESOLVED, pursuant to Village Law §3-300(2), the Board of Trustees hereby consents that the Village Attorney need not be a resident of the Village, but shall reside in the County of Nassau, and it is further

RESOLVED, that the compensation for the services of the Village Attorney and General Counsel shall be \$260 per hour, plus reimbursement of all reasonable and necessary disbursements incurred in connection with the performance of such legal services, which sums will be billed to the Village monthly, and it is further

RESOLVED, that services to be provided by the Village Attorney and/or General Counsel shall not include the following (a) tax reduction and certiorari matters, (b) representation of the Board of Appeals or Planning Board, (c) prosecution of matters in the Village Justice Court, or (d) labor matters involving collective bargaining agreements or personnel who are members of a collective bargaining unit, and it is further

RESOLVED, that Village consents that Meyer, Suozzi, English & Klein P.C. may continue to represent clients in matters involving tax reduction and tax certiorari matters involving properties in the Village of Lawrence.

There being no further business, Mayor Oliner moved to adjourn the meeting. Deputy Mayor Felder seconded. All in favor. Meeting adjourned at 10:40pm.

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. 9/13/12

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	
	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	
	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

Zoning Board of Appeals

Chmn, Lloyd Keilson	Appt. for Chairman	1	2014	APPOINT
Mark Schreck		3	2013	
Edward Gottlieb		3	2014	
Esther Williams		3	2012	APPOINT
Lester Henner		5	2013	
Alternate, Michael Malek		1	2012	APPOINT
Alternate, David Seidemann		1	2013	APPOINT

Board of Building Design

Chmn, Benjamin Sporn		1	2012	APPOINT
Barbara Kupferstein		1	2012	APPOINT
Barry Pomerantz		1	2012	APPOINT
Ronni Berman		1	2012	APPOINT
Eva Staiman		1	2012	APPOINT
Alternate, Myrna Breitman		1	2012	APPOINT
Alternate, Abraham Abittan		1	2012	APPOINT
Alternate, Shoshana Weinstock		1	2012	APPOINT

Planning Board

Geri Gindea		5	2015	
Chmn, Geri Gindea		1	2012	APPOINT
Mordy Sohn		5	2013	
Noah Fleschner		5	2014	
Edward Yodowitz		5	2016	
Allen Dorkin		3	2012	APPOINT
Alternate, Lawrence Levitan		1	2012	APPOINT
Alternate, Jacqueline Handel		1	2012	APPOINT

Park Commission

Chmn, Barry Schwartz		1	2012	APPOINT
Vice Chmn, Jeffrey Lederman		1	2012	APPOINT
Martin Levi		1	2012	APPOINT
Howard Teitlebaum		1	2012	APPOINT
Howard Siskind		1	2012	APPOINT
Francine Sicklick		1	2012	APPOINT
Michael Levine		1	2012	APPOINT
Barry Mayer		1	2012	APPOINT
Irving Langer		1	2013	
Jacqueline Handel		1	2013	

Leo McMahon **Golf Course Manager (General Manager)** **1** **2012** **HOLDOVER**

Memorial Park Committee

Myrna Breitman		1	2012	APPOINT
Rebbitzen Horowitz		1	2012	APPOINT
Jeanette Schechter		1	2012	APPOINT

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

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

Item # 7 - Exhibit B

L 1203

A local law to amend the Code of the Village of Lawrence, in relation to excessive noise or disturbance.

Section one. Section 144-5(B) of the Code of the Village of Lawrence is hereby amended, to read as follows:

“B. Any and all construction, whether with or without a building permit, occurring both inside or outside a building or structure, including excavation, demolition, alteration or repair of any building, shall be permitted only between the hours of 8:00 a.m. and 6:00 p.m., Monday through Friday, and 9:00 a.m. and 6:00 p.m. on Saturday and Sunday. Notwithstanding the foregoing, no construction, including excavation, demolition, alteration or repair of any building or structure, and whether with or without a building permit, may be conducted outside any building or structure, or inside any building or structure in such manner as to emit noise audible at the property line, on Saturday or Sunday.”

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.

Item 8 – Exhibit C

**RESOLUTION TO CLARIFY VILLAGE CODE PROVISIONS
REGARDING PARKING AT PARKING METERS**

Resolved, that Village Code §A220-1 is hereby repealed, effective immediately; and it is further

Resolved, that Village Code § 200-62 is hereby amended, effective immediately, to read as follows:

“§ 200-62. Establishment of parking meter areas; general regulations.

The following parking meter areas are hereby established, in which the parking fees and hours of operation applicable to parking therein shall be as herein set forth, notwithstanding any contrary provision in Village Code § 200-32(J):

A. Parking meters for which the fee shall be \$0.25 for each half hour or part thereof, and shall be in operation from 8:00 a.m. to 6:00 p.m. daily, except for federal holidays:

- (1) The north and south sides of Central Avenue between Washington Avenue and Rockaway Turnpike.
- (2) The east and west sides of Frost Lane, north of Parking Lot No. 3.

B. Parking meters which shall be in operation between 12:01 a.m. and 7:59 p.m. daily, except for federal holidays:

- (1) Parking meters designated as \$0.25 for each half hour or part thereof located in Parking Lot Nos. 3 and 4.

C. Parking meters which shall be in operation between 12:01 a.m. and 7:59 p.m. daily, except for federal holidays:

- (1) Parking meters for which the fee shall be \$0.25 for each hour or part thereof, located in Parking Lot Nos. 3 and 4.
- (2) Parking meters for which the fee shall be \$0.25 for each hour or part thereof, located on the east side of Frost Lane, south of Parking Lot No. 3.

D. Parking meters for which the fee shall be \$0.25 for each hour or part thereof, and shall be in operation between 12:01 a.m. and 7:59 p.m. daily, except Sundays and federal holidays:

- (1) The north and south sides of Central Avenue between Rockaway Turnpike and Lawrence Avenue.

- (2) The east and west sides of Herrick Drive between Central Avenue and the Long Island Railroad tracks.

E. Overnight parking.

- (1) Parking permits may be issued for the purpose of allowing overnight parking without the use of the meters between the hours of 6:00 p.m. and 9:00 a.m. the following day, and all day Saturday, at:
 - (a) Any meter in Parking Lots No. 3 and No. 4;
 - (b) At the twelve-hour meters located on Central Avenue between Rockaway Turnpike and Lawrence Avenue; and
 - (c) The twelve-hour meters on Herrick Drive between Central Avenue and the Long Island Railroad tracks.
- (2) The fee for each such parking permit shall be \$300 for the calendar year. If secured on or after July 1 of the permit year, the fee for such permit is \$150.
- (3) The permit will be issued in accordance with Chapter 125, Licenses and Permits, of the Code of the Village of Lawrence.
- (4) Every permit shall show the year in which it is issued. The permit shall be affixed to the rear window of the vehicle for which it is issued.”