

Minutes of the Annual Meeting of the
Board of Trustees held in the Board Room of
the Community Building, 318 Lakeville Road,
Monday, July 8, 2019 at 7:00 P.M.

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

ALSO PRESENT: Patrick E. Farrell, Village Administrator
Angelique Melnyk, Deputy Clerk
Margaret Deane, Deputy Treasurer
Andrea Curto, Village Attorney
Joseph Gardella, Chief of Police
Janet Carman, Retiree
Olexa Capili, Court Stenographer

Mayor Hoffman called the annual meeting of the Board of Trustees to order at 7:00 p.m. and asked Janet Carman to lead in the Pledge of Allegiance.

Mayor Hoffman seconded by Trustee Milner moved to approve the following Annual Resolutions as presented:

RESOLUTION - OFFICIAL NEWSPAPER

WHEREAS, the Village Law of the State of New York authorizes the Board of Trustees to designate an Official Newspaper, and the Board of Trustees desires to so designate an official newspaper,

NOW THEREFORE, BE IT RESOLVED, that the Great Neck Record, located at 25 Cuttermill Road, Great Neck, N.Y. 11021, the Great Neck News, located at 105 Hillside Avenue, Williston Park, N. Y. 11596 and Newsday, located in Melville, NY 11747, are each designated as the Official Newspaper of the Village of Lake Success. Publication in any of these newspapers shall be deemed sufficient publication.

RESOLUTION - OFFICIAL YEAR

RESOLVED, that regular meetings of the Board of Trustees shall be held on the 2nd Monday of each month at 7:30 p.m. with the exception of October due to Columbus Day, which will be held on Monday, October 21, 2019 and November, due to Veterans Day, which will be held on Monday, November 18, 2019; prevailing time, as aforesaid, in the Board Room of the Village Hall/Community Building, 318 Lakeville Road, Great Neck, N.Y. 11020. The next annual meeting will be held on July 13, 2020 at 7:00 p.m.

RESOLUTION - OVERTIME

WHEREAS, from time to time it is necessary for employees i.e. non-bargaining, non-management, full-time permanent, to work beyond or in excess of their normal working hours, and,

WHEREAS, the Board of Trustees has determined to pay additional or overtime compensation to such non-bargaining, non-management employees,

NOW, THEREFORE BE IT RESOLVED, that:

1. For each additional hour of overtime work the designated employees shall be compensated at the same overtime premium percentage as set forth in the current CSEA contract and all future CSEA contracts in effect at that time.
2. At the request of the employee, with the approval of the department head, said employee may be allowed compensatory time off from his/her normal work time, in lieu of money compensation, again at the same rate and under the same conditions as are set forth in the CSEA contract in effect at that time.

RESOLUTION - AUTHORIZATION TO SIGN CHECKS

RESOLVED THAT Sterling National Bank, First National Bank of Long Island and N.Y.C.L.A.S.S.

be and hereby are designated a depository of the funds of this corporation, and

Designate Authorized Signing Officer(s) by Title Only Mayor, Deputy Mayor, Trustees, Treasurer and Deputy Treasurer, Designate Authorized Signing Non Officer(s) by Name

Number of Signatures required two (2)

Special Instructions: 1 Signature Mayor Adam Hoffman, Deputy Mayor Steven Lam, Trustee Eugene Kaplan, plus 1 Signature Treasurer or Deputy Treasurer is/are hereby authorized (i) to sign, for and on behalf of this corporation, any and all checks, drafts or other orders with respect to any funds at any time(s) to the credit of this Corporation with the Bank and/or against any account(s) of this Corporation maintained at any time(s) with the Bank, inclusive of any such checks, drafts or others in favor of any of the above-designated officer(s) and/or other person(s), and/or (ii) to make withdrawals at any time(s) of any such funds or from any such account(s) by any other means authorized by the Bank, including (without limitation) a debit card, a credit card, a terminal or other device or facility providing access to any such funds or account(s), and that the Bank be and hereby is authorized (a) to pay such checks, drafts or orders, and/or to honor such withdrawals, by debiting any account(s) of this Corporation then maintained with it; (b) to receive for deposit to the credit of this Corporation, and/or for collection for the account of this Corporation, any and all checks, drafts, notes or other instruments for the payment of money, whether or not endorsed by this Corporation, which may be submitted to it for such deposit and/or collection , it being understood that each such item shall be deemed to have been unqualifiedly endorsed by this Corporation; and (c) to receive, as the act of this Corporation, any and all stop-payment instructions (inclusive of any relative agreement) with respect to any such checks, drafts, other orders as aforesaid and reconciliation(s) of account when signed by any one or more of the officer(s) and/or other person(s) as hereinbefore designated.

Facsimile Authorization:

RESOLVED THAT the Bank is further authorized to pay to the debit of any account(s) of this Corporation, any and all checks, drafts, and other instruments for the payment of money drawn in the name of the Corporation bearing or purporting to bear the facsimile signature(s) of:

Designate Authorized Signing Officer(s) by Title Only: Mayor, Deputy Mayor, Trustee, Treasurer and Deputy Treasurer,

Designate Authorized Signing Non-Officer(s) by Name: _____

Number of Signatures Required: _____

Special Instructions: _____

inclusive of any in favor of any person(s) whose facsimile signature(s) appear(s) thereon, if the facsimile signature(s) thereon, regardless of by whom or what means affixed, resembles(s) the specimen(s) thereof filed with the Bank.

VILLAGE OF LAKE SUCCESS PROCUREMENT POLICY

WHEREAS, Section 104-b of the General Municipal Law requires the governing body of every municipality to adopt a procurement policy for all goods and services which are not required by law to be publicly bid, and

NOW, THEREFORE BE IT RESOLVED, that the Village of Lake Success does hereby adopt the following procurement policy which is intended to apply to all goods and services which are not required by law to be publicly bid.

DEFINITIONS:

Bid Limits - this includes all goods under \$20,000 and public works contracts under \$35,000.

Public Works - if the contract involves substantial services or specialized skills, it will be considered a public works contract. Public works contracts involve services, labor or construction.

Purchase Contract - If service or labor is only a minimal or incidental part of the contract, it is considered a purchase contract. Purchase contracts involve the purchase of goods, supplies or equipment.

Board - shall refer to the Mayor and the Board of Trustees.

Purchasing Officer - shall refer to that person to whom the duties, responsibilities and authority for the issuance of purchase orders and bids have been designated.

Department Head - shall refer to the supervisor, foreman, deputy, superintendent, chief or other such title of the head of any and all departments of the Village.

RESPONSIBILITIES

The Board - The Board shall appoint a Purchasing officer for the Village. This person may have other duties as well as that of purchasing.

The Board shall advise each and every department of the establishment of the position of Purchasing Officer and its areas of responsibility and authority.

The Board shall review this procurement policy on a yearly basis. The Purchasing Officer may request review and updates as necessary.

Purchasing Officer - The Purchasing Officer shall, at the direction of the Board, prepare or oversee the preparation and issuance of all bids through the Administration Office.

The Purchasing Officer shall oversee that goods and services will be secured by use of written requests for proposals, written quotations, verbal quotations or any other method that assures that goods will be bought at the lowest price and that favoritism will be avoided.

The Purchasing Officer shall compile and review all purchasing data submitted by Department Heads to determine bidding requirements as indicated.

The Purchasing Officer shall prepare a list of like items, as per State guidelines, which must be grouped for purchasing (i.e. office supplies, light bulbs, etc.).

The Purchasing Officer shall establish a system of requisitions, purchase orders, requests for price quotes and other forms as required for the operation of the position. This system shall be issued to all Department Heads for their use. Said system shall include the purchase of all goods that are priced under the State approved Bid Limits.

The Purchasing Officer shall, whenever possible, review the use of alternatives to competitive bidding, such as: purchases through NYS Office of General Services; purchases through County contracts; emergency

purchases; standardized purchases; surplus and second hand goods purchased from the federal government, New York State or from any other political subdivision; professional services; sole source situations; leases; concessions; and use of municipal employees/municipal cooperation.

The Purchasing Officer shall require documentation of actions taken in connection with each such procurement. This essentially means forming a paper trail of the method used to obtain the goods or services.

The Purchasing Officer shall maintain a file of all non-bid items and perform a periodic review to determine if changes in purchasing have resulted in the need for a bid.

Department Head - The Department Head shall receive a monthly report of expenditures for the department.

The Department Head shall review these expenditures to determine if there is a change in the purchasing of items.

The Department Head shall notify the Clerk-Treasurer if the budgeted amount for a particular item appears inadequate and shall request the Board to transfer funds to cover the needed increase. At no time can a budgeted amount be overspent.

The Department Head shall provide the Budget Officer with a written report, in January of each year, of projected needs for the department for the coming budget year in order for the Budget Officer to determine if there is a bid requirement due to the combining of purchases for more than one department.

The Department Head shall make every attempt, based on past purchasing history and anticipated needs, to accurately project purchases for the budget year.

The Department Head shall submit requisitions and/or requests for price forms to the Purchasing Officer.

This Purchasing Policy shall go into effect on January 1, 1992 and will be reviewed annually.

1. Every purchase to be made must be initially reviewed to determine whether it is a purchase contract or a public works contract. Once that determination is made, a good faith effort will be made to determine whether it is known or can reasonably be expected that the aggregate amount to be spent on the item of supply or service is not subject to competitive bidding, taking into account past purchases and the aggregate amount to be spent in a year. The following items are not subject to competitive bidding pursuant to Section 103 of the General Municipal Law: purchase contracts under \$20,000 and public works contracts under \$35,000; emergency purchases; goods purchases from agencies for the blind or severely handicapped; goods purchased from correctional institutions; purchases under State and county contracts; and surplus and second-hand purchases from another governmental entity.

2. All goods and services will be secured by use of written requests for proposals, written quotations, verbal quotations, or any other method that assures that goods will be purchased at the lowest price and that favoritism will be avoided, except in the following circumstances: goods purchased from agencies for the blind or severely handicapped pursuant to Section 175-b of the State Finance law; goods purchased from correctional institutions pursuant to Section 186 of the Correction Law; purchases under State contracts pursuant to Section 104 of the General Municipal Law; purchases under county contracts pursuant to subdivision 6 of this policy.

3. The following method of purchase will be used when required by this policy in order to achieve the highest savings:

Purchase

Estimated

<u>Amount of Purchase</u>	<u>Method</u>
\$1 - \$3,000	Direct Purchase at the Direction of the Purchasing Officer
\$3,001 - \$4,999.99	2 Verbal Quotations
\$5,000 - \$19,999	3 Written/fax quotations or written request for proposals
\$20,000 and up 103	Advertised formal sealed bids in conformance with General Municipal Law, Section

Public Works

Estimated

<u>Amount of Purchase</u>	<u>Method</u>
\$1 – 3,000	Direct Purchase at the direction of the Purchasing Officer
\$3,001 - 7,499.99	2 Verbal Quotations
\$7,500 - \$11,999.99	2 Written / Fax quotes from at least 2 vendors.
\$12,000 -34,999.99	Written/fax quotes or written Requests for Proposals from at least 3 vendors and written prevailing wage certification as required under Article 8 and 9 of the Labor Law.
\$35,000 and up	Advertised, formal sealed bids in conformance with Section 103 of the General Municipal Law.

- a. A good faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser will document the attempt made at obtaining the proposals. In no event shall the failure to obtain the proposals be a bar to the procurement.
- b. The limit for a Trustee Liaison or Commissioner to purchase equipment for his department / commission without first obtaining Board of Trustees approval is \$2,500, provided this money is in their budget and subject to prior consultation with the Village Administrator and Village Treasurer. If in any fiscal year the aggregate reaches \$5,000, future purchases over \$1,000 will require full Board of Trustees approval.

4. Documentation is required of each action taken in connection with each procurement.

5. Documentation and an explanation is required whenever a contract is awarded to other than the lowest responsible offeror. This documentation will include an explanation of how the award will achieve savings or how the offeror was not responsible.

6. Pursuant to General Municipal Law Section 104-b (2) (f), the procurement policy may contain circumstances when, or types of procurement for which, in the sole discretion of the governing body, the solicitation of alternative proposals or quotations will not be in the best interest of the municipality. In the following circumstances it may not be in the best interests of the Village of Lake Success to solicit quotations or document the basis for not accepting the lowest bid:

- a. Professional services or services requiring special or technical skill, training or expertise. The individual or company must be chosen based on accountability, reliability, responsibility, skill, education and training, judgment, integrity, and moral worth. These qualifications are not necessarily found in the individual or company that offers the lowest price and the nature of these services are such that they do not readily lend themselves to competitive procurement procedures.

In determining whether a service fits into this category the Village of Lake Success shall take into consideration the following: (a) whether the services are subject to State licensing or testing requirements; (b) whether substantial formal education or training is a necessary prerequisite to the performance of the services; and (c) whether the services require a personal relationship between the individual and municipal officials. Professional or technical services shall include but not be limited to the following: services of an attorney; services of a physician; technical services of an engineer engaged to prepare plans, maps and estimates; securing insurance coverage and/or services of an insurance broker; services of a certified public accountant; investment management services; printing management of municipally owned property; and computer software or programming services for customized programs, or services involved in substantial modification and customizing of pre-packaged software.

- b. Emergency purchases pursuant to Section 103 (4) of the General Municipal Law. Due to the nature of this exception, these goods or services must be purchased immediately and a delay in order to seek alternate proposals may threaten the life, health, safety or welfare of the residents. This section does not preclude alternate proposals if time permits.
- c. Purchases of surplus and second-hand goods. If alternate proposals are required, the Village of Lake Success is precluded from purchasing surplus and second-hand goods at auctions or through specific advertised sources where the best prices are usually obtained. It is also difficult to try to compare prices of used goods and a lower price may indicate an older product.
- d. Goods or services under \$250. The time and documentation required to purchase through this policy may be more costly than the item itself and would therefore not be in the best interests of the taxpayer. In addition, it is not likely that such de minimis contracts would be awarded based on favoritism.

Such goods or services under \$250.00 may therefore be obtained under the direction of the department head without a purchase order.

7. This policy shall go into effect January 1, 1992 and will be reviewed annually.

RESOLUTION - PAYMENT OF CLAIMS

WHEREAS, the Village Law provides that the Board of Trustees may authorize payment in advance of audited claims for certain recurring charges, and

WHEREAS, penalties may be involved if these charges are not timely paid.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees authorizes the Treasurer to pay without prior audit the following claims:

- 1. Public utility services

2. Postage
3. Freight
4. Insurance
5. Social Security charges
6. Tax liabilities
7. Debt service
8. Vendor Payments to avoid late charges, such as Charge Cards
9. Expenditures specifically authorized at a Board meeting
10. Properly documented expenses at the discretion of the Clerk and Treasurer.

RESOLUTION - VILLAGE FUNDS

RESOLVED, that the Treasurer is authorized and directed to invest and reinvest Village funds belonging to the various accounts via., General Fund, Golf Fund, Capital Fund, Sewer Fund, Trust and Agency Funds, and such other funds as may from time to time be established, which have not been appropriated for any specific purpose and/or which are not immediately required to be expended for the purpose for which they have been appropriated, in Certificates of Deposit, or day of Deposit-Date of withdrawal accounts, or other interest bearing accounts, at the best interest rates available in the following institutions:

First National Bank of Long Island, Sterling National Bank and N.Y.C.L.A.S.S

The Village of Lake Success requires that funds held by any financial institution, as aforesaid, to the extent that they exceed the FDIC Insurance amount (presently \$100,000) be collateralized by deposits with third party financial institutions pursuant to written agreement and that the evidence thereof, be in a form acceptable to the Village Attorney and the State Comptroller, and that the status of the account with the third party be monitored by the Treasurer, who shall have the authority to approve and release said collateral as necessary.

BE IT FURTHER RESOLVED that the foregoing instruments and evidence of debt, as well as the securities deposited with the third party shall be in accordance with the applicable laws, rules and regulations of the United States Government, the State of New York and the Office of the State Comptroller.

VILLAGE OF LAKE SUCCESS INVESTMENT POLICY

The objectives of the Investment Policy of the Village of Lake Success are to minimize risk; to insure that investments mature when the cash is required to finance operations; and to insure a competitive rate of return. In accordance with this policy, the chief fiscal officer is hereby authorized to invest all funds including proceeds of obligations and reserve funds in:

Certificates of Deposit issued by a bank or trust company authorized to do business in New York State;

Time Deposit Accounts in a bank or trust company authorized to do business in New York State;

Obligations of New York State;

Obligations of the United States Government;

In Repurchase Agreements involving the purchase and sale of direct obligations of the United States.

All funds except Reserve Funds may be invested in:

Obligations of agencies of the federal government if principal and interest is guaranteed by the United States with the approval of the State Comptroller, in Revenue Anticipation Notes or Tax Anticipation Notes of other local governments.

Only reserve funds may be in:

Obligations of the Village of Lake Success.

All other Village of Lake Success officials receiving money in their official capacity must deposit such funds in negotiable order of withdrawal accounts, when available.

All investments made pursuant to this investment policy shall comply with the following conditions:

1. COLLATERAL.

- a. Certificates of deposit shall be fully secured by insurance of the Federal Deposit Insurance Corporation or by obligations of New York State or obligations of the United States or obligations of federal agencies the principal and interest of which are guaranteed by the United States, or obligations of New York State local governments. Collateral shall be delivered to the Local Government or a Custodial Bank with which the Village of Lake Success had entered into a Custodial Agreement. The market value of collateral shall at all times equal or exceed 105% of the principal amount of the certificate of deposit. Collateral shall be monitored no less frequently than weekly, and market value shall mean the bid or closing price as quoted in the Wall Street Journal or as quoted by another recognized pricing service.
- b. Securities purchased through a repurchase agreement shall be valued to market at least weekly.
- c. Collateral shall not be required with respect to the direct purchase of obligations of New York states, obligations of the United States, and obligations of federal agencies the principal and interest of which are guaranteed by the United States Government.

2. DELIVERY OF SECURITIES.

- a. Repurchase Agreements. Every Repurchase Agreement shall provide for payment to the seller only upon the seller's delivery of obligations of the United States to the Custodial Bank designated by the Local Government, or in the case of a book-entry transaction, when the obligations of the United States are credited to the Custodian's Federal Reserve Bank account. The seller shall not be entitled to the substitute securities. Repurchase agreements shall be for periods of 30 days or less. The Custodial Bank shall confirm all transactions in writing to insure that the Village of Lake Success' ownership of the securities is properly reflected on the records of the Custodial Bank.
- b. Payment shall be made by or on behalf of the Village of Lake Success for obligations of New York State, obligations the principal and interest of which are guaranteed by the United States, United State Obligations, certificates of deposit, and other purchased securities upon delivery thereof to the custodial bank, or in case of a book-entry transaction, when the purchased securities are credited to the Custodial Bank's Federal Reserve System account. All transactions shall be confirmed in writing.

3. WRITTEN CONTRACTS.

Written contracts are required for Repurchase Agreements, certificates of deposit, and custodial undertakings. With respect to the purchase of obligations of U.S., New York State, or other governmental entities, etc. in which monies may be invested, the interests of the Village of Lake Success will be adequately protected by conditioning payment on the physical delivery of purchased securities to the Village of Lake Success or Custodian, or in the case of book-entry transactions, on the crediting of purchased securities to the Custodian's Federal Reserve System account. All purchases will be confirmed in writing to the Village of Lake Success.

It is therefore, the policy of the Village of Lake Success, to require written contracts as follows.

- a. Written contracts shall be required for all Repurchase Agreements. Only credit worthy banks and primary reporting dealers shall be qualified to enter into a Repurchase Agreement with the Village of Lake Success. The written contract shall provide that only obligations of the United States may be purchased, and the Local Government shall make payment upon delivery of the securities or appropriate book-entry of the purchased securities. No specific repurchase agreement shall be entered into unless a master repurchase agreement has been executed between the Village of Lake Success and the trading partners. While the term of the master repurchase agreement may be for a reasonable length of time, a specific repurchase agreement shall not exceed thirty (30) days.
- b. Written contracts shall be required for the purchase of all certificates of deposit.
- c. A written contract shall be required with the Custodial Bank.

4. DESIGNATION OF CUSTODIAL BANK.

- a. Custodial Bank. Commercial Bank or Trust Companies approved for deposit of Village funds at the annual meeting which are chartered by the State of New York are designated as eligible to act as Custodial Banks of the Village of Lake Success investments. However, securities may not be purchased through a Repurchase Agreement with a Custodial Bank.

5. FINANCIAL STRENGTH OF INSTITUTIONS.

All trading partners must be credit worthy. Their financial statements must be reviewed at least annually by the Chief Fiscal Officer to determine satisfactory financial strength or the Chief Fiscal Officer may use credit rating agencies to determine credit worthiness of trading partners. Concentration of investments in financial institutions should be avoided. The general rule is not to place more than \$100,000 in overnight investments with any one institution.

Investment in time deposits and certificates of deposit are to be made with banks or trust companies. Their annual reports must be reviewed by the Chief Fiscal Officer to determine satisfactory financial strength.

When purchasing eligible securities the seller shall be required to deliver the securities to a Custodial Bank.

Repurchase agreements shall be entered into only with banks or trust companies or registered and primary reporting dealers in government securities. Sound credit judgments must be made with respect to trading partners in repurchase agreements it is not assumed that inclusion on a list of the Federal Reserve is automatically adequate evidence of credit worthiness.

Repurchase agreements should not be entered into with undercapitalized trading firms.

6. OPERATIONS, AUDIT, AND REPORTING.

The chief fiscal officer or the deputy chief fiscal officer shall authorize the purchase and sale of all securities and execute contracts for Repurchase Agreements and certificates of deposit on behalf of the Village of Lake Success. Oral directions concerning the purchase or sale of securities shall be confirmed in writing. The Village of Lake Success shall pay for purchased securities upon the delivery or book-entry thereof.

The Village of Lake Success will encourage the purchase and sale of securities and certificates of deposit through a competitive or negotiated process involving telephone solicitation of at least three bids for each transaction.

At the time independent auditors conduct the annual audit of the accounts and financial affairs of the Village of Lake Success, the independent auditors shall audit the investments of the Village of Lake Success for compliance with the provisions of the investment Guidelines.

Within sixty (60) days of the end of each of the first three quarters of the fiscal year, the chief fiscal officer shall prepare and submit to the Audit and Finance Committee of the Village of Lake Success a

quarterly investment report which indicate new investments, the inventory of existing investments, and such other matters as the chief fiscal officer deems appropriate.

Within 120 days of the end of the fiscal year, the chief fiscal officer shall prepare and submit to the Audit and Finance Committee an annual investment report; recommendations for change in these Investment Guidelines; the result of the annual independent audit; the investment income record; a list of total fees, commissions or other charges, if any paid to the Custodial Bank' and such other matters as the chief fiscal officer deems appropriate.

The Board of Trustees of the Village of Lake Success shall review and approve the annual investment report, if practicable, at its Annual Meeting.

At least annually, and if practicable, at the Annual meeting of the Board of Trustees, the Members shall review and amend, if necessary, these Investment Guidelines.

The provisions of these Investment Guidelines and any amendments hereto shall take effect prospectively, and shall not invalidate the prior selection of any Custodial Bank or prior investment.

Adopted on February 21, 1989 by unanimous consent of the Board of Trustees of the Village of Lake Success.

RESOLUTION - BOARD OF ASSESSMENT REVIEW TO BE APPOINTED FROM MEMBERS OF THE BOARD OF TRUSTEES

BE IT RESOLVED, that pursuant to Village Law Section 3-301(b), the Board of Assessment Review shall be appointed from the members of the Board of Trustees.

RESOLUTION - BENEFITS FOR NON-UNION EMPLOYEES

In order to clarify and ratify a long-standing policy of the Village of Lake Success regarding benefits for non-union employees, it is hereby resolved that all non-union employees of the Village shall receive the same benefits that union employees receive under the CSEA contract regarding health, dental and vision insurance, holidays, accumulation of sick time, and vacation leave, and payout of accrued leave.

BE IT FURTHER RESOLVED: That the Village Administrator/Treasurer cannot accrue sick leave, but will record and accrue vacation leave in the same manner as union employees pursuant to the CSEA contract.

RESOLUTION - REIMBURSEMENT OF PERSONAL CAR USE

WHEREAS, the Board of Trustees of the Village has determined to pay a fixed rate for mileage as a reimbursement to officers and employees where authorized, who use their personal automobiles while performing their official duties on behalf of the Village.

WHEREAS, the Board of Trustees has determined to pay a fixed rate for mileage as reimbursement to all full time paid employees, and for others authorized by the Mayor or Deputy Mayor, who use their personal automobiles while performing their official duties on behalf of the Village.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Lake Success shall approve reimbursement to officers and employees at the current IRS rate per mile at the time mileage was used, in addition to the actual expenditure for road tolls.

2019 rate is .58 cents per mile.

RESOLUTION – VILLAGE HOUSING

In order to clarify and ratify a long-standing policy of the Village of Lake Success regarding the Golf Course Manager and Caretaker, it is hereby resolved that the employee hired for each of these titles must live on premises in the housing provided by the Village in order to provide security, to be available in case of emergency and late night meetings.

**COMPUTER POLICY
FOR THE INCORPORATED VILLAGE OF LAKE SUCCESS**

I. PURPOSE

Any employee ("users") using the Incorporated Village of Lake Success' (the "Village") computer systems, Internet technologies and/or e-mail system must adhere to the rules contained in this policy. By utilizing such computer systems, internet technologies and/or e-mail system, users agree to abide by the terms of this policy.

II. USE OF VILLAGE PROPERTY OUTSIDE THE VILLAGE

All data and programs on the Village's computers, network stations and file servers are the property of the Village. Such Village property shall not be copied, except for Village purposes, and shall not be moved or used outside of the Village, except for Village-related purposes, without prior notification to and approval by the Village Clerk and the employee's department head.

III. COMPUTER SYSTEM USAGE

All electronic and telephonic communications systems and all communications and information transmitted by, received from or stored in the Village's computer systems are to be used solely for job-related purposes. No employee shall prevent in any way the Village Clerk or employee's department head from accessing said employee's computer and/or computer system. Use of Village Internet technologies to access any Web site for the purpose of accessing materials of a sexually explicit nature or materials which are otherwise inappropriate in a professional environment or for any illegal purpose is strictly prohibited.

IV. E-MAIL COMMUNICATIONS

The Village's e-mail system is to be used for business purposes only. The e-mail system should not be used to send and/or receive messages of a personal nature or materials which are otherwise inappropriate in a professional environment. Use of the Village's e-mail systems to transmit, receive, harass, intimidate, annoy or make available to others information containing sexually explicit, profane, obscene, harassing, offensive or otherwise discriminatory material is strictly prohibited. The Village's e-mail systems are not to be used for personal financial gain or profit.

V. PRIVACY

User cannot and should not attempt to use the Village's e-mail and/or other computer systems to send, receive or store any messages or data they wish to keep private. By using the Village's e-mail and/or computer systems, all users waive any right to privacy in e-mail messages or other data transmitted. The Village reserves the right to access, review, copy, and/or delete any message, file, data or document on its e-mail or computer systems, including matter stored on individual computers and related media.

VI. CONFIDENTIAL INFORMATION

Confidential information of or concerning the Village shall never be forwarded to others who are not authorized to receive such information and shall not be transmitted to anyone who does not need to know such information. In order to further guard against dissemination of confidential Village information, employees shall not disclose their passwords and information in the computer system to any person except to the employee's department head or to officers of the Village. No employee shall enter the e-mail files of another employee without the prior consent of the other employee unless authorized by the department head or his/her designee.

VII. COPYRIGHT INFRINGEMENT PROHIBITED

Use of the Village's computer systems to copy and/or transmit any documents, software or other matter that is otherwise protected by the copyright laws is strictly prohibited.

VIII. AUTHORIZATION REQUIRED FOR DOWNLOAD OR INSTALLATION OF SOFTWARE

Personal copies of software (not Village-owned) shall not be loaded/installed or run on Village computers without prior written authorization from the department head or his/her designee. Village-owned software shall not be copied or downloaded from a Village computer to a floppy disk or other electronic media for personal use or purpose without prior written authorization from the employee's department head or his/her designee.

IX. SECURITY; INTEGRITY OF VILLAGE'S COMPUTER SYSTEMS

Users must not attempt to circumvent or subvert computer system security measures or to access unauthorized resources or entities. Users must not do anything to harm the Village's computer systems or the information stored on them. This includes, but is not limited to, creating or spreading viruses, degrading system performance, disrupting services, damaging files, or vandalizing or otherwise compromising the data of another user.

X. ENFORCEMENT; PENALTIES FOR OFFENSES

Any violation of this policy may result in access privileges being revoked and/or appropriate legal or disciplinary action being pursued against the user.

XI. WAIVER OF RESPONSIBILITY

Users of the Village's computer systems for personal use do so at their own risk, even if the employee has received prior authorization for such use by the user's department head or his/her designee. The Village makes no warranties with respect to network or computer service, and it specifically assumes no responsibility for:

- A. The content of any information received by a user, whether for personal or Village business purposes from a source outside of the Village, or any costs or charges incurred as a result of receiving or accepting such information.
- B. Any costs, liabilities or damages caused by the way the user chooses to use his/her Village computer system access for personal purposes, even if done with prior authorization of such personal use by the user's department head or his/her designee; and
- C. Any consequences of service interruption or changes, even if these disruptions arise from circumstances under the control of the Village.

Cyber Security Citizens' Notification Policy For the Incorporated Village of Lake Success

- A. This policy is consistent with the State Technology Law §208 as added by Chapters 442 and 491 of the Laws of 2005. This policy requires notification to affected New York residents and non-residents. New York State values the protection of *private information* of individuals. The Incorporated Village of Lake Success (the "Village") is required to notify an individual when there has been or is reasonably believed to have been a compromise of the individual's *private information* in compliance with the Information Security Breach and Notification Act and this policy.
- B. The Village, after consulting with the State's Office of Cyber Security and Critical Infrastructure Coordination ("CSCIC") to determine the scope of the breach and restoration measures, must notify an individual when it has been determined that there has been, or is reasonably believed to have been, a compromise of the individual's *private information* through unauthorized disclosure.
- C. A compromise of *private information* means the unauthorized acquisition of unencrypted computerized *data* with *private information*.
- D. If encrypted *data* is compromised along with the corresponding encryption key, the *data* is considered unencrypted and thus falls under the notification requirements.
- E. Notification may be delayed if a law enforcement agency determines that the notification impedes a criminal investigation. In such case, notification will be delayed only as long as needed to determine that notification no longer compromises any investigation.
- F. The Village will notify the affected individual directly by one of the following methods:
 - 1. Written notice;

2. Electronic notice, provided that the person to whom notice is required has expressly consented to receiving notice in electronic form and a log of each notification is kept by the Village that notifies affected persons in such form;
 3. Telephone notification, provided that a log of each notification is kept by the Village that notifies affected persons; or
 4. In the event that the Village demonstrates to the State Attorney General that the cost of providing notice would exceed \$250,000, or that the affected class of persons to be notified exceeds 500,000, or that the Village does not have sufficient contact information, the following shall constitute sufficient substitute notice:
 - a. E-mail notice when the Village has an e-mail address for the subject persons;
 - b. Conspicuous posting of the notice on the Village's web site page; and
 - c. Notification to major statewide media.
- G. The Village must notify the CSCIC as to the timing, content and distribution of the notices and approximate number of affected persons.
- H. The Village must notify the Attorney General and the Consumer Protection Board whenever notification to a New York resident is necessary, as to the timing, content and distribution of the notices and approximate number of affected persons.
- I. Regardless of the method by which notice is provided, the notice must include contact information for the Village making the notification and a description of the categories of information that were, or are reasonably believed to have been, acquired by a person without valid authorization, including specification of which of the elements of personal information and private information were, or are reasonably believed to have been, so acquired.
- J. This Policy also applies to *information* maintained on behalf of the Village by a *third party*.
- K. When more than 5,000 New York residents must be notified at one time, then the Village must notify the *consumer reporting agencies* as to the timing, content and distribution of the notices and the approximate number of affected individuals. This notice, however, will be made without delaying notice to the individuals.

Definitions

Consumer Reporting Agency: Any person which, for monetary fees, dues, or on a cooperative nonprofit basis, regularly engages in whole or in part in the practice of assembling or evaluating consumer credit information or other information on consumers for the purpose of furnishing consumer reports to third parties, and which uses any means or facility of interstate commerce for the purpose of preparing or furnishing consumer reports. The State Attorney General is responsible for compiling a list of consumer reporting agencies and furnishing the list upon request to the Village.

Data: Any *information* created, stored (in temporary or permanent form), filed, produced or reproduced, regardless of the form or media. *Data* may include, but is not limited to personally identifying *information*, reports, files, folders, memoranda, statements, examinations, transcripts, images, communications, electronic or hard copy.

Information: The representation of facts, concepts, or instructions in a formalized manner suitable for communication, interpretation, or processing by human or automated means.

Personal Information: Any *information* concerning a natural person which, because of name, number, personal mark or other identifier, can be used to identify such natural person.

Private Information: *Personal information* in combination with any one or more of the following *data* elements, when either the *personal information* or the *data* element is not encrypted or encrypted with an encryption key that has also been acquired:

1. social security number; or
2. driver's license number or non-driver identification card number; or
3. account number, credit or debit card number, in combination with any required security code, access code, or password which would permit access to an individual's financial account

"Private information" does not include publicly available information that is lawfully made available to the general public from federal, state, or local government records.

Third Party: Any non-municipal employee such as a contractor, vendor, consultant, intern, other municipality, etc.

FAMILY AND MEDICAL LEAVE POLICY

INCORPORATED VILLAGE OF LAKE SUCCESS

Purpose: The "Family and Medical Leave Act of 1993" ("FMLA"), as amended, requires employers with 50 or more employees to provide eligible employees with unpaid leave. The Incorporated Village of Lake Success (the "Village") provides two types of leave, including the basic 12-week leave entitlement (Basic FMLA Leave), as well as the military family leave entitlements (Military Family Leave) described in this Policy. These leaves are consistent with the requirements of federal law.

Employee Eligibility: Employees are eligible for FMLA leave if they: (1) have been employed by the Village for at least 12 months; and (2) have worked at least 1,250 hours during the 12-month period immediately preceding the commencement of leave (time spent on paid or unpaid leave does not count toward the 1,250 hours requirement).

Covered Family And Medical Reasons:

Basic FMLA Leave:

Employees who meet the eligibility requirements described above are eligible to take up to 12 weeks of unpaid leave during any 12-month period for one of the following reasons:

1. Due to the birth of a son or daughter of the employee and/or to care for such son or daughter. (*Entitlement to leave for this purpose expires twelve (12) months following the date of birth.*)
2. Due to the placement of a son or daughter with the employee for adoption or foster care. (*Entitlement to leave for this purpose expires twelve (12) months following the date of placement.*)
3. In order to care for the spouse, son, daughter, or parent of the employee if such spouse, son, daughter, or parent has a serious health condition.
4. Due to a serious health condition that causes the employee to be unable to perform the functions of his/her position.

****Note:** If an employee has a question about whether a specific illness is covered under this Policy or under the Village's sick leave policy, the employee is encouraged to meet with the Village Administrator.

The relevant 12-month period used to determine eligibility for Basic FMLA Leave will be calculated on a rolling basis, measured backward from the date the employee first uses any leave under this Policy.

Spouses who are both employed by the Village are entitled to a total of twelve (12) weeks of leave (rather than twelve weeks each) for the birth, adoption or placement of a child and for the care of a parent with a serious health condition.

The terms "serious health condition," "son," "daughter," and "parent," are defined (for purposes of Basic FMLA leave) in accordance with the FMLA. Any employee who has a specific question about any of these definitions is encouraged to contact the Village Administrator.

Military Family Leave: There are two types of Military Family Leave available: (1) Qualifying Exigency Leave; and (2) Military Caregiver Leave.

Qualifying Exigency Leave: Employees meeting the eligibility requirements may be entitled to use up to 12 weeks of their Basic FMLA Leave entitlement to address certain qualifying exigencies.

Leave may be used if the employee's spouse, son, daughter, or parent (the "covered military member") is on covered active duty (or has been notified of an impending call or order to covered active duty) in the Armed Forces. With respect to a member of a *regular* component of the Armed Forces, "covered active duty" is defined as duty during deployment to a foreign country. With respect to a member of a *reserve* component of the Armed Forces, "covered active duty" is defined as duty during deployment to a foreign country under a call or order to active duty pursuant to certain statutory provisions. Qualifying exigencies may include:

- ❖ Short-notice deployment (up to 7 days of leave);
- ❖ Attending certain military events & related activities;
- ❖ Arranging for alternative childcare & attending certain school activities;
- ❖ Addressing certain financial & legal arrangements;
- ❖ Spending time with a covered military member who is on short-term rest & recuperation leave during deployment (up to 5 days of leave);
- ❖ Attending certain counseling sessions for oneself, the covered military member or a child of the military member;
- ❖ Attending post-deployment activities that occur up to 90 days after the termination of the covered military member's (covered) active duty status, or to address issues that arise from the death of a covered military member while on (covered) active duty status; and
- ❖ Other activities arising out of the covered military member's (covered) active duty or call to (covered) active duty status which are agreed upon by the Village & the employee.

The relevant 12-month period used to determine eligibility for Qualifying Exigency Leave will be calculated on a rolling basis, measured backward from the date the employee uses any such leave.

Military Caregiver Leave: There is also a special leave entitlement that permits employees who meet the eligibility requirements for FMLA leave to take up to 26 weeks of unpaid leave during a single 12-month period to care for an immediate family member (spouse, child, parent) or next of kin (nearest blood relative) who is a covered service member.

For purposes of this leave provision, a "covered service member" is defined as: (1) a member of the Armed Forces, National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or (2) a Veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces, National Guard or Reserves at any time in the five years preceding the date the Veteran undergoes such medical treatment, recuperation or therapy.

- ❖ With respect to members of the Armed Forces, National Guard or Reserves, a "serious injury or illness" is defined as an injury or illness that was either incurred in the line of duty or aggravated by service in the line of duty while on active duty in the Armed Forces that may render the member medically unfit to perform the duties of his or her office, grade, rank or rating.
- ❖ With respect to Veterans, a "serious injury or illness" is defined as a "qualifying injury or illness" that was incurred in the line of duty or aggravated by service in the line of duty while on active duty in the Armed Forces and that manifested itself before or after the member became a Veteran.

The 12-month period for Military Caregiver Leave is defined as the 12-month period measured *forward* from the date an employee's first FMLA leave to care for the covered service member begins. During this 12-month period, an eligible employee's FMLA leave entitlement is limited to a combined total of 26 workweeks of leave for any FMLA-qualifying reason.

In cases where a husband and wife are both employed by the Village, the combined total of leave taken to care for a covered service member may not exceed 26 weeks in a single 12-month period.

Reduced Work Schedule Or Intermittent Leave: In the case of a serious health condition involving an employee or an employee's spouse, child or parent, or either type of Military Family Leave, an employee may be able to take FMLA leave on an intermittent basis (in separate blocks of time due to a single health condition) rather than all at once, or the employee may be able to work on a reduced-schedule (reducing the usual number of hours worked per workweek or workday) where medically necessary. However, leave may not be taken on an intermittent basis or on a reduced-schedule when used to care for the employee's own child during the first year following birth, or to care for a child

placed with the employee for foster care or adoption, unless the employee has obtained prior approval from his/her Department Head and the Village Administrator.

When planning medical treatment, employees must consult with the Village and make reasonable efforts to schedule leave so as not to unduly disrupt the Village's operations. If an employee needs intermittent or reduced-schedule leave that is foreseeable based on planned medical treatment for the employee, a family member, or a covered service member, or if the Village has agreed to permit an employee to take intermittent or reduced-schedule leave for the birth, adoption or placement of a child, the Village may temporarily transfer the employee to an available alternative position that better accommodates the recurring leave and which has equivalent pay and benefits.

Procedure For Requesting FMLA Leave: All employees requesting leave under this Policy must complete the Family/Medical Leave Form available from the Village Office. When the need to use FMLA leave is foreseeable, the employee is required to provide the Village with at least 30 days' advance written notice before the requested leave is scheduled to begin. When 30 days' notice is not possible due to lack of knowledge of when leave will begin, a change in circumstances or a medical emergency, the employee must give notice as soon as practicable after the need for leave becomes known, as defined under the FMLA. Failure to provide timely notice may result in delay or denial of the requested leave. In all cases, the employee will be required to complete an FMLA Leave Request Form and the appropriate medical certification form, which may be obtained from the Personnel Office. The employee may also be required to complete a HIPAA Authorization Form consenting to the disclosure of protected health information.

The Village will provide employees requesting leave with notice of their eligibility and rights and responsibilities. When the Village has sufficient information to determine whether an employee's absence is due to FMLA-qualifying reasons (*i.e.*, after receiving a medical certification), the Village will inform the employee, in writing, whether the leave will be designated as FMLA-protected. The Village will also provide information on the amount of leave that will be counted against the employee's entitlement, where possible.

An eligible employee shall make every reasonable effort to schedule planned medical treatment(s) so as not to unduly disrupt the operations of the Village, subject to the approval of the health care provider.

While on leave, employees may be required to report every 30 days to their Department Manager and/or the appropriate person in the Personnel Office regarding the status of the serious health condition in issue, and their intent to return to work. Employees are also required to give notice as soon as practicable (within 2 business days) if the dates of leave change, are extended, or were unknown initially. Finally, an employee on FMLA leave shall provide notice, in writing, to the Personnel Office of his/her intention to return to work. The notice shall be provided in writing at least 30 days before the date the leave is scheduled to terminate.

Medical Certification: As noted above, the Village will require that an employee's request for leave to care for the employee's family member or due to the employee's own serious health condition, be supported by medical certification issued by the health care provider (as defined in the FMLA) providing the medical treatment. Additionally, if an employee is requesting Military Family Leave, the employee must also provide certification.

When an employee requests leave, the Village will notify the employee of the requirement for medical certification and when it is due. The employee shall submit the requested medical certification within 15 calendar days of the Village's request for medical information, unless it is not practicable to do so. Failure to submit medical certification, where applicable, may result in delay or denial of leave.

The employee certification must be complete and sufficient. Where the certification is deficient, the Village will advise the employee what additional information is necessary to make the certification complete. If the deficiencies are not cured in the resubmitted certification, the Village may deny the employee's request for FMLA leave.

The Village may, at its expense, require 2nd or 3rd medical opinions from health care providers to confirm or challenge the certification from the employee's health care provider when leave is taken to care for an immediate family member with a serious health condition, or for the employee's own serious health condition. The employee will be provisionally entitled to leave and benefits under the FMLA, pending the 2nd (or 3rd) medical opinion. Where applicable, the 3rd health care provider will be jointly selected by the employee and the Village, and the third medical opinion will be final and binding.

The Village may require subsequent medical recertification no more often than every 30 days, unless circumstances exist (in which recertification may occur in less than 30 days). Failure to provide requested certification within 15

calendar days may result in the delay of further leave until it is provided. Additionally, when an employee's need for leave due to his/her own serious health condition, or the serious health condition of his/her parent, spouse or child, lasts beyond a single leave year, the Village may require the employee to provide a new medical certification annually. The Village also reserves its rights under Section 72 of the Civil Service Law with respect to the termination of an employee after a full year of absence due to a non-occupational illness or injury.

An employee whose leave of absence is necessitated by his/her own serious health condition may be required to furnish medical certification of his/her fitness to return to work at the conclusion of the leave. This certification must specifically address the employee's ability to perform the essential functions of the job. Failure to provide a sufficient medical certification, where applicable, may result in the denial of leave or the right to return to work.

Use of Paid and Unpaid Leave: When FMLA leave is taken for any reason, the employee will be required to substitute all accrued paid leave before any portion of FMLA leave is taken without pay. Employees on leave covered by payments such as disability or Workers' Compensation benefits, will not be required to substitute their accrued paid leave (excluding the one-week waiting period prior to receiving these benefits, if applicable). However, the Village and the employee may agree to have accrued paid leave supplement the disability or Workers' Compensation benefits, to the extent permitted by state law. Any leave of absence taken pursuant to an applicable disability law or Workers' Compensation law will be run concurrently with FMLA leave.

Employee Benefits During Leave: An employee shall be entitled to maintain group health and dental insurance coverages on the same basis as if he/she had continued to work at the Village. To maintain uninterrupted coverage, during a period of family or medical leave an employee who contributes to group health and/or dental insurance may choose to remain covered under the Village's group health and dental insurance plans on the same conditions, including the payment by the employee of the employee's share of the premiums for coverage, as would have been provided if the employee had been continuously employed during the leave period. While substituting paid leave during the period of family or medical leave, the Village will continue to make payroll deductions to collect the employee's share, if any, of the premiums for such coverages. While on unpaid leave, the employee who contributes must continue to make his/her contributions. Payment must be made monthly and must be received by the Village by the fifth day of the month. Payment must be made by check or money order payable to "Incorporated Village of Lake Success". An employee's failure to pay required premiums within 30 days of the due date will result in the cessation of the employee's group health and/or dental insurance coverages during the entire remaining leave period.

Generally, if an employee fails to return to work after a period of family or medical leave, for reasons other than the continuation of a serious health condition or death of employee, the employee will be required to pay to the Village an amount equal to any group health and dental insurance paid by the Village on behalf of the employee during the leave period.

Other benefits such as the accrual of seniority will not continue during leave. However, the use of family or medical leave will not be considered a break in service when vesting or eligibility to participate in benefit programs is being determined.

Reinstatement Rights: Prior to the exhaustion of FMLA leave, the employee will be responsible for notifying his/her Department Head and the Personnel Office, in writing, of his/her intention to return to work. An employee who has been on leave due to the employee's own serious health condition and who would like to return to work must provide the Village with a certification from the treating health care provider certifying that the employee is able to resume work. Return to employment will be denied if this certification is not provided.

An eligible employee – with the exception of those employees designated as “key employees” – will be restored to his/her former position or to a position with equivalent pay, benefits, and other terms and conditions of employment, upon return to work. A key employee may be denied reinstatement rights if such reinstatement would cause substantial and grievous economic injury to the Village. Employees will be notified of their key employee status when they begin their leave.

Fraud: An employee who fraudulently obtains FMLA leave is subject to disciplinary action, up to and including termination.

Interpretations and Guidance: The Village reserves the right to modify, revoke, suspend, terminate or change any procedures and terms set forth in this Policy, in whole or in part, at any time, with or without notice, provided such actions do not conflict with the FMLA and/or applicable federal regulations.

The Village shall post a notice pertaining to employee rights and responsibilities under FMLA, including enforcement of the statute, in accordance with federal law.

RESOLVED, that the Board of Trustees of the Incorporated Village of Lake Success hereby adopts the following revised family or medical leave policy.

This policy is effective July 12, 2010

The foregoing resolution was duly put to a vote which resulted as follows: Mayor Adam Hoffman voting aye; Deputy Mayor Lam voting aye; Trustee Kaplan voting aye; Trustee Milner voting aye; Trustee Chang voting aye;. Trustee Farkas absent for vote. Trustee Gal absent for vote. The resolution was thereupon declared duly adopted.

Mayor Hoffman seconded by Trustee Kaplan moved to approve the Minutes of June 10, 2019. The motion was unanimously approved by those present. Trustee Gal and Trustee Farkas were absent for the vote.

Mayor Hoffman seconded by Trustee Kaplan moved to approve the Minutes of June 18, 2019. The motion was unanimously approved by those present. Trustee Gal and Trustee Farkas were 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 Gal and Trustee Farkas were absent for the vote.

Mayor Hoffman seconded by Trustee Kaplan moved to approve the Abstract of Claims as presented for \$181,072.84 and the pre-paid Abstract of Claims as presented for \$1,872,324.29. (annexed hereto). The motion was unanimously approved by those present. Trustee Gal and Trustee Farkas were absent for the vote.

Treasurer's Report is annexed hereto.

The Board tabled approving Agenda Item #9A, proposal to convert storage room to yoga studio.

Trustee Farkas and Trustee Gal joined the regular meeting of the Board of Trustees at 7:31 pm.

Mayor Hoffman seconded by Trustee Milner moved to authorize the Elevator Maintenance Contract to Elevator Refurbishing Corp. for \$500 per month pending submittal of satisfied references. The motion was unanimously approved by those present.

Trustee Farkas reported to the Board that he has reviewed various proposals submitted for IT connectivity of the new fitness equipment. Minerva Audio Visual being the most expensive at \$5,966.35 and CMIT Solutions the least expensive at \$1,000. Trustee Farkas is awaiting two more proposals. It was noted the wiring should be in place prior to delivery of the new equipment.

Mayor Hoffman seconded by Trustee Farkas moved to approve a contractor to install the IT Connectivity wiring to the new fitness equipment at a cost not to exceed \$2,000.00. The motion was unanimously approved by those present.

Deputy Mayor Lam noted the substantial difference in the submitted police station vent cleaning proposals. All Island Duct Cleaning submitted a proposal for \$5,250.00, while Techclean submitted a proposal for \$9,950.00. The difference in price reflects the scope of working being provided. Deputy Mayor Lam also noted that the proposal submitted by All Island does not reflect prevailing wages, while Techclean does reflect prevailing wages.

A discussion on the vents in the police station ensued.

Mayor Hoffman asked Administrator Farrell to follow up with Unique Mechanical and ask they come back to reevaluate the filters and vents in the Police Station.

Mayor Hoffman seconded by Trustee Kaplan moved to open the Public Hearing to discuss the following agenda items; # 2A, adopt Bill No. 2 of 2019 A new Chapter 83 entitled "Rental Occupancy Permits for Dwellings."

#2B adopt Bill No. 4 of 2019 – Amendment to §69-23 entitled "Open House Signs" in Chapter 69 entitled "Licenses and Permits".

#2C Introduce and Adopt Bill No. 5 of 2019 – Amendment to §9-1 Membership and Powers Chapter 9 entitled "Planning Board".

#2D Introduce and adopt Bill No. 6– Amendment to §9-4 entitled "Meetings; Records" in Chapter 9 entitled "Planning Board" at 7:31pm. (a verbatim transcript annexed hereto)

On motion by Mayor Hoffman seconded by Trustee Kaplan and without objection the Public Hearing was closed at 8:30p.m.

Mayor Hoffman administered the oath of office to Trustee's Kaplan, Milner and Farkas.

Mayor Hoffman thanked Janet Carman for her 22 years of service with the Village. Mayor Hoffman presented her with the following PROCLAMATION and wished her well in her retirement.

PROCLAMATION

WHEREAS; Janet Carman joined the Inc. Village of Lake Success as Secretary to the Planning Board in 1998; and

WHEREAS; Janet Carman served with diligence as Secretary to the Golf Commission; and

WHEREAS; Janet Carman during her career has served the Village with great distinction, receiving numerous praises and thankful letters from residents that she has aided; and

WHEREAS; Janet Carman has earned the confidence and respect of her fellow coworkers as well as that of the several Mayors and Trustees under whom she has served; and

WHEREAS; Janet Carman is retiring after a dedicated and outstanding career, having served this Village for twenty two years; and

WHEREAS; The Mayor and the Board of Trustees wish to commemorate Janet Carman’s retirement by this proclamation; and

NOW THEREFORE IT BE PROCLAIMED; on this 8th day of July 2019 that the Board of Trustees and the grateful community extends to Janet Carman our sincere thanks for a job well done and wishes her well in her retirement. May the road ahead be paved with good health and much happiness.

Mr. Korn of 2 Fox Hunt Lane stood to address the Board regarding concerns with traffic safety in the Village, specifically in the morning when children are being picked up from bus stops and transient cars are cutting through village streets at high speeds disregarding STOP signs. Mr. Korn suggested the Board adopt a law restricting transient traffic from the hours of 9am – 4pm and/or station more police officers in the high traffic areas such as Westminster Road and Fox Hunt Lane. Mayor Hoffman stated he and Chief Gardella are aware of the situation and have discussed creating a program where voluntary overtime is offered to the officers so that more police vehicles can be stationed at high traffic areas. The hope would be that the monies received from ticketing motorists would both pay for the overtime and deter drivers from continuing to use our streets as cut a through.

Mr. Korn thanked the board and looked forward to seeing progress made on this matter. Mr. Korn then noted his displeasure with the current concessionaire at the pool. Lastly, Mr. Korn requested an update on steps the Village plans to take now that ExteNet has filed suit.

Village Attorney Curto reported reaching out to ExteNet in hopes of settling the matter outside of court. Ms. Curto stated the Village has retained the services of Michael Musso, Esq. to assist in amending the Village Code by adding additional regulations regarding aesthetics. Mayor Hoffman stated the hope is to work with ExteNet, Mr. Musso potentially and Anthony Campanelli, Esq. to continue the search for other potential node placement areas that would not be offensive to residents.

Mayor Hoffman seconded by Trustee Milner moved to disband the Mayor’s Advisory Committee from the 2019 appointment list. The motion was unanimously approved by those present.

Mayor Hoffman seconded by Trustee Kaplan moved to approve the following appointments for the 2019 fiscal year.

<u>NAME</u>	<u>EXPIRATION</u>
BOARD OF TRUSTEES	
Trustee Lawrence Farkas	July 2021
Trustee Gene Kaplan	July 2021
Trustee David N. Milner	July 2021
BOARD OF ZONING & APPEALS (5 Year Term)	
Lisa Davis	July 2024

BOARD OF APPEALS LIAISON

Deputy Mayor Stephen Lam	July 2020
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BOARD OF ASSESSMENT REVIEW (1 Year Term)

Lawrence Farkas (Chair)	July 2020
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Eric Alper	July 2020
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Yair Kerstein	July 2020
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John Jhang	July 2020
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BUILDING DEPARTMENT

Trustee Steve Lam - (Liaison to Building Inspector/Superintendent)	July 2020
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Robert S. Bonnie - Superintendent	July 2020
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Stephen Ray Fellman - Alternate Building Inspector	July 2020
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CABLE COMMISSION REPRESENTATIVES FROM VLS (1 Year Term)

Trustee Lawrence Farkas	July 2020
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ENVIRONMENTAL COMMISSION (1 & 2 Year Terms)

Trustee Robert Gal (Commissioner)	July 2020
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Laura Gal	July 2020
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Vincent Lentini	July 2020
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Michelle Nettler	July 2020
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Michele Raphael	July 2020
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Adam Schneider	July 2020
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Sarah Linkie	July 2020
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Priya Mackhrandilall	July 2020
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Jonathan Witt	July 2020
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ALTERNATES FOR THE ENVIRONMENTAL COMMISSION (1 Year Term)

Esther Voigt	July 2020
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PLANNING BOARD (5 Year Term)

Ira Levine (Chairperson)	July 2024
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Eliot Browar (Deputy Chair)	July 2024
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Joseph Burachio	July 2024
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PLANNING BOARD LIAISON

Trustee Peter Chang	July 2020
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VILLAGE ASSESSOR

Thomas Donato July 2020

VILLAGE DEPUTY CLERK

Angelique Melnyk July 2020

VILLAGE ATTORNEY

Andrea Curto July 2020

VILLAGE AUTHORIZED SIGNATORIES

Mayor Adam C. Hoffman July 2020

Deputy Mayor Steve Lam July 2020

Trustee Eugene Kaplan July 2020

EMERGENCY MANAGEMENT INCIDENT COMMANDER

Deputy Mayor Steve Lam July 2020

EMERGENCY MANAGEMENT LIAISON

Deputy Mayor Stephen Lam July 2020

VILLAGE FINANCE COMMITTEE

Mayor Adam Hoffman (Chairperson) July 2020

Trustee Lawrence Farkas July 2020

Trustee Peter Chang July 2020

VILLAGE GRIEVANCE BOARD

Deputy Mayor Steve Lam (Chairperson) July 2020

Trustee Lawrence Farkas July 2020

Trustee David Milner July 2020

VILLAGE HOUSE COMMITTEE

Trustee David Milner (Chairperson) July 2020

Tracy Berlinsky July 2020

Elise Gad July 2020

Lauren Kahn July 2020

Linda Handsman July 2020

Debbie Sosman July 2020

Mariel Ma July 2020

Carol Goldberg July 2020

Susan Mermel July 2020

VILLAGE HISTORIAN

VACANT

VILLAGE JUSTICE (Acting)

Hon. Mark Mermel July 2020

VILLAGE JUSTICE (Liaison)

Trustee David Milner July 2020

VILLAGE OFFICE LIAISON

Trustee Robert Gal (Liaison) July 2020

Trustee Gene Kaplan (Deputy Liaison) July 2020

VILLAGE POLICE LIAISON

Deputy Mayor Stephen Lam (Liaison) July 2020

Trustee Lawrence Farkas (Deputy Liaison) July 2020

VILLAGE PHYSICIAN

Dr. Scott Coyne July 2020

July 2020

VILLAGE PROSECUTOR

July 2020

John Turano

VILLAGE PUBLIC WORKS LIAISON

Trustee David Milner (Liaison) July 2020

Trustee Peter Chang (Deputy Liaison) July 2020

VILLAGE TECHNOLOGY COMMITTEE

Carl Mittler, Chairperson July 2020

Sue Goldman July 2020

VILLAGE TECHNOLOGY COMMITTEE LIAISON

Trustee Adam Hoffman July 2020

VILLAGE DEPUTY TREASURER

Margaret Deane July 2020

Mayor Hoffman seconded by Trustee Kaplan moved to approve designating \$100,000 received in 2019/20 from 1111 Marcus Avenue where \$25,000 will be designated to the Village Block Party and \$75,000 towards physical improvements for recreational facilities. The motion was unanimously approved by those present.

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

BE IT RESOLVED the Village of Lake Success authorizes the mandated upgrade of tax collection program proposal submitted by Municipality.

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 Chang voting aye and Trustee Milner voting aye.

The resolution was thereupon declared duly adopted.

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

RESOLUTION

WHEREAS, Village of Lake Success, with the assistance from Bowne and Co., has gathered information and prepared the Nassau County Hazard Mitigation Plan; and

WHEREAS, the Nassau County Hazard Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, Village of Lake Success is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan; and

WHEREAS, Village of Lake Success have reviewed the Plan and affirms that the Plan will be updated no less than every five years;

NOW THEREFORE, BE IT RESOLVED, by the Board of Trustees that Village of Lake Success adopts the Nassau County Hazard Mitigation Plan as this jurisdiction's Natural Hazard Mitigation Plan, and resolves to execute the actions in the Plan.

ADOPTED this 14th day July 2014 at the meeting of the Village of Lake Success.

The foregoing resolution was duly put to a vote which resulted as follows: Mayor Hoffman voting aye; Deputy Mayor Steve Lam voting aye; Trustee Gene Kaplan voting aye; Trustee Rob Gal voting aye; Trustee David Milner voting aye; Trustee Peter Chang voting aye; Trustee Lawrence Farkas voting aye.

The resolution was thereupon declared duly adopted.

Mayor Hoffman seconded by Trustee Milner moved to approve the PBA/Family BBQ set for September 7, 2019 from 3pm-8pm. Areas of use will be the upstairs of the police station and background play area. No use of the pool is authorized. The motion was unanimously approved by those present.

Mayor Hoffman seconded by Deputy Mayor Lam moved to approve the following **RESOLUTION**:

BE IT RESOLVED, the Village of Lake Success authorizes placement of signs at the south entry corner of the police parking on Vanderbilt lot pointing south and a sign every 40 feet ending about 200 feet south of the police entry. "" PARKING PERMITTED THIS SIDE ON COURT NIGHTS ONLY"".

The foregoing resolution was duly put to a vote which resulted as follows: Mayor Hoffman voting aye; Deputy Mayor Steve Lam voting aye; Trustee Gene Kaplan voting aye; Trustee Rob Gal voting aye; Trustee David Milner voting aye; Trustee Peter Chang voting aye; Trustee Lawrence Farkas voting aye.

The resolution was thereupon declared duly adopted.

In regards to the Village Phone Policy, Administrator Farrell asked the Board to approve Superintendent Jonathan Price's request for an upgraded data plan at no cost to him as he requires additional storage to record, send and post pictures and videos related to the golf course.

Mayor Hoffman seconded by David Milner moved to approve payment of \$350 for an upgraded data plan for Superintendent Jonathan Price's smartphone. The motion was unanimously approved by those present.

Mayor Hoffman seconded by Trustee Milner moved to approve the purchase of a smart phone for the Police Department with the intent to use specifically for active shooter alerts. The motion was unanimously approved by those present.

On behalf of the Environmental Commission, Trustee Gal reported he would like to host the Village Data Shredding and EWASTE Recycling event on Saturday, September 7, 2019 from 9am – 1 pm with a rain date of Saturday, September 14h, 2019 from 9am-1pm.

On behalf of the Building Department Administrator Farrell reported that Trustee Chang, on his early morning walk, noticed and was able to identify numerous homes on Tanners Road where sprinkler heads were broken causing water to accumulate down the street. A letter was sent to the residents notifying them of the broken

equipment and requesting they rectify the matter as soon as possible.

On behalf of the House Committee Trustee Milner reported ongoing abuse of the free coffee and muffins supplied by Culinar each morning in the Grill Room area. Trustee Milner urged the Board to brainstorm ways to enforce courtesy rules and/or consider eliminating free muffins all together. Trustee Milner also noted a conversation with Joe Caputo regarding dress codes implemented at other golf clubs. Trustee Milner will discuss his comments and thoughts at the next Golf Commission meeting.

Trustee Farkas seconded by Mayor Hoffman moved to approve the expenditure not to exceed \$1,200 to Absolute Fun Inflatables for the Labor Day BBQ. The motion was unanimously approved by those present.

Trustee Farkas seconded by Mayor Hoffman moved to ratify an e-mail vote taken approving 2019 Park/Pool membership top Ms. Xian of 5 Market Lane. The motion was unanimously approved by those present.

Mayor Hoffman seconded by Trustee Farkas moved to enter into Executive Session at 8:44 pm.

Mayor Hoffman reconvened the regular meeting of the Board of Trustees at 10:24 p.m. and reported the following actions took place;

Mayor Hoffman seconded by Trustee Kaplan moved to approve the Audited 2017-18 Financials for the Village of Lake Success and Village Court. The motion was unanimously approved by those present.

Mayor Hoffman seconded by Trustee Milner moved to approve the full time office starting salary of \$45,000 for Ann Marie Simeoli. The motion was unanimously approved by those present.

Mayor Hoffman adjourned the meeting at 10:25 p.m.

Respectfully Submitted,

Patrick E. Farrell
Village Administrator/Treasurer