

Minutes of the Regular Meeting of the
Board of Trustees held in the Board Room of
the Community Building, 318 Lakeville Road,
Monday, May 11, 2015 at 7:30 P.M.

PRESENT: Mayor Ronald S. Cooper
Deputy Mayor Stephen Lam
Trustee Fred Handsman
Trustee Adam Hoffman
Trustee Gene Kaplan
Trustee David Milner
Trustee Alan Mindel

ALSO PRESENT: Patrick E. Farrell, Village Administrator
Patricia Pilla, Deputy Clerk
Margaret Deane, Deputy Treasurer
Peter Mineo, Village Attorney
Nick Salerno, Salerno Brokerage
Nicole Morton, Salerno Brokerage
Court Stenographer

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

Mayor Cooper called the Public Hearing for Bill No. 1 of 2015, A LOCAL LAW to amend Lake Success Code Chapter 105-7 entitled, "Definitions", "Yard, Rear" at 7:45 p.m. (a verbatim transcript annexed hereto).

A LOCAL LAW to amend Lake Success Code Chapter 105-7 entitled "Definitions", "YARD, REAR".

BE IT ENACTED by the Lake Success Board of Trustees as follows:

Section One. Lake Success Code §105-7 entitled "Definitions", "YARD, REAR" is hereby amended to read as follows:

§105-7. Definitions.

YARD, REAR – An open, unoccupied space on the same lot with a building between the rear wall of the building and the rear line of the lot. [On a corner lot, the rear yard shall be opposite the narrower street frontage].

Section Two. If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the courts order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section Three. This local law shall take effect immediately upon filing with the Secretary of state.

Trustee Mindel, seconded by Trustee Handsman and without objection, the Public Hearing for Bill No. 1 of 2015 was closed at 7:38 p.m. (a verbatim transcript annexed hereto).

Mayor Cooper reconvened the meeting of the regular agenda of the Board of Trustees at 7:40 p.m.

Mayor Cooper, seconded by Trustee Mindel moved to adopt Bill No. 1 of 2015. **A LOCAL LAW** to amend Lake Success Code Chapter 105-7 entitled, "Definitions", "Yard, Rear"). On the call of the roll: 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; Trustee Alan Mindel voting aye; Mayor Ronald Cooper voting aye. The resolution was thereupon declared duly adopted.

Nicholas Salerno and Nicole Morton of Salerno Brokerage Corp. addressed the Board on the Village's Insurance Policy with regard to the renewal coverage, service and premiums for fiscal year ending May 31, 2016. The total renewal premium for 6/1/2015-5/31/2016 would be approximately \$303,370.56. Ms. Morton also discussed with the Board Cyber Liability insurance for various cyber-attacks. Mayor Cooper asked that Administrator/Treasurer Farrell research more information with regard to Cyber Liability and bring back his recommendations to the Board. Ms. Morton advised the Board that the Worker's Compensation Policy expires in July so it's a little early to have those figures, but will have that within the next 2 weeks. PERMA, the Village's current policy is offering 2 options this year. A one year or two year policy. A discussion ensued.

Mayor Cooper seconded by Trustee Milner moved to approve the U.S. Specialty Insurance Company bid for \$370,790.56 for the period of 06/01/2015-2016 along with the Travelers Public Employee Blanket Bond for \$2,580. On the call of the roll: 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; Trustee Alan Mindel voting aye; Mayor Ronald Cooper voting aye.

The resolution was thereupon declared duly adopted

The Board thanked Mr. Salerno and Ms. Morton for their presentation.

Trustee Hoffman, seconded by Trustee Mindel moved to approve the Minutes of April 13, 2015 as amended. The motion was unanimously approved.

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

Trustee Mindel reported to the Board that there is a situation on Tanners Road leading into the Great Neck Middle School lower field. The last two years the Village has experienced flooding in that area where previously none have existed to that degree. A meeting was held in the Village office with various public entities exclusive of both of our state and local assembly leaders. They were instrumental in bringing the NYSDOT along with an expert in that area, Mr. Fonda. Also attending as well were the NCDPW and the GN Public School systems. Each of the issues were addressed with regard to the drainage systems and the various issues of levels of function and/or lack of functionality. After the meeting the state had offered to repair any units that it had. The

county had further promised to repair any unit that it currently had and the school had yet to be convinced as to what they were and were not going to do at that time. The school did offer to go on a tour with Mr. Fonda of all the facilities and arranged the tour with Administrator Farrell to go with them along with the state and the county through each of these systems and also through the school property. The meeting took place this past Friday and was attended by Don Graham, Public Works Superintendent, the State DOT, the school and by the school contractor whom they used for a certain project that the Village believes may have affected the current condition. At the meeting they went through the woods and saw storm drains. They found that the drain lines from one end to the other was clogged, and cleared the line. They went back and looked at the Village drainage which is in fact not functioning property. We met with the school and the school offered to be supportive in this review, however, did not necessarily support the findings of Mr. Fonda, which stated that the drainage which is located in the middle of the field right next to Tanners Road was not functional on any level because it was filled with dirt and covered. We asked for permission to do a survey of their site to show what Mr. Fonda pointed out. The school gave us consent and also claimed that there was a swell that was going around the drain that was leading into the rest of their drainage. Mr. Fonda pointed out that the way it was constructed, there was no conceivable way that it would function as they intended it. They went back into the woods to look at their own pond system that was supposed to catch the drainage and it was discovered that the drain has not been cleaned in many, many years. The school said they will look into clearing the drains and will get back to the Village.

Trustee Mindel proposed to the Village that we fund an elevation survey of their lot for the sole purpose, in essence, proving our case. Mayor Cooper asked Trustee Mindel along with Administrator Farrell to compose a document with all of their recommendations and findings and Mayor Cooper will schedule an appointment with Mr. Dolan, the schools Superintendent.

Trustee Hoffman seconded by Mayor Cooper moved to approve the Abstract of Claims as presented for \$490,089.29 and the Pre-Paid Abstract of Claims as presented for \$262,348.99 (annexed hereto). The motion was unanimously approved.

Treasurers Report is annexed hereto.

Trustee Hoffman seconded by Mayor Cooper moved to approve the execution of the Tax Warrant for the Fiscal Year Ending May 31, 2016 for collection of taxes (annexed hereto). On the call of the roll: 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; Trustee Alan Mindel voting aye; Mayor Ronald Cooper voting aye.

The resolution was thereupon declared duly adopted.

Trustee Hoffman seconded by Trustee Milner moved to approve the Budget Adjustments FYE 2015 as presented (annexed hereto). The motion was unanimously approved.

Trustee Handsman, seconded by Trustee Mindel moved to accept the 3rd option year to Meadow Carting from the 2013 Collection, Removal & Disposal of Garbage & Ruse bid. The cost will be \$29.55 per household; \$24,171.90 per month and \$290,062.80 per year along with the 20, 30 and 40 Cubic Yard Container Service at \$190 per month each. These costs are exclusive of tipping fees. The motion was unanimously approve.

Mayor Cooper seconded by Handsman moved to approve the request by Administrator/Treasurer Farrell to attend the IIMC Annual Conference in Connecticut from May 18-20, 2015 with no cost to the Village. The motion was unanimously approved.

Trustee Handsman seconded by Trustee Kaplan moved to approve the proposal by John McGowan Sons (2013 Road Requirements Contract) for the road improvements on Jeffrey Lane for a total fee of \$202,699 with no cost to the Village and which is to be shared by Manhasset Lakeville Water District (\$120,000) by the Inter-municipal Agreement and the balance from C.H.I.P.S. money(\$82,699). The motion was unanimously approved.

Deputy Mayor Lam seconded by Trustee Hoffman moved to amend the request for payment from Leonard Kurkowski Architect from \$13,988.30 to \$8,488 and hold back \$7,500. The items left on the punch list is the dampness in the storage room. Mr. Kurkowski will speak to J. Anthony to resolve this problem. The motion was unanimously approved.

Trustee Hoffman seconded by Trustee Mindel moved to approve the proposal from Albrecht, Viggiano, Zureck & Company, P.C., an audit firm to conduct auditing services for the Village for a two year commitment. \$20,000 the first year and \$20,350 for the second year. On the call of the roll: 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; Trustee Alan Mindel voting aye; Mayor Ronald Cooper voting aye.

The resolution was thereupon declared duly adopted.

Mayor Cooper instructed Administrator/Treasurer Farrell to obtain a new proposal from Albrecht, Viggiano, Zureck & Co. to reflect the two year commitment with the first and second year fees.

Trustee Mindel seconded by Mayor Cooper moved to approve the request by North Shore/L.I.J. to erect a tent at 1111 Marcus Avenue on June 4, 2015 to June 6, 2015 for "Cancer Survivors' Day Celebration" on June 6, 2015 from 10am to 2pm. The motion was unanimously approved.

Trustee Mindel seconded by Trustee Hoffman moved to approve the requests by Carl & Sheila Mittler for a change of address from 44 Meadow Woods Road to 38 Meadow Woods Road, Norman Gorbaty for a change of address from 42 Meadow Woods Road to 36 Meadow Woods Road, Ann & Burt Tarcher for a change of address from 40 Meadow Woods Road to 32 Meadow Woods Road, Mr. & Mrs. Stuart Lempert for a change of address from 40 Pine Hill Road to 38 Pine Hill Road, and Kia-Lyan and Moshe Bazon for a change of address from 14 Schoolhouse Lane to 18 Schoolhouse Lane, subject to the compliance with the previous regulations and subject to Building Inspector Robert Bonnie signing off that these new home numbers are in sequential order and not half numbers or duplicate numbers. The motion was unanimously approved.

Trustee Mindel reported on behalf of the Environmental Commission that our state Senator advised us that it appears that the Jamaica water project that New York City will no longer look to open up the aquifer at the Jamaica water site and we will keep monitoring that situation.

There was a letter provided by a member of the Commission where Great Neck Parks Department had installed an artificial turf field on one of their fields and as it turns out the turf that they installed is totally unsafe if you are a child playing on the field. Trustee Mindel informed the Board that we are never going to install artificial turf on any of our fields.

Trustee Handsman informed the Board that the Fitness Center is running smoothly. Trustee Handsman discussed a request by a physical therapist who would like to conduct physical therapy out of our facility. Mayor Cooper advised Trustee Handsman and the Board that he feels this is not the right thing to do. Bringing in someone who has a medical expertise that in essence we are recommending that person to our residents. The Board declined to go further on this matter.

Trustee Hoffman seconded by Trustee Kaplan moved to approve the hiring of Nicholas Stavola a Golf Ranger at a starting salary of \$12 per hour pending Civil Service approval. The motion was unanimously approved.

There was no House Committee report.

By recommendation of the Park Commission, Trustee Milner seconded by Trustee Handsman moved to approve the lowest proposal by Fields of Green to design and install summer annuals and perennials at the pool gardens at a cost of \$8,950. The motion was unanimously approved.

By recommendation of the Park Commission, Trustee Milner seconded by Trustee Handsman moved to approve the proposal by Tortorella to repair the tile and caulking around the pool for a cost of \$5,940. The motion was unanimously approved.

Trustee Milner discussed with the Board the purchasing of an outdoor movie package which consists of a 24' screen, a 6,000 lumen projector, speakers and a carrying case. After further discussion by Robert Gal, member of the Park Commission and by recommendation of the Park Commission, Trustee Milner seconded by Trustee Mindel moved to approve the proposal by Outdoor Movies for the purchase of a movie package which includes an inflatable 24' screen, sound system for a cost of \$15,520.95. The motion was unanimously approved.

Trustee Milner seconded by Trustee Mindel moved to approve the hiring of Debra Moger as a part time court clerk at a salary of \$15 per hour pending Civil Service approval. On the call of the roll: 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; Trustee Alan Mindel voting aye; Mayor Ronald Cooper voting aye. The resolution was thereupon declared duly adopted.

On motion by Mayor Cooper, seconded by Deputy Mayor Lam the Board moved into Executive Session at 8:50 p.m. for the purpose of discussing personnel matters. Mayor Cooper reconvened the meeting at 9:30 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 Hoffman, the meeting was adjourned at 9:30 p.m.

Respectively Submitted,

Patrick E. Farrell
Village Administrator and Clerk