

Minutes of the Regular Meeting of the
Board of Trustees held in the Board Room of
the Community Building, 318 Lakeville Road,
Monday, June 8, 2015 at 7:30 P.M.

PRESENT: Mayor Ronald S. Cooper
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

ABSENT: Deputy Mayor Stephen Lam

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

On motion by Mayor Cooper seconded by Trustee Mindel, the Board moved into Executive Session at 7:30 p.m. to discuss legal matters. Mayor Cooper reconvened the regular meeting at 7:40 p.m. and reported that no action had been taken during executive session, therefore, there are no minutes.

Trustee Hoffman seconded by Trustee Mindel moved to approve the Minutes of May 11, 2015 as presented. The motion was approved by those present. Deputy Mayor Lam was absent for vote.

Mayor Cooper, seconded by Trustee Mindel moved to approve the adoption of the SEQRA Negative Declaration and determination of non-significance in connection with the proposed BK at Lake Success Memory Care Assisted Living Facility, Site Plan Application. (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 absent for vote; Trustee David Milner voting aye; Trustee Alan Mindel voting aye; Mayor Ronald Cooper voting aye. The resolution was thereupon declared duly adopted.

Mayor Cooper, seconded by Trustee Mindel moved to adopt the SEQRA Negative Declaration, Determination of Significance and Notice of Intent to not require an Environment Impact Statement. (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 absent for vote; Trustee David Milner voting aye; Trustee Alan Mindel voting aye; Mayor Ronald Cooper voting aye. The resolution was thereupon declared duly adopted.

Mayor Cooper, seconded by Trustee Mindel moved to approve the Site Plan Approval for BK at Lake Success, LLC in connection with a Special Permit pursuant to Lake Success Code A123 (Development Incentive Bonuses), subject to receipt of approval by Nassau County of the common driveway that has been submitted by BK at Lake Success (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 absent for vote; Trustee David Milner voting aye; Trustee Alan Mindel voting aye; Mayor Ronald Cooper voting aye.
The resolution was thereupon declared duly adopted.

Reports:

Administrator/Treasurer Farrell reported to the Board that Nassau County storm basin 91 was cleaned by Nassau County and the last rainfall seemed to drain very well and Nassau County reported back to him saying that the sump is draining much better than expected and the Great Neck Schools has already contracted to have their storm pipe cleaned.

Mayor Cooper advised the Board that he had a conversation with Mr. Dolan, Superintendent of Schools that he has not responded to his letter requesting a written confirmation of what we had wanted them to do. Mr. Dolan assured Mayor Cooper that he will be sending that confirmation shortly and said that his people are working hard to accomplish what we want.

Mayor Cooper reported to the Board that we asked Assemblywoman Michelle Schimel and Senator Jack Martins to create legislation up in Albany to protect us with respect to the issue of the base proportion where not-for-profit are coming off the rolls and off the base proportion. It is in the hopper and we will see what happens since it involves us next year, not this year.

Attorney Mineo had no report at this time.

Trustee Hoffman seconded by Trustee Milner moved to approve the Abstract of Claims as presented for \$67,362.71, the Pre-Paid Abstract of Claims for \$224,342.01 and the end of the year for \$246,381.89(annexed hereto). The motion was approved by those present. Deputy Mayor Lam was absent for vote

Trustee Hoffman seconded by Trustee Milner moved to approve the Budget Adjustments FYE 2015 as presented (annexed hereto). The motion was approved by those present. Deputy Mayor Lam was absent for vote

Treasurer's report is annexed hereto.

Agenda Item 5a, Approve payment of retainage, \$25,000 to J. Anthony Enterprises has been tabled till further notice.

On recommendation by Salerno Brokerage Corp., Mayor Cooper seconded by Trustee Handsman moved to approve Cyber Liability coverage for the Village from the Hiscox Program-Loyds of London for a \$500,000 limit with a \$5,000 deductible for a cost of \$5,370. 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 absent for vote; Trustee David Milner voting aye; Trustee Alan Mindel voting no; Mayor Ronald Cooper voting aye.

The resolution was thereupon declared duly adopted.

Mayor Cooper seconded by Trustee Hoffman moved to retain Nelson, Pope & Voorhis, LLC for Environmental & SEQRA Consulting services for 225-229 Community Drive, Lake Success, Board of Appeals Variance & Site Plan Applications Section 2, Block: 359, Lot 48. All fees will be reimbursed by the applicant. The motion was unanimously approved by those present. Deputy Mayor Lam was absent for vote.

Attorney Mineo discussed with the Board the Decision and Findings of Fact on the Jain Center of America, Inc. for a special permit for a house of worship pursuant to Lake Success Code 150-10.

On motion by Mayor Cooper seconded by Trustee Handsman, the Board moved into Executive Session at 8:11 p.m. to discuss legal matters. Mayor Cooper reconvened the regular meeting at 8:20 p.m. and reported that no action had been taken during executive session, therefore, there are no minutes.

Mayor Cooper seconded by Trustee Mindel moved that the Board of Trustees approve in the matter of the application of the Jain Center of America, Inc. where a special permit for a house of worship pursuant to Lake Success Code Section 150-10. This Decision is amended to read that if a building permit is not filed within 24 months the Applicant will be required to apply for a renewal of this decision. 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 absent for vote; Trustee David Milner abstained from vote; Trustee Alan Mindel voting aye; Mayor Ronald Cooper voting aye. The resolution was thereupon declared duly adopted.

Trustee Milner seconded by Trustee Handsman moved to approve 2015 Seasonal Employment as follows:

DPW DEPT

MARMOL	JEFFREY	12.8800
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PARK DEPT

MORRISSEY	AMANDA	10,000
ROCCO	CHRISTOPHER	5,000
HERNANDEZ	DENISE	5,000
SCHONHAUT	ETHAN	11.0000
BARTOS	MARISA	9.7500
CONNORS	AMANDA	9.7500
DURAN	EDWIN	12.0000
GALARZA	JIMMY	12.0000
SCIALDONE	JAKE	12.0000
BLACK	TAYLOR	10.0000
BLICHER	LIAM	10.0000
FAGEN	LILLANNA	10.0000

KANG	MADLINE	10.0000
XING	MARGARET	10.0000
LOWENKRON	ISABELLE	8.7500
MILLER	DANIELLE	8.7500
SPECTOR-SALWEN	PARKER	8.7500
SPINELLO	JOSEPH	8.7500
TSE	ANDREW	8.7500
HALL	JUSTIN	10.0000
SPINELLO	MATTHEW	11.0000
COHEN	ANDREW	9.2500
MANGIN	JACK	10.5000
WEIHS	JILIAN	11.5000
WAIBEL	ANDREW	11.5000
SCHERDER	KAITLYN	10.5000
TUCKER	RYAN	9.2500
CHARLOP	DIANA	10.5000
SALTZMAN	REID	9.2500
ANZALONE	MONICA	11.0000
LOWENKRON	ERICA	10.7500

GOLF DEPT

MENDELSSOHN	IRA	12.8800
RUSSO	ROBERT	12.8800
STAVOLA	NICHOLAS	12.0000
LEE	JOSEPH	15.7100
TOBKES	ALAN	13.9100
JORDAN	FRANK	14.5000

GOLF DEPT GROUNDS

MARQUARDT	JULIAN	10.0000
CLARK	PATRICK	12.0000
VAGLIO	ROBERT	12.0000
MOON	MELVIN	15.4500
JOHNSTON	KYLE	13.9100

The motion was unanimously approved by those present. Deputy Mayor Lam was absent for vote.

The Building Department had no report at this time.

On behalf of the Environmental Commission, Trustee Mindel reported to the Board paper shredding with the Town of North Hempstead. It would be set up like the way we do the electronic waste recycling. We would have residents bring their papers to the Police Department and have them secured and then bring the papers to the Town of North Hempstead for shredding. After further discussion, Mayor Cooper asked Trustee Mindel to inquire about a cost of hiring a truck for the day

and then they would bring it to the Town for shredding. Trustee Mindel will bring his findings to the Board next month to move further on with this project.

Trustee Mindel also discussed with the Board growing an organic garden at the Park.

Trustee Hoffman seconded by Trustee Kaplan moved to approve the appointment of Vincent Tavella as Member of the Golf Commission which is to expire October 2015. The motion was unanimously approved by those present. Deputy Mayor Lam was absent for vote.

There was no report from the House Committee.

On behalf of the Park Commission, Trustee Milner reported to the Board that the park is open and the weather has been horrible. We are continuing having potential issues with the lifeguard staffing. We are limited because there are not too many young people wanting to be lifeguards and he anticipates having a serious shortage by the end of the summer when the college people go back to school. There may have to be a reduction of hours at that time.

Trustee Milner discussed the purchase of a movie screen and equipment that was approved by the Board at their last meeting. In learning more about the screen, Trustee Milner feels that this isn't necessarily the smartest decision that this Village has ever done. We have issues on where we are going to store it since it is so heavy to move around and very large along with the repairs down the road on a regular basis. Oyster Bay has two of these systems and the redundancy of them not working. Trustee Milner is beginning to believe that maybe the smartest thing is to appropriate the money to have 4 or 5 movie nights and see whether or not the residents love it and maybe better understand how we go about physically manage the screen. Administrator/Treasurer Farrell informed the Board that he and Dr. Gal went over to Oyster Bay and spoke to the person who handles their movie screen. It is very heavy. They have a forklift to move it around and it is stored in their garage. They also have two blowers and two movie screens and two projectors because he had instances where the movie screens did not work. Every year they have problems with the screens were the seams come apart. It seems that it is too big for us to put it on a hand truck and to store it at the Police Station. It seemed to be a little more than we can handle, and maybe have to look into a smaller screen. Mayor Cooper informed the Board that he liked Trustee Mindel's idea of renting the movie screens for one year and see the outcome of the Village residents and if they like it. They may not want five nights of movies. A further discussion ensued.

By recommendation of Chief Gardella, Trustee Milner seconded by Trustee Mindel moved to approve a new 48 month lease Agreement with Canon for a Canon Copier IR4224 in the amount of \$189 per month all inclusive for the Police Department. The motion was unanimously approved by those present. Deputy Mayor Lam was absent for vote.

Mayor Cooper seconded by Trustee Milner moved to approve the ratification of an email vote taken on June 2, 2015 to obtain a Humvee for the Police Department from the Army surplus (\$400 for transporting and an expenditure of approximately \$3,000 to re-paint if it passes mechanically). The motion was unanimously approved by those present. Deputy Mayor Lam was absent for vote.

Mayor Cooper seconded by Trustee Hoffman moved to approve the ratification of an email vote taken on May 19, 2015 to approve the cancellation of the maintenance and service contract by a 30 day written notice (June 30, 2015) with Dual Purpose for the HVAC Equipment in the Community Building, Pro Shop and Police/Courthouse. The motion was unanimously approved by those

present. Deputy Mayor Lam was absent for vote.

Trustee Handsman seconded by Trustee Hoffman moved to approve the Village to go out for another two year Road Requirements Bid. The motion was unanimously approved by those present. Deputy Mayor Lam was absent for vote.

Administrator/Treasurer Farrell informed the Board that Island Elevator cannot give the Village service on the weekends so we have to cancel their contract. On recommendation by Administrator/Treasurer Farrell, Trustee Handsman, seconded by Trustee Kaplan moved to approve a new Maintenance Agreement with Excelsior Elevator for Hydraulic Maintenance Agreements for 15 Vanderbilt Drive at \$2,100 per year, 318 Lakeville Road at \$2,100 per year and the Wheelchair Lift at \$1,249.44 per year. The motion was unanimously approved by those present. Deputy Mayor Lam was absent for vote.

Mayor Cooper informed the Board that on June 16, 2015 there will be a special meeting of the Board of Trustees at 9:00 p.m. with respect to the Village Election and any other business which may come before the Board.

On motion by Mayor Cooper seconded by Trustee Hoffman, the Board moved into Executive Session at 9:00 p.m. to discuss personnel and possible litigation matters. Mayor Cooper reconvened the regular meeting at 9:30 p.m. and reported that no action had been taken during executive session, therefore, there are no minutes.

On motion of Mayor Cooper and seconded by Alan Mindel: "VHB has been the Village's planning and environmental consultant on different projects, including the applications to the various Village boards for the redevelopment of 1111 Marcus Avenue. One of VHB's clients, North Shore -LIJ, which has been a tenant 1111 Marcus Avenue, now owns one-half of the building and is performing due diligence to purchase the other half. Under the circumstances, VHB will be unable to continue as the Village's consultant in the event that NS-LIJ applies to any of the boards for zoning or other relief.

VHB would like to represent NS-LIJ in connection with its due diligence and in any future applications to the Town of North Hempstead and/or the Village of Lake Success. To do so, at least in the Village portion of the premises, it would need a waiver of conflict from the Village Board of Trustees. The Board feels it is appropriate to grant such a waiver because the nature of VHB's past service to the Village did not provide it with any confidential information and any future documents, reports or testimony that it might present to the Village on behalf of NS-LIJ would be reviewed and confirmed by the Village's new consultants."

The motion was unanimously approved by those present. Deputy Mayor Lam was absent for vote.

On motion by Mayor Cooper, seconded by Trustee Hoffman, the meeting was adjourned at 9:36 p.m.

Respectfully submitted,

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