

Minutes of the Regular Meeting of the  
Board of Trustees held in the Board Room of  
the Community Building, 318 Lakeville Road,  
Monday, November 18, 2019 at 7:30 P.M.

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

ABSENT: Trustee Sugnam Peter Chang

ALSO PRESENT: Patrick E. Farrell, Village Administrator  
Margaret Deane, Deputy Treasurer  
Angelique Melnyk, Deputy Clerk  
Andrea Curto, Village Attorney  
Michael Musso, Esq.  
Ed Ross, Esq.  
Ben Mahfar, Woodland Development  
Chin Eric, 35 Old Farm Road  
Chin, Sherry, 35 Old Farm Road  
Deborah A. Cirabisi, Shorthand Reporter

Mayor Hoffman called the regular meeting of the Board of Trustees to order at 7:00 p.m. motioned to move into Executive Session.

Mayor Hoffman reconvened the regular meeting of the Board of Trustees at 8:30 p.m. and reported that no action had taken place.

Mayor Hoffman led in the Pledge of Allegiance.

Ben Mahfar of Woodland Development addressed the Board regarding the parcel known as 35 Old Farm Lane. Owners of 35 Old Farm Road, Mr. & Mrs. Chin, were also present. Mr. Mahfar stated that he has been building houses in the Village for the last 15 years. Mr. and Mrs. Chin have been residents for the past 25 years and currently live at 71 Westminster Road. They hired Mr. Mahfar in 2015 to build a new home at 35 Old Farm Lane. Unfortunately, due to unusual circumstances, construction has taken much longer than anticipated resulting in the expiration of their approved building permits. The delay was directly related to the manufacturer being able to deliver the roofing materials in a timely manner. Six months passed from the time the materials were ordered, delivered and installed. Without a roof the interior construction, plumbing and electric work were also delayed. Mr. Mahfar stated that as of today he feels the house is 95% complete. Being familiar with the Village Code, Mr. Mahfar requested the Board take into consideration the unforeseen delays and waive having to pay a new set of permit fees. Mayor Hoffman with full understanding of the Village Code and the unexpected delays noted that this was not the first time a resident with construction issues asked the Board to waive new permit fees after they have expired. A lengthy discussion on the correspondence between Mr. Mahfar and the roofing manufacturer, previous residents with the same request and ways in which construction can continue even without a roof ensued. It was noted that construction on interior work for both Deputy Mayor Lam's house and the Police Station were completed on schedule using tarps and

other temporary roofing materials. Trustee Milner and Mr. Mahfar had a discussion on the length of time it would take to complete the project and be move in ready. According to Mr. Mahfar exterior sodding, railing and installation of a sprinkler combined with interior carpentry, paint , countertops and electrical work should take 60 days, but could potentially be done in 30 days. Mr. Chin stood to once again ask the Board to reconsider reissuing permit fees as his son is getting married and since he is so close to completion of his home. Mayor Hoffman thanked Mr. Chin for coming, but reiterated the current Village Code states "in no event shall such permit extend beyond two years from the date of issuance".

Mayor Hoffman called to order the Public Hearing to discuss Adoption of Bill No. 10 Local Law No. 5, A LOCAL LAW to amend Lake Success Code Chapter 97 entitled "Taxation". Section One. Lake Success Code Chapter 97 is hereby amended by the addition of a new subsection "32" entitled "Requirement to furnish income & expense statements" and Bill No. 9 Local Law No. 6, A LOCAL LAW to amend the *Lake Success Code* by the addition of a new Chapter 83, entitled "Registry of Leases for Rental Dwellings." at 8:24 p.m. (A verbatim Transcript is annexed hereto).

Mayor Hoffman seconded by Trustee Kaplan moved to close the Public Hearing at 8:39 p.m. The motion was unanimously approved by those present. Trustee Chang was absent for the vote."

Mayor Hoffman seconded by Trustee Kaplan moved to approve the Minutes of October 21, 2019. The motion was unanimously approved by those present. Trustee Chang was absent for the vote.

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

Mayor Hoffman seconded by Trustee Milner moved to approve the Abstract of Claims as presented for \$561,740.95 and the Pre-Paid Abstract of Claims in the amount of \$807,939.01. The motion was approved by those present. Trustee Chang was absent for the vote.

Mayor Hoffman seconded by Trustee Milner moved to approve the Budget Adjustments as presented. The motion was unanimously approved by those present. Trustee Chang was absent for the vote.

Treasurer's report annexed hereto.

In regards to the renovation of the storage area to the new gym/yoga studio, Trustee Milner reported that the storage area will now be divided into two separate rooms, one for yoga and the other for spin bikes and other workout equipment. Virtually all the work, including framing and electrical, will be done in house by our Public Works Department which will significantly lower the overall cost of the project. Original doors from the Vanderbilt House were hung as decorative accents as well. Further down the line, installation of an access card system to the new workout area and lower level in general will also be installed.

Mr. McDermott stated that the flooring and installation would cost approximately \$10,000 using an outside vendor. If the installation were done in house it would cost approximately \$7,000.

Mr. McDermott distributed to the Board various flooring samples he and Sam Balooch felt would work best for the new gym. A discussion on the pros and cons of the various samples, leveling of the cement floor and pricing ensued. The Board opted to use rubber flooring (Space Nut at \$5.00 per square foot) for the equipment room and rubber flooring with a vinyl top (Chestnut at \$6.00 per square foot) in the yoga area.

Trustee Milner seconded by Mayor Hoffman moved to approve the inhouse creation of the new gym and yoga studio (2 separate rooms) including materials (mirrors/flooring) not to exceed \$30,000. The motion was unanimously approved by those present. Trustee Chang was absent for the vote.

Mr. McDermott mentioned that our new full time laborer, Argendy Minaya, successfully completed his first day as a full time member of the Department of Public Works and everyone is excited to have him on board.

In regards to the playground equipment, Mr. McDermott was informed that rather than replacing the current slide at the park, it can be easily flipped upside down and used as a play climber. If we were to replace the entire structure it would cost upwards of \$15,000 uninstalled.

In regards to the park and pool, Trustee Farkas discussed the idea of installing the same rubber flooring in the yoga studio in the bathhouses at the pool. He also discussed not needing to sandblast the pool this year. Pat McDermott discovered that the past few years the pool was being filled using water from the fire hydrant. That water, since it is not used often, sits standing for extended periods of time causing the accumulation of high levels of iron. That iron in the water eventually begins to eat away at the paint on the walls of the pool causing it to flake off. To remedy the problem, DPW connected a 2 inch valve into the main line and will use water from the main feed to fill the pool. This source of water will have much less levels of iron. Mr. McDermott met with Rich Adams who suggested using TPS, which is an etching agent, when power washing pools. This will further assist in properly maintaining the pool through the next season.

Mayor Hoffman and the Board agreed that any and all monies saved by not refinishing the pool should be added to the \$75,000 designated to use for park and recreational purposes. This includes moving of the backstop and new flooring (rubber or dri-dek) in the bathhouses.

A discussion on Mr. McDermott being a certified pool operator and potentially being responsible for the opening and closing the pool for the 2020 season rather than Jenossa Pools ensued. Having a relationship with Jenossa, Mayor Hoffman suggested compensating Jenossa to make an on-site visit and walk Mr. McDermott through their closing process.

The Board tabled approval of the proposal submitted by Jenossa Pools for the 2020 opening and closing of the pool.

Trustee Farkas seconded by Mayor Hoffman moved to approve the starting salary and equitable increase for returning staff due to an increase in minimum wage. The motion was unanimously approved by those present. Trustee Chang was absent for the vote.

Mayor Hoffman reminded Deputy Treasurer Deane that the mandated increase in minimum wage should be factored into next year's budget.

Trustee Farkas seconded by Mayor Hoffman moved to approve a \$0.50 raise to returning gate guards and life guards. The motion was unanimously approved by those present. Trustee Chang was absent for the vote.

Trustee Farkas seconded by Mayor Hoffman moved to approve an increase to qualified gate guards who satisfy Nassau County Requirements to supervise the kiddie pool \$1.00 to \$13.50 p/hr. The motion was unanimously approved by those present. Trustee Chang was absent for the vote.

Trustee Farkas seconded by Mayor Hoffman moved to approve the 2020 lifeguard and gate guard contracts subject to correction of typos. The motion was unanimously approved by those present. Trustee Chang was absent for the vote.

Trustee Farkas seconded by Mayor Hoffman moved to approve the 2020 Camp Agreement subject to the addition of a provision allowing enrollment of non-resident nieces and nephews ages 3-10 of residents if enrollment is under 75 campers and subject to minor changes in the hold harmless agreement. The motion was unanimously approved by those present. Trustee Chang was absent for the vote.

Trustee Farkas seconded by Mayor Hoffman moved to approve the quote submitted from Gold Coast Tennis for the

seasonal reconditioning of the tennis courts for a total of \$14,750 (Har-Tru at \$7,175 and Red Clay at \$7,575). The motion was unanimously approved by those present. Trustee Chang was absent for the vote.

A lengthy discussion on raising fitness center dues for residents and non-residents ensued.

Trustee Milner seconded by Mayor Hoffman moved to approve the 2020 Resident Fitness Center Membership Application subject to raising the individual membership to \$150 per year and \$300 per family per year. On the call of the roll: Mayor Hoffman voting aye; Deputy Mayor Lam voting nay; Trustee Farkas voting nay; Trustee Milner voting aye; Trustee Gal voting aye; Trustee Kaplan voting aye; Trustee Chang was absent for the vote.

The resolution was thereupon declared duly adopted.

Mayor Hoffman seconded by Trustee Milner moved to approve the 2020 Non-Resident Golfer Fitness Center Membership Application subject to raising the individual membership to \$250 per year. On the call of the roll: Mayor Hoffman voting aye; Deputy Mayor Lam abstaining; Trustee Farkas voting nay; Trustee Milner voting aye; Trustee Gal voting aye; Trustee Kaplan voting aye; Trustee Chang was absent for the vote.

The resolution was thereupon declared duly adopted.

Mayor Hoffman seconded by Trustee Kaplan moved to accept the one and only BID submitted by Raul Carballo in the amount of \$1,000 for the purchase of the 2003 red Dodge Ram with plow. The motion was unanimously approved by those present. Trustee Chang was absent for the vote.

Mayor Hoffman seconded by Trustee Farkas moved to approve the donation of banquet chairs to the VFW of Lynbrook. The motion was unanimously approved by those present. Trustee Chang was absent for the vote.

Mayor Hoffman seconded by Trustee Kaplan moved to approve the 2020 Office Holiday and Locker Room Schedule. The motion was unanimously approved by those present. Trustee Chang was absent for the vote.

Mayor Hoffman seconded by Deputy Mayor Lam moved to approve Administrator Farrell to open the 2020 BID process for the golf course, fertilizer, seed and turf control. The motion was unanimously approved by those present. Trustee Chang was absent for the vote.

Mayor Hoffman seconded by Deputy Mayor Lam moved to approve the 2020 Former Resident Dining Room Application with an annual fee of \$500. The motion was unanimously approved by those present. Trustee Chang was absent for the vote.

Mayor Hoffman seconded by Trustee Milner moved to approve the 2020 Non-Resident application for use of the Grill Room and Social Activities Center for an annual fee of \$1,750. The motion was unanimously approved by those present. Trustee Chang was absent for the vote.

Trustee Milner and Administrator Farrell requested Deputy Clerk Melnyk research various types of inventory labels to be used on the furniture in the Grill Room as well as the outdoor patio furniture.

In regards to Agenda Item 7H, approval of Sam Balooch renewal contract, Trustee Farkas mentioned he and Trustee Kaplan met with Sam Balooch to discuss potential changes to the renewal contract. Mr. Balooch is currently opening up another training facility in Great Neck, but would still like to use Lake Success as his home base. Mr. Balooch is requesting the authority to train a limited number of outsiders in the Lake Success Fitness Center along with 30 hours of guaranteed training. This will allow for him to be on site to monitor the gym more regularly during peak hours. A discussion on the pros and cons of Sam's request ensued.

Trustee Farkas seconded by Mayor Hoffman motioned to allow Sam Balooch to train nonresidents, maximum 30 sessions a month, in the Fitness Center for a fee of \$250 per year to the Village subject to amending the agreement as needed by Trustee Farkas and the addition of an indemnity clause.

On the call of the roll: Mayor Hoffman voting aye; Trustee Farkas voting aye; Trustee Milner voting nay; Trustee Gal voting aye; Deputy Mayor Lam voting nay; Trustee Kaplan voting aye. The motion was unanimously approved by those present. Trustee Chang was absent for the vote.

The Board tabled approval of guest fees.

Mayor Hoffman seconded by Trustee Kaplan moved to approve the renewal lease with Jimmy Conlin and Gladys Conlin. The motion was unanimously approved by those present. Trustee Chang was absent for the vote.

Mayor Hoffman seconded by Trustee Kaplan moved to ratify an e-mail vote taken approving the purchase of an Elgin Street Sweeper. The motion was unanimously approved by those present. Trustee Chang was absent for the vote.

Mayor Hoffman seconded by Deputy Mayor Lam moved to ratify an e-mail vote taken appointing Dr. Jorge Gardyn as a second Village Physician. The motion was unanimously approved by those present. Trustee Chang was absent for the vote.

Mayor Hoffman seconded by Trustee Kaplan moved to appoint Michael Malatino and Don Alberto as Alternate Building Inspectors. The motion was unanimously approved by those present. Trustee Chang was absent for the vote.

A discussion on potentially combining mailings for the park, pool and golf course to save on postage ensued. Mayor Hoffman noted he did not think that application dates for the Park and Golf Course would line up and allow for a combined bulk mailing.

Mayor Hoffman seconded by Trustee Milner moved to approve the wage increase to the new minimum wage of \$13.00 per hour starting January 1, 2020. The motion was unanimously approved by those present. Trustee Chang was absent for the vote.

The Board tabled discussion of tree removals of porte cochere.

Trustee Kaplan noted Attorney Curto assisted in creating a liability waiver which will be added to the Golf and Park/Pool applications. The Fitness Center application already contains a liability waiver.

Trustee Kaplan seconded by Mayor Hoffman moved to approve the following waiver of liability disclaimer be added to all VLS applications right above where participants sign off when they turn in the applications with their checks.

"I understand that my participation in any and all activities at the Village of Lake Success is voluntary. In consideration of being allowed membership at the Village of Lake Success, I voluntarily and expressly understand, acknowledge, appreciate, accept and personally assume all inherent risk of injury and/or death from participating in activities at the Village of Lake Success. I voluntarily assume all the risks that may arise out of or result from the use of the equipment or facilities at the Village of Lake Success. I understand that if I have any concerns about my health or ability to participate in activities at the Village of Lake Success, it is my responsibility to discuss my concerns with my physician before deciding to participate."

The motion was unanimously approved by those present. Trustee Chang was absent for the vote.

Mayor Hoffman seconded by Trustee Milner moved to approve appointing Tom Walsh and Ann Frankel, ISA Certified Arborist, as Village Arborists.

Trustee Kaplan seconded by Mayor Hoffman moved to approve the reduction of the NR Family Package 1 rate of \$13,500 to \$12,950 and reduction of the NR Family Package 2 rate of \$15,250 to \$14,250. The motion was unanimously approved by those present. Trustee Chang was absent for the vote.

Trustee Kaplan noted that by January 15<sup>th</sup>, 2020 if the Golf Commission feels membership is low they intend to put out a marketing packet offering a first year introductory rate on two of the family packages.

The packages are Full Membership at \$10,995 (couples and children under 26 playing golf along with Park/Pool privileges for all and Fitness privileges for adults) and Full Limited Membership at \$10,495 (allowing play after 1pm on weekends and access to the Park/Pool and Fitness privileges) The pool receives \$1,500 of the dues and there is no rewards program.

Trustee Kaplan seconded by Mayor Hoffman moved to approve the Family Package 1 Full Membership rate of \$10,995 (Family play that includes Park/Pool and Fitness privileges) introductory rate only, no rewards program with \$1,500 going to the Park and Pool.

A discussion on the introductory rates ensued.

The Board tabled approval of first year introductory rates on Full Memberships at \$10,995 (an entire family playing golf along with Park/Pool and Fitness privileges) and Full Limited Memberships at \$10,495 (allowing play after 1pm on weekends and access to the Park/Pool and Fitness privileges).

Trustee Kaplan addressed the Board in regards to the upcoming renewal contract with Fields of Greens. A walk around with Jonathan Price and Linda Greenfield revealed concerns with overgrowth of weeds and ungroomed areas on the golf course. Jonathan Price suggested using a weed control agent to stop the weed overgrowth. Trustee Kaplan mentioned to Ms. Greenfield the Village may consider going out to BID next year.

Mayor Hoffman spoke highly of Ms. Greenfield and noted he would reach out to her to discuss ways in which she can better maintain specific areas, including weed control, on the golf course.

In regards to suggested main entrance renovations, Trustee Milner reported that he is working with Culinart, Lou Vogt and architect Jim Martino out of Port Washington to create a conceptual design that includes a separate entranceway where bridal parties could enter the building without running into gym or club members who are utilizing the facility at the same time. A discussion on the placement of the new handicap lift ensued. Administrator Farrell stated he would reach out to the handicap lift company and inform them the Village may be putting a soft hold on the installation of the new lift until we have a more concrete vision of any renovations being made to the main entrance.

Deputy Mayor Lam informed the Board that Chief Gardella is proposing promoting a sixth sergeant to the force. Having a sixth sergeant would eliminate the need to appoint an Officer in Charge (OIC) when the Chief or Lieutenant are not on call. Creating a sixth sergeant position would eliminate additional overtime costs offset by having an OIC. Appointing another sergeant also eliminates any concerns that an officer with limited time on the force is given the duties an OIC would hold. Mayor Hoffman noted that Sergeants must pass the sergeant exam given by the Nassau County Civil Service and be placed on a waiting list.

Deputy Mayor Lam seconded by Mayor Hoffman moved to authorize the Chief of Police to fill a sixth sergeant position from his current staff. The motion was unanimously approved by those present. Trustee Chang was absent for the vote.

Mayor Hoffman seconded by Deputy Mayor Lam moved to authorize the Mayor to sign the LIE HOV Supplemental Agreement No.13 for PIN #0229.03 between the Village of Lake Success and the New York State Department of Transportation. The motion was unanimously approved by those present. Trustee Chang was absent for the vote.

The CSEA and PBA Holiday schedules are for information purposes only.

Mayor Hoffman moved to enter into Executive Session at 10:20 p. m.

Mayor Hoffman reconvened the regular meeting of the Board of Trustees at 10:50p.m. and reported no action had taken place.

Mayor Hoffman adjourned the meeting at 10:50 p.m.

Respectfully submitted,

Patrick E. Farrell, CMC, RMC  
Village Administrator/Treasurer