

Minutes of the Regular Meeting of the
Board of Trustees held via ZOOM
Monday, September 14, 2020 at 7:30 P.M.
MTG ID: 825 5497 0326
PASSWORD: 413580

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

ALSO PRESENT: Patrick E. Farrell, Village Administrator
Angelique Melnyk, Deputy Clerk
Andrea Curto, Village Attorney
Margaret Deane, Deputy Treasurer
Fred Handsman, 17 Briarfield Dr.
Spyro Dimitratos, 37 Meadow Woods Road

Mayor Hoffman called the regular meeting of the Board of Trustees to order at 7:30 p.m.

Mayor Hoffman seconded by Trustee Milner moved to approve the Minutes of August 13, 2020 as presented. The motion was unanimously approved by those present.

Mayor Hoffman, Deputy Mayor Lam, Administrator Farrell and Attorney Curto had no reports at this time.

A lengthy discussion on the ExteNet proceedings and outstanding balances due ensued.

Mayor Hoffman seconded by Trustee Milner moved to approve the Abstract of Claims as presented for \$260,114.05 and the Pre-Paid Abstract of Claims as presented for \$564,428.01. The motion was unanimously approved by those present.

Treasurer's Report is annexed hereto.

A lengthy discussion on Fitness Center refunds, DOH inspection plans and Merv-13 air filters ensued.

Mayor Hoffman seconded by Trustee Milner moved to approve a credit of 2/3 for individual gym memberships and a credit of 2/3 for resident families and non-resident golfers in 2021. A full refund for 2020 Fitness Memberships will only be authorized if the individual/ family does not join the Fitness Center in 2021.

On the call of the roll:

Mayor Hoffman voting aye; Trustee Milner voting aye; Trustee Chang voting aye; Trustee Kaplan voting aye; Trustee Farkas voting aye; Trustee Gal voting aye; Trustee Milner voting aye; and Deputy Mayor Lam voting aye.

The motion was unanimously approved by those present.

The Board stated that members opting to forego the credit may request a refund equal to the credit. In doing so their membership for 2020 will be terminated. Requests for refunds must be made by email to the Village Office at LSooffice@optonline.net. Refund checks must be approved by the Board of Trustees before issuance.

Mayor Hoffman seconded by Trustee Kaplan moved to approve the LGS-1 Local Government Retention Schedule. The motion was unanimously approved by those present.

Trustee Milner seconded by Mayor Hoffman moved to approve the site fee refunds for Culinary events cancelled due to COVID-19. (D'Agate - \$750, Jonisch - \$1,000, Brachot - \$750, Dean - \$1,000, Rudolph - \$1,000, Kaufman - \$1,000 and Gonias - \$1,000) The motion was unanimously approved by those present.

Mayor Hoffman seconded by Trustee Milner moved to ratify an e-mail vote taken approving the purchase of a replacement irrigation pump.

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

The resolution was thereupon declared duly adopted.

Mayor Hoffman seconded by Trustee Kaplan moved to ratify an e-mail vote authorizing the hiring on Hyung Jin Song as a temporary independent contractor at \$20.00 p/hr to assist the golf crew that is currently short staffed.

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

The resolution was thereupon declared duly adopted.

In regards to Agenda Item 7F, Rental Permit Applications, Deputy Clerk Melnyk reported on numerous homes within the Village that are currently listed as rentals on various property listing websites. To ensure compliance with our local law regarding rental dwellings Mayor Hoffman asked Deputy Clerk Melnyk to send certified letters along with a completed rental permit application to those addresses found online as well as local realtors surrounding Lake Success.

Mayor Hoffman seconded by Trustee Kaplan moved to approve the Mayor's Signature on the Task Order 2019-02 Modification submitted by Michael Musso, Esq.

On the call of the roll:

Mayor Hoffman voting aye; Deputy Mayor Lam voting aye; Trustee Kaplan voting aye; Trustee Farkas voting aye; Trustee Gal voting aye; Trustee Chang voting aye and Trustee Milner voting aye.

The resolution was thereupon declared duly adopted.

Mayor Hoffman seconded by Trustee Farkas moved to ratify an email vote approving the 2020 COVID-19 Fitness Center Rules and Regulations.

On the call of the roll: Mayor Hoffman voting aye; Deputy Mayor Voting aye; Trustee Gal voting nay; Trustee Chang voting aye, Trustee Kaplan voting aye; Trustee Milner voting and Trustee Farkas voting aye.

The resolution was thereupon declared duly adopted.

Mayor Hoffman offered the following resolution and moved its adoption:

BOND RESOLUTION OF THE VILLAGE OF LAKE SUCCESS, NEW YORK, ADOPTED
SEPTEMBER 14, 2020, AUTHORIZING THE ACQUISITION OF MAINTENANCE
EQUIPMENT, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$220,000,
APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE
ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$220,000 TO FINANCE SAID
APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF LAKE SUCCESS, IN THE COUNTY OF NASSAU, NEW
YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board of Trustees)
AS FOLLOWS:

Section 1. The Village of Lake Success, in the County of Nassau, New York (herein called the "Village"), is hereby authorized to acquire maintenance equipment. The plan of financing includes the issuance of bonds in the principal amount of \$220,000 to finance said appropriation and the levy and collection of taxes upon all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Village in the principal amount of \$220,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized, pursuant to Section 11.00 a. (28) of the Law, is in excess of five (5) years; however, the bonds authorized pursuant to this

resolution and any bond anticipation notes issued in anticipation of the sale of said bonds, shall mature no later than five (5) years after the date of original issuance of said bonds or notes.

(b)The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c)The proposed maturity of the bonds authorized by this resolution will not exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

The adoption of the foregoing resolution was seconded by Trustee Kaplan and duly put to a vote on roll call, which resulted as follows:

AYES: Mayor Adam Hoffman, Deputy Mayor Steve Lam, Trustee Robert Gal, Trustee David Milner, Trustee Lawrence Farkas, Trustee Peter Chang and Trustee Gene Kaplan.

NOES: NONE

The resolution was declared adopted.

A lengthy discussion on the hiring of Princeton Hydro to perform a study on the depth, sediment and/or any contaminants in Lake Surprise ensued.

Approval of the Princeton Hydro Agreement was tabled for Executive Session.

Mayor Hoffman seconded by Trustee Milner moved to authorize CSEA Insurance one on one meetings. The motion was unanimously approved by those present.

Mayor Hoffman seconded by Trustee Milner moved to approve the refund request for Permit # -19-220 – Antech Laboratories in the amount of \$10, 135.00. The motion was unanimously approved by those present.

Discussion of Direct TV was tabled.

Mayor Hoffman offered the following resolution and moved its adoption:

BOND RESOLUTION OF THE VILLAGE OF LAKE SUCCESS, NEW YORK, ADOPTED SEPTEMBER 14, 2020, AUTHORIZING THE ACQUISITION OF DPW EQUIPMENT, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$60,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$60,000 TO FINANCE SAID APPROPRIATION,

THE BOARD OF TRUSTEES OF THE VILLAGE OF LAKE SUCCESS, IN THE COUNTY OF NASSAU, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Lake Success, in the County of Nassau, New York (herein called the "Village"), is hereby authorized to acquire DPW equipment. The plan of financing includes the issuance of bonds in the principal amount of \$60,000 to finance said appropriation and the levy and collection of taxes upon all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Village in the principal amount of \$60,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized, pursuant to Section 11.00 a. (28) of the Law, is in excess of five (5) years; however, the bonds authorized pursuant to this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds, shall mature no later than five (5) years after the date of original issuance of said bonds or notes.

(b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will not exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

* * *

The adoption of the foregoing resolution was seconded By Trustee Milner and duly put to a vote on roll call, which resulted

as follows:

AYES: Mayor Adam Hoffman, Deputy Mayor Steve Lam, Trustee Robert Gal,

Trustee Peter Chang, Trustee Gene Kaplan, Trustee David Milner and Trustee Larry Farkas.

NOES: NONE

The resolution was declared adopted.

Trustee Milner seconded by Deputy Mayor Lam moved to approve a temporary room reduction fee to \$250 for events up to a 50 person guest count. The motion was unanimously approved by those present.

On behalf of the Park Commission, Trustee Farkas reported he would like to purchase replacement canopies for the gazebos after learning the style of gazebo we have is being discontinued. Purchasing replacement canopies would be in anticipation that the canopies would also be discontinued in the near future.

Trustee Farkas reported a total of 400 pool members this season. A normal season yields approximately 1,000 members. Trustee Farkas noted that the reservation system for both tennis and the pool proved to be successful and there were very few complaints overall.

Trustee Farkas noted that due to COVID-19 Movie Nights had to be cancelled. Unfortunately, deposits are non-refundable, however in light on the circumstances we are hoping to find a way to work with Funfliks and carry over the deposit to next year. A discussion on the pros and cons of hosting a Halloween Drive -In Movie Night ensued. The Board tabled further discussion of Funkfliks and Movie Night to Executive Session.

Mayor Hoffman seconded by Trustee Milner moved to approve the purchase of 3 Motorola radio units for \$21,051.45 less two trade-ins. The motion was unanimously approved by those present.

The announcement of Court Night resuming on September 23, 2020 is for informational purposes only.

Deputy Mayor Lam requested Patrick McDermott supply the COVID Committee with a copy of the court re-opening safety plan.

A discussion on the reassignment of police cars for village use ensued.

Police Activity report is for informational purposes only.

In regards to leave blowing becoming a nuisance on Saturday afternoons, Trustee Milner requested Attorney Curto to research other Villages who may have stricter laws on leaf blowing and report back.

Attorney Curto reported that in regards to dredging, DEC regulations state that sediment testing is performed to determine if dredging should be permitted since dredging could result in contaminants seeping into the water.

Mayor Hoffman seconded by Trustee Kaplan moved to enter into Executive Session at 9:18 p.m.

Mayor Hoffman reconvened the regular meeting at 10:13.

Mayor Hoffman seconded by Trustee Kaplan moved to approve the Princeton Hydro Agreement subject to receipt of an estimate from Galvin Brothers. The motion was unanimously approved by those present.

Mayor Hoffman adjourned the meeting at 10:14 p.m.

Respectfully Submitted,

Patrick E. Farrell
Administrator/Treasurer