

Minutes of the Regular Meeting of the  
Board of Trustees held in the Board Room  
the Community Building, 318 Lakeville Road,  
Monday, March 17, 2014 at 7:30 P.M.

PRESENT: Mayor Ronald Cooper  
Deputy Mayor Stephen Lam  
Trustee Fred Handsman  
Trustee Adam Hoffman (arrived at 7:40 p.m.)  
Trustee Gene Kaplan  
Trustee David Milner

ALSO PRESENT: Patrick E. Farrell, Village Administrator  
Akua Bediako, Treasurer  
Patricia Pilla, Deputy Clerk  
Peter Mineo, Village Attorney

ABSENT: Trustee Paul Glantz

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

Mayor Cooper, seconded by Trustee Kaplan called the Public Hearing to order at 7:35 p.m. in the Village of Lake Success to consider the petition of BK at Lake Success, LLC for a special permit for an Assisted Living Facility.

Mayor Cooper seconded by Deputy Mayor Lam moved to continue the Public Hearing to the April 7, 2014 Board of Trustees meeting at 7:30 p.m. so that the Board can take time to review all the documents that were prepared. Mayor Cooper called a vote on the motion. Trustee Paul Glantz absent for vote. Trustee Fred Handsman voting aye; Trustee Adam Hoffman voting aye; Trustee Gene Kaplan voting aye; Deputy Mayor Stephen Lam voting aye; Trustee David Milner voting aye; Mayor Ronald Cooper voting aye.

The resolution was thereupon declared duly adopted. (a verbatim transcript annexed)

Mayor Cooper reconvened the meeting of the regular agenda of the Board of Trustees at 8:10 p.m.

Deputy Mayor Lam, seconded by Trustee Milner moved to approve the Minutes of February 25, 2014 as presented. The motion was unanimously approved by those present. Trustee Glantz was absent for vote.

Mayor Cooper, Deputy Mayor Lam, Attorney Mineo and Administrator Farrell had no reports at this time.

Trustee Hoffman seconded by Trustee Milner moved to approve the Abstract of Claims as presented for \$ 524,295.36(annexed hereto). The motion was unanimously approved by those present. Trustee Glantz was absent for vote.

Treasurer's Report is annexed hereto.

Mayor Cooper seconded by Trustee Hoffman moved to approve the request by Administrator Farrell to attend the Executive NYSACVC Board meeting on April 24-25 in Skaneateles, NY; NYCOM Executive Board Meeting Annual Training Conference, May 5 & 6, and the IIMC Annual Training Conference May 19-23 in Milwaukee, WI. All

meetings are no cost to Village. The motion was unanimously approved by those present. Trustee Glantz was absent for vote.

Trustee Hoffman, seconded by Trustee Milner moved to approve and authorize the Mayor to sign the fiscal year 2014 Belgrave Water Pollution Control District Fee Schedule for \$611,413.60 for Processing Sewage. The motion was unanimously approved by those present. Trustee's Glantz was absent for vote.

Mayor Cooper seconded by Trustee Kaplan moved to approve the request by the Great Neck Arts Center for the Village to continue support for \$1,500 and to authorize the Mayor to sign the Agreement with the Great Neck Arts Center to provide the Village with a concert of music. Mayor Cooper called a vote on the motion. Trustee Milner advised the Board that he is opposed to giving charitable contributions on behalf of the Village. The motion was approved by a vote of 5 to 2 with Trustee Milner voting no and Trustee Glantz absent for vote.

Trustee Milner seconded by Trustee Handsman moved to approve the 2014 North Shore Computer Service Contract for office computers which will be contracted by eight hour blocks, billed at 15 minute increments for phone and remote support at \$125 per hour. The motion was unanimously approved by those present. Trustee Glantz was absent for vote.

The Board discussed the possible purchase of computer servers for the Police Department and the Village Office. Chief Gardella, Lt. Staniszewski and Police Officer Maltempi discussed with the Board what they would need in a computer server with regard to security measures. After further discussion, the purchase of a computer server for the Police Department has been tabled until the next Board of Trustees meeting.

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Agenda item 12c - Discuss the purchase of a stationary license plate reader for the Police Department was discussed to the Board by Chief Gardella and this item has been tabled until the next BOT meeting whereas Mayor Cooper can obtain more information on a grant.

The following resolution was offered by Trustee Fred Handsman, who moved its adoption, seconded by Trustee Adam Hoffman, to-wit:

**BOND RESOLUTION DATED MARCH 17, 2014.**

**A RESOLUTION AUTHORIZING THE ISSUANCE OF \$125,000 BONDS OF THE VILLAGE OF LAKE SUCCESS, NASSAU COUNTY, NEW YORK, TO PAY THE COST OF THE PURCHASE OF POLICE VEHICLES FOR THE POLICE DEPARTMENT IN AND FOR SAID VILLAGE.**

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Trustees of the Village of Lake Success, Nassau County, New York, as follows:

Section 1. The purchase of police vehicles for the Police Department to replace vehicles in service for one year or more, in and for the Village of Lake Success, Nassau County, New York, is hereby authorized at a maximum estimated cost of \$125,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$125,000 bonds of said Village hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is three years, pursuant to subdivision 77 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will not exceed five years.

Section 4. The faith and credit of said Village of Lake Success, Nassau County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on

such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Village, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Village Treasurer, the chief fiscal officer of such Village. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Village Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately pursuant to Section 36.00(a)(1) of the Local Finance Law, shall be published in summary form in the Great Neck Record, which is hereby designated as the official newspaper of said Village for such purpose, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Trustee Paul Glantz absent for vote; Trustee Fred Handsman voting aye; Trustee Adam Hoffman voting aye; Trustee Gene Kaplan voting aye; Deputy Mayor Stephen Lam voting aye; Trustee David Milner voting aye; Mayor Ronald Cooper voting aye.

The resolution was thereupon declared duly adopted.

On Recommendation by Chief Gardella, Trustee Handsman seconded by Trustee Hoffman move to approve the purchase of three new vehicles for the Police Department which will consist of two Dodge Chargers and one Dodge Durango (NYS Contract) not to exceed \$125,000. One of the used vehicles will be transferred to the Public Works Department. The motion was unanimously approved by those present. Trustee Glantz was absent for vote.

Trustee, seconded by Trustee moved to accept the proposal for the Annual Service Contract to replace HVAC filters and belts in the Community Building \$3,840; Police Building \$1,400 and Pro Shop \$840 by Dual-Purpose Corporation at a total annual cost of \$6,080 for quarterly service from October 15, 2013 to October 14, 2014. The motion was unanimously approved by those present. Trustee Glantz was absent for vote.

Trustee Hoffman seconded by Trustee Milner moved to approve the appointment of Wayne H. Wink Jr. as Registrar of Vital Statistics and Eileen Kraneburg as Deputy Registrar of Vital Statistics for the Town of North Hempstead. The motion was unanimously approved by those present. Trustee Glantz was absent for vote.

Agenda item 7g – Request by Rachele Gersh for a refund of \$1,000 for the site room fee has been tabled.

Trustee Kaplan seconded by Trustee Handsman moved to approve the request by non-resident Senior Golf Member Allan Amsel to have his fiancé join the gym as a non-resident. The motion was unanimously approved by those present. Trustee Glantz was absent for vote.

Trustee Handsman seconded by Trustee Milner moved to approve Administrator Farrell to apply for a grant from Nassau County Legislature for street lighting. The motion was unanimously approved by those present. Trustee Glantz was absent for vote.

On recommendation by Chief Gardella he would like to enter in an Agreement with the New York State 1033 Federal Excess Property Program in case something comes up that the Police Department may need. Trustee Handsman seconded by Trustee Hoffman moved to approve the Memorandum of Agreement between New York State and the Lake Success Police Department. The motion was unanimously approved by those present. Trustee Glantz was absent for vote.

Deputy Mayor Lam, seconded by Trustee Handsman moved to approve payment to J. Anthony Enterprises for the Community Building Addition and Alteration. .Application No. 5 in the amount of \$300,200. Mayor Cooper called vote on the motion.

Trustee Paul Glantz absent for vote; Trustee Fred Handsman voting aye; Trustee Adam Hoffman voting aye; Trustee Gene Kaplan voting aye; Deputy Mayor Stephen Lam voting aye; Trustee David Milner voting aye; Mayor Ronald Cooper voting aye.

The resolution was thereupon declared duly adopted.

Deputy Mayor Lam seconded by Trustee Kaplan moved to approve payment to Leonard Kurkowski Architect in the amount of \$14,332.38 for work done up to date. The motion was approved by those present. Trustee's Glantz was absent for vote.

There was no Building Department or Environmental Commission Report.

On the recommendation by Bob Johnston, Golf Course Superintendent, Trustee Hoffman seconded by Trustee Kaplan moved to approve the lowest responsible bid results for the 2014 Golf Course Turf Control as presented. The motion was unanimously approved by those present. Trustee's Glantz was absent for vote.

Trustee Hoffman updated the Board on Golf memberships. With regard to the "Refer a Friend" program, Trustee Hoffman informed the Board that he may have gotten 2 referrals. The mailing for new non-resident members which includes the use of the entire facility went out to the local area and they have 3 or 4 that may be interested.

On the recommendation of the Park Commission, Trustee Milner seconded by Trustee Hoffman moved to approve the 2014 Rules and Regulations for the Pool, Tennis and Park Facilities with no changes in rules, fees or regulations from 2013. The motion was approved by all present. Trustee's Glantz was absent for vote.

FAMILY \$ 350.00  
A family shall consist of one or two parents and their children  
under the age of 25 who are unmarried and live with their parents.

INDIVIDUAL – AGE 25 or older	\$125.00
INDIVIDUAL - AGE 75 and older	\$100.00

Commissioner Milner motioned to keep the daily admission and guest fees the same as in 2012 as follows:

DAILY ADMISSION FEES for

<u>NON-SEASONAL MEMBER RESIDENTS:</u>	<u>ADULTS</u>	<u>CHILDREN</u> (4-15 years old)	<u>CHILDREN</u> (under 4 years old)
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WEEKDAY	\$10.00	\$ 5.00	no fee
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WEEKENDS/HOLIDAYS	\$20.00	\$10.00	no fee
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GUEST FEES\*: (Only members may bring guests)

WEEKDAY	\$10.00	\$10.00	no fee
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WEEKENDS/HOLIDAYS	\$20.00	\$10.00	no fee
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On the recommendation of the Park Commission, Trustee Milner seconded by Trustee Hoffman moved to approve Movie Night at the Park, not to exceed the cost of \$1,500, to be held on Friday, June 20, 2014 with a rain date scheduled for Sunday, September 1<sup>st</sup>. Trustee Milner informed the Board that they will be having another movie night due to the fact that it is a carry over from last year and will most likely have it on Sunday evening of Labor Day weekend. The motion was approved by those present. Trustee's Glantz was absent for vote.

On the recommendation of the Park Commission, Trustee Milner seconded by Trustee Hoffman moved to approve the request by the GN Soccer Club the use of the ball field for the spring 2014 season per the schedule presented. The motion was approved by those present. Trustee's Glantz was absent for vote.

Trustee Handsman seconded by Trustee Milner moved to approve the proposal by Raul Carballo for the maintenance and service of the Village islands for a fee not to exceed \$5,400 and will only pay for work that is completed for the 2014 season. The motion was approved by those present. Trustee's Glantz was absent for vote.

Trustee Handsman seconded by Trustee Milner moved to approve the proposal by Raul Carballo for planting summer flowers on the Village islands for a fee not to exceed \$2,000 for the 2014 season. The motion was approved by those present. Trustee's Glantz was absent for vote. The motion was approved by those present. Trustee's Glantz was absent for vote.

Trustee Handsman discussed the new installation of water heaters. Tavella Plumbing had to remove the existing 750 gallon cement lined tank in the boiler room at a cost of \$3,600 and remove two defective return lines and install two new 2" Holbi mixing valves at a cost of \$3,700. Trustee Handsman seconded by Trustee Kaplan moved to approve the cost of \$3,600 to remove the tank in the boiler room and install two new mixing valves at a cost of \$3,700 in the Community Building to Tavella Plumbing & Heating. The motion was approved by those present. Trustee's Glantz was absent for vote.

Trustee Handsman discussed the running of the new fitness center. Trustee Handsman advise the Board that he is considering Sam Balooch to run the fitness center and be compensated by the Village and giving him exclusivity to hiring any new trainers and will work with them for a percentage to compensate him. Sam is also discussing the idea

of running the old fitness center for classes, i.e. yoga, cardio classes, etc and he will hire the trainers and they will pay him. After further discussion, Trustee Milner advised the Board that they should look further and obtain other options for more qualified people so that they can make the right decision. Administrator Farrell asked Trustee Handsman what about AJ, and would he work with Sam? Trustee Handsman said that his clientele would not be touched, however any new clients that AJ would bring in under the new facility would be under the auspices of Sam. Administrator Farrell asked if AJ also submitted a proposal. Trustee Handsman said that he did not and he had a conversation with AJ and it is being continued, but he does not know what his availability is. Trustee Milner asked Trustee Handsman how does the Village get compensated if let's assume whoever is in charge brings in a trainer to do palates, who makes the money? Does the instructor get the money and are we giving the facility for free and Sam or who ever will get money for bringing them in? Trustee Handsman said yes, it's all for the benefit of the residents. Trustee Kaplan envisioned an annual contract where the Village can agree to the price per hour or per class for aerobics, etc. Trustee Handsman informed the Board that Sam would be the exclusive trainer over all. After a further discussion, Trustee Handsman advised the Board that he is looking for help from the Board on what direction to take. Trustee Milner advised the Board that he is bothered by putting somebody in charge that gets a piece of the action from everybody else that walks in there. Trustee Handsman said that if we want them to cover the hours at the Fitness Center they are going to accept some certain responsibilities. Mayor Cooper advised Trustee Handsman to present a proposal in writing with what Sam agrees to and the Board can discuss it and come to a conclusion. Deputy Mayor Lam informed that if Sam is here already training his clients and can put in more time then you will have more hours of coverage, but the question is, is he capable to do what you want him to do. Trustee Milner will send Trustee Handsman more names of trainers that he can interview.

Peter Chang from 11 Tanners Road discussed with the Board various house robberies in the Village and asked if they can do something to protect residents and requested "Police Patrol" signs at some of the entry ways into the Village. Mayor Cooper informed Mr. Chang that the residents who got robbed did not have their alarms on. Mayor Cooper advised Mr. Chang to inform these residents the importance of having an alarm system. After further discussion, Mayor Cooper advised Mr. Chang to speak with Chief Gardella and Trustee Handsman to discuss this issue further.

Mayor Cooper seconded by Trustee Milner moved to enter into Executive Session at 9:40 p.m. to discuss legal issues. Mayor Cooper reconvened the meeting at 10:00 p.m. and reported that no action had been taken during executive session, therefore, there are no minutes.

On motion by Mayor Cooper seconded by Trustee Kaplan, the meeting was adjourned at 10:00 p.m.

Respectively Submitted,

Patrick E. Farrell  
Village Administrator and Clerk