

Minutes of the Regular Meeting of the
Board of Trustees held in the Board Room
of the Community Building, 318 Lakeville Road,
Monday, June 10, 2019 at 7:30 P.M.

PRESENT: Mayor Adam Hoffman
Trustee Larry Farkas
Trustee Robert Gal
Trustee Gene Kaplan
Trustee David Milner
Trustee Peter Chang
Deputy Mayor Stephen Lam

ABSENT: Deputy Mayor Steve Lam

ALSO PRESENT: Patrick E. Farrell, Village Administrator
Angelique Melnyk, Deputy Clerk
Margaret Deane, Deputy Treasurer
Andrea Curto, Village Attorney
Nicole Salerno Morton, Salerno Brokerage
Tony Cassaro, PERMA
Leah Demo, PERMA
Olexa Capili, Stenographer

Mayor Hoffman called the regular meeting of the Board of Trustees to order at 7:30 p.m. and lead in the Pledge of Allegiance.

Nicole Morton Salerno of Salerno Brokerage submitted to the Board the Municipal Property and Casualty Insurance effective 06/1/2019-2020 along with a revised Worker's Compensation Proposal submitted by PERMA. The Property and Casualty Insurance summary includes the 20 million dollars of coverage for General Liability, Auto Liability, Public Officials Liability, Law Enforcement Liability and Employment Practices Liability. There is a \$5,000 deductible for Professional Policies (Law Enforcement Policy, Employment Practices Liability and Public Entity Management Liability). Those deductibles will only be required when/if a judgment is made against the Village. There is also 1 million dollars of Computer Fraud and Funds coverage and \$50,000 of Depositor's Forgery. Mrs. Morton spoke on and encouraged the Board to review all policies and procedures annually, specifically banking and fidelity procedures, to ensure optimal security and compliance with any and all mandated regulations.

Mrs. Morton discussed with the Board the REVISED Worker's Compensation Policy submitted by PERMA. The policy allows for a one year and two year option. If the Village opts for a one year policy and remits payment in full the estimated total will be \$215,695. PERMA will perform a payroll audit, but the audit will not be processed. If the Village opted for the two year policy, year one, if payment was remitted in full, it would cost the village an estimated \$1195,284.00. Year two would range from \$184,239.00 to \$207,896.00 and would be based upon the Village's loss experience for the period 07/01/2019-05/31/2020.

Nicole Salerno added that PERMA has advised if the Village renews coverage effective 7/1/19, they will credit the Audit Additional Premium that was recently processed in the amount of \$8,461.00. The amount reflects this one time audit refund.

Mrs. Morton noted this time, the Statue Insurance Fund cannot be competitive. The initial upfront cost including the

Safety Group Manager fee is in excess of \$300,000.

Mrs. Morton also noted that PERMA and the Workers Comp Alliance are not insurance and are group self-insured programs designed for the NY Public Entity. The PERMA program is not joint and several liability whereas the Workers Comp Alliance is joint and several. State Insurance Fund is true insurance and thus a full transfer of risk.

Tony Cassaro and Leah Demo of ERMA addressed the Board to give a short history on PERMA and its origin beginning in 1982. As of today PERMA has 560 members in their pool. Due PERMA's financial stability and longstanding relationship with the Village they are pleased to submit this revised proposal and look forward servicing us and our needs in the future.

The Mayor and Board thanked Mr. Cassaro and Ms. Demo for attending and taking the time to submit their revisions.

Mayor Hoffman seconded by Trustee Milner moved to open the Public Hearing at 7:34 p.m. (A verbatim transcript annexed hereto)

On motion by Mayor Hoffman seconded by Trustee Kaplan and without objection, the Public Hearing was closed at 8:38 p.m.

Mayor Hoffman reconvened the regular meeting of the Board of Trustees at 8:38 p.m.

Mayor Hoffman seconded by Trustee Milner moved to approve the minutes of May 13, 2019 as presented. The motion was unanimously approved by those present. Deputy Mayor Lam was absent for the vote.

Mayor Hoffman and Administrator Farrell had no reports at this time.

Village Attorney Curto reported corrections to the approved nodes and addresses on ExteNet's application. Originally Node 3 was approved with a location of 334 Lakeville Road and Node 2 was denied with a location of 354 Lakeville Road. The addresses should have and now read as Node 3 located at 354 Lakeville Road and Node 2 located at 334 Lakeville Road.

The Board moved to approve the following resolution;

BE IT RESOLVED, the Board of Trustees approve the FINDINGS Supporting the Conditional Approval and Denial of Special Use Permit for a Proposed Wireless Telecommunication Distributed Network within the Incorporated Village of Lake Success on a Node by Node Basis.

On the call of the roll: Mayor Hoffman voting aye; Trustee Milner voting aye; Trustee Farkas voting aye; Trustee Kaplan voting aye; Trustee Chang voting aye and Trustee Farkas voting aye; Deputy Mayor Lam was absent for the vote.

The resolution was thereupon declared duly adopted.

The Board moved to approve the following RESOLUTION;

BE IT RESOLVED, the Board of Trustees adopted a Negative Declaration pursuant to the State Environmental Quality Review Act ("SEQRA") on May 13, 2019, determining that the preparation of a Draft Environmental Impact Statement was not required, but further noting that the Negative Declaration under SEQRA did not necessarily mean the Proposed Action or ExteNet's application meets the specific siting criteria or standards of the Village Code Section §85-4.

On the call of the roll: Mayor Hoffman voting aye; Trustee Milner voting aye; Trustee Farkas voting aye; Trustee Kaplan voting aye; Trustee Chang voting aye and Trustee Farkas voting aye; Deputy Mayor Lam was absent for the vote.

The resolution was thereupon declared duly adopted

Mayor Hoffman seconded by Trustee Milner moved to approve the Abstract of Claims as presented for \$225,489.17 and the pre-paid Abstract of Claims for \$227,644.39 (annexed hereto). The motion was unanimously approved by those present. Deputy Mayor Lam was absent for the vote.

Treasurer's Report is annexed hereto.

Mayor Hoffman seconded by Trustee Milner moved to approve the Budget Adjustments FYE 05/31/2019 as presented. The motion was unanimously approved by those present. Deputy Mayor Lam was absent for the vote.

Mayor Hoffman seconded by Trustee Milner moved to approve the 2020/21 Assessment Update Assessments and Inventory proposal submitted by Michael Haberman Associates, Inc. The motion was unanimously approved by those present. Deputy Mayor Lam was absent for the vote.

The Board of Trustees tabled approval of proposal to convert storage room to yoga studio.

Trustee Farkas seconded by Trustee Milner moved to approve the proposal submitted by Mark Siegel for the purchase of new cardio equipment in the fitness center at a cost of \$32,522.00. The motion was unanimously approved by those present. Deputy Mayor Lam was absent for the vote.

A discussion on internet connectivity and DVR connection ensued.

In regards to the cost of freight on the fitness equipment proposal Sam Balooch assured the Board it was within normal range. Trustee Farkas agreed commenting on noticeably rising costs in freight while he was researching prices for cabana benches on the tennis courts.

The Board of Trustees tabled approval of the Elevator Maintenance Contract.

Administrator Farrell reported that there was positive reviews on the light power washing done to the outside of the Community Building, however due to the warm temperatures and time of year, painting of the entire building will need to be postponed until sometime next year.

A discussion on signage within the Village, specifically § 105-10 Permitted Principal and Accessory Uses, ensued.

Mayor Hoffman seconded by Trustee Milner moved to set a Public Hearing to Amend Village Code § 105-10 Permitted Principal and Accessory Uses for July 8th, 2019. The motion was unanimously approved by those present. Deputy Mayor Lam was absent for the vote.

In regards to Agenda Item 7F, Pool Guest Update, the issue has been fully resolved.

In regards to the Village Block Party, the Board agreed the fee for non-resident adults will remain at \$15.00 and \$5.00 for non-resident children under 12.

In regards to the old furniture up for auction Administrator Farrell reported an advertisement for the items were published in The Great Neck News and will run in the May 31 and June 7 editions. Sue Goldman has posted a link on

the Village website for residents who may be interested. Lastly, PATV (a 501c) expressed interest in the items as a donation. The donation would be tax deductible and the Village would receive sponsorship credits on air and video time.

Mayor Hoffman seconded by Trustee Kaplan moved to ratify an e-mail vote approving the proposal submitted by Stasi Bros. for cart path repairs and replacement in the amount of \$10,254.00. The motion was unanimously approved by those present. Deputy Mayor Lam was absent for the vote.

Mayor Hoffman seconded by Trustee Milner moved to approve the following RESOLUTION.

BE IT RESOLVED the Board of Trustees for the Village of Lake Success approve the following updates to the Village Code Appendix.

Chapter 119-20 **SPEED BUMP SIGN.**

Location: Westminster Road in front of property line of 66 & 68 Westminster Road heading southbound and in front of 69 heading north bound "Speed Bump 5 MPH" sign.

Chapter 119-22 **TRAFFIC CLAMING DEVICE**

Location: Westminster Road Install "Speed Bumps" in front of property line of 66 & 68 Westminster Road heading southbound and in front of 69 heading northbound.

On the call of the roll: Mayor Hoffman voting aye; Trustee Milner voting aye; Trustee Gal voting aye; Trustee Farkas voting aye; Trustee Chang voting aye; Trustee Kaplan voting aye. Deputy Mayor Lam was absent for the vote.

The resolution was thereupon declared duly adopted.

Mayor Hoffman seconded by Trustee Milner moved to approve the Fortis Change Order subject to payment of \$400 to Naum Landaverde for cleaning services. The motion was unanimously approved by those present. Deputy Mayor Lam was absent for the vote.

The Board tabled approval of Minerva Audio Visual's proposal.

Trustee Kaplan seconded by Mayor Hoffman moved to approve the proposal submitted by CMIT for the Lake Success Golf Activities Building. The motion was unanimously approved by those present. Deputy Mayor Lam was absent for the vote.

A lengthy discussion on the history and intent of the Gorbaty painting which was originally hung in the Grill Room and moved to the Board Room ensued.

Mayor Hoffman seconded by Trustee Kaplan moved to approve the return of the Gorbaty painting to the Grill Room. On the call of the roll: Mayor Hoffman voting aye; Trustee Milner voting nay; Trustee Chang voting aye; Trustee Farkas voting aye; Trustee Gal voting aye; Trustee Kaplan voting aye. Deputy Mayor Lam was absent for the vote. The motion was approved.

Mayor Hoffman seconded by Trustee Kaplan moved to approve Administrator Farrell to attend the 2019 NYCOM Fall Training School in Saratoga Springs, September 16-19 at a cost not to exceed \$1,900 and subject to submission of a summary report upon his return. The motion was unanimously approved by those present. Deputy Mayor Lam was absent for the vote.

In regards to the Building Department Administrator Farrell reported that Bob Bonnie has been approved by Civil Service. Administrator Farrel asked Attorney Curto to begin drawing up his labor contract.

A discussion on potential use of iPads and/or implementation of digital systems that would be used specifically for Board Meetings and PDF attachments in an effort to reduce paper usage ensued.

Trustee Kaplan reported that despite the local record of over 12 inches of rain in April and May the club was up in the number of rounds played as well as the number of guests. We believe the programming of the carts is also a positive factor.

On behalf of the House Committee, Trustee Milner reported he was notified of residents helping themselves to food and beverages during a scheduled Monday golf outing. A discussion on the possibility of closing the Grill Room to residents on Mondays when golf and private events are scheduled ensued.

On behalf of the Park Commission Trustee Farkas reported on feedback from residents regarding the new concessionaire and their concerns over the limited menu selection. Trustee Farkas also informed the Board that there is now a small pizza oven in the concessionaire stand which can cook two pizzas. The old AC unit in the concessionaire stand needs to be replaced. Trustee Farkas has researched replacement 20,000 btu units including a Fujitsu unit and Mr. Cool unit. Trustee Farkas also noted after consulting with Jonathan Price he feels comfortable opening up the softball field. He will coordinate a second walk through with Mr. Price before officially opening the field.

Trustee Milner reported that Movie Night is scheduled for Friday, June 21st. Arrangements have been made to use the Ballroom if weather conditions becomes a concern.

The Board moved to table Agenda Item 13a, "Vent Cleaning Proposals" to the July 8th, 2019 meeting.

Mayor Hoffman moved to enter into Executive Session at 10:00 p.m.

Mayor Hoffman reconvened the regular meeting of the Board of Trustees 10:30 p.m.

Mayor Hoffman seconded by Trustee Farkas moved to approve the following RESOLUTION:

BE IT RESOLVED, The Village of Lake Success has accepted the REVISED 2 Year Workers Compensation Renewal proposal submitted by PERMA. Year One (07/01/19-5/31/20) including a 2% discount for payment in full totaled \$195,284.00. Year two (7/1/20-21 will range from \$184,239 to \$207,986 and will be based upon the Village's loss experience for period 7/1/19-5/31/20.

On the call of the roll: Mayor Hoffman voting aye; Trustee Kaplan voting aye; Trustee Chang voting aye; Trustee Gal voting aye; Trustee Milner voting aye; Trustee Farkas voting aye; Deputy Mayor Lam was absent for the vote.

The RESOLUTION was thereupon declared duly adopted.

Trustee Farkas seconded by Trustee Milner moved to approve the purchase of a split AC unit for the concessionaire stand at a cost not to exceed \$4,700. The motion was unanimously approved by those present. Deputy Mayor Lam was absent for the vote.

Mayor Hoffman adjourned the meeting at 10:30 p.m.

Respectfully Submitted,

Patrick E. Farrell
Village Administrator and Clerk