

Minutes of the Regular Meeting of the
Board of Trustees held in the Board Room of
the Community Building, 318 Lakeville Road,
Monday, May 9, 2016 at 7:30 P.M.

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

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

ABSENT: Trustee Fred Handsman

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

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, 2017. The total renewal premium for 6/1/2016-5/31/2017 would be approximately \$315,000.00. 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. Trustee Hoffman asked Ms. Morton about various deductibles to see if the rate would be lower. Ms. Morton was going to research various deductibles and get back to the Board with her findings. The Board thanked Mr. Salerno and Ms. Morton for their presentation.

Jeffrey Braverman of 9 Horseshoe Lane addressed the Board on his concerns on the maximum weight limits on roads in the Village. After a further discussion, Mayor Cooper informed Mr. Braverman that the Board will look into this matter further and get back to him.

On motion by Mayor Cooper, seconded by Deputy Mayor Lam the Board moved into Executive Session at 8:03 p.m. for the purpose of discussing personnel matters. Mayor Cooper reconvened the meeting at 8:21 p.m. and reported that no action had been taken during executive session, therefore, there are no minutes.

Mayor Cooper reconvened the meeting of the regular agenda of the Board of Trustees at 8:21 p.m.

The following resolution was offered by Mayor Ronald S. Cooper, who moved its adoption, seconded by Trustee Gene Kaplan, to-wit:

BOND RESOLUTION DATED MAY 9, 2016.

A RESOLUTION AUTHORIZING THE ISSUANCE OF UP TO \$40,000 BONDS OF THE VILLAGE OF LAKE SUCCESS, NASSAU COUNTY, NEW YORK, TO PAY THE COST OF THE PURCHASE OF A VEHICLE FOR THE DPW SUPERINTENDENT 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:

The purchase of a vehicle for the DPW Superintendent in and for the Village of Lake Success, Nassau County, New York, is hereby authorized at a maximum estimated cost of \$40,000. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of not exceeding \$40,000 bonds of said Village hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose 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.

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.

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.

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.

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.

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.

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

The resolution was thereupon declared duly adopted.

Trustee Kaplan seconded by Trustee Hoffman moved to approve the purchase of one 2016 Jeep Grand Cherokee Laredo for the Public Works Department in the amount of \$28,862.43 (NYS Procurement Contract) from Robert Green Auto & Truck, Inc. The motion was unanimously approved by those present. Trustee Handsman was absent for vote.

Agenda item 12a, Approve the resurfacing of the exterior basketball court has been tabled until further notice.

On recommendation by Donald Graham, Public Works Superintendent, Trustee Milner seconded by Trustee Hoffman moved to approve the repair of the sprinkler system around the red clay tennis courts in the amount not to exceed \$16,400 by Sal's Irrigation Services. The motion was unanimously approved by those present. Trustee Handsman was absent for vote.

Trustee Hoffman, seconded by Trustee Kaplan moved to approve the Minutes of April 11, 2016 as presented. The motion was unanimously approved by those present. Trustee Handsman was absent for vote.

Deputy Mayor Lam, Administrator Farrell, Village Attorney Mineo had no report at this time. Mayor Cooper reported to the Board the progress with the DEC and Lockheed Martin.

Trustee Hoffman seconded by Trustee Milner moved to approve the Abstract of Claims as presented for \$355,769.82 and the Pre-Paid Abstract of Claims as presented for \$253,070.37 (annexed hereto). The motion was unanimously approved by those present. Trustee Handsman was absent for vote.

Treasurers Report is annexed hereto.

Trustee Hoffman seconded by Trustee Milner moved to approve the Budget Adjustments FYE

2016 as presented (annexed hereto). The motion was unanimously approved. Trustee Handsman was absent for vote.

Trustee Hoffman seconded by Mayor Cooper moved to approve the execution of the Tax Warrant for the Fiscal Year Ending May 31, 2017 for collection of taxes as presented (annexed hereto). On the call of the roll: Trustee Fred Handsman absent for vote; 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 addendum to the 2016/2017 Engagement Letter from Cullen & Danowski, LLP, CPA subject to review of the prior agreement and services. The motion was unanimously approved. Trustee Handsman was absent for vote.

Trustee Hoffman, seconded by Trustee Kaplan moved to approve the bid opening for the 2016 Collection, Removal & Disposal of Garbage & Refuse to Meadow Carting, not to exceed an annual cost of \$309,204. The cost at the bid opening is \$31.50 per household; \$25,767 per month and \$309,204 per year along with the 20, 30 and 40 Cubic Yard Container Service at \$180 per month each, subject to these costs are exclusive of tipping fees. Trustee Mindel offered to speak to Meadow Carting about the fee increase exceeding the NYS Tax cap. The motion was unanimously approved by those present. Trustee Handsman was absent for vote.

Trustee Hoffman seconded by Trustee Milner moved to approve the lowest and only bid for the Public Works and Golf Course Uniforms as presented (annexed hereto). The motion was unanimously approved by those present. Trustee Handsman was absent for vote.

Trustee Hoffman seconded by Trustee Milner moved to approve the following agreement between Municipal Audit Services, LLC and the Village of Lake Success to audit the Village's utility and cable and franchise fees as presented (annexed hereto). The motion was unanimously approved by those present. Trustee Handsman was absent for vote.

Mayor Cooper seconded by Deputy Mayor Lam moved to approve the cancellation and release of easement for Renee R. Block residing at 110 Windsor Gate, NY 11020, Section 2, Block 280, Lot 2. The motion was unanimously approved by those present. Trustee Handsman was absent for vote.

Trustee Hoffman seconded by Deputy Mayor Lam moved to approve the 2017/2018 Assessment Update Assessments and Inventory by Michael Haberman Associates, Inc. in the amount of \$12,500. On the call of the roll: Trustee Fred Handsman absent for vote; 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 no; Mayor Ronald Cooper voting aye. The resolution was thereupon declared duly adopted.

The Board agreed to accept the request by the Nassau County Board of Assessment to use the Board room on Friday, October 7, 2016 from 1-2:30 pm to answer any assessment questions which is opened to the public.

There were no reports from the Building Department, Environmental Commission.

Trustee Hoffman reported to the Board that the Golf membership is up by 18 non-residents. The open house is this coming Sunday and there will be about 30 people coming.

Trustee Kaplan seconded by Mayor Cooper moved to approve the amendment of the Rules & Regulations for room rental fees that the Village will refund site fees if Culinart rebooks the room. The motion was unanimously approved by those present. Trustee Handsman was absent for vote.

Trustee Kaplan seconded by Trustee Mindel moved to approve a \$250 security deposit for use of the SAC room. The motion was unanimously approved by those present. Trustee Handsman was absent for vote.

Deputy Mayor Lam seconded by Trustee Hoffman moved to approve and authorize the Mayor's signature on the L.I.E. HOV Supplemental Agreement No. 10 Contract for PIN#0229.03 between the Village of Lake Success and the New York State Department of Transportation for the L.I.E. /H.O.V. Enforcement Program in the amount of \$49,700 from June 1, 2016 to November 30, 2016. On call of the roll: Trustee Fred Handsman absent for vote; 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 9:11 p.m. for the purpose of discussing personnel matters. Mayor Cooper reconvened the meeting at 10:26 p.m.

Trustee Milner seconded by Trustee Mindel moved to approve a 6 year contract with 3 separate Dispatcher work hour charts for Dispatcher/CSEA approval. On the call of the roll: Trustee Fred Handsman absent for vote; Trustee Adam Hoffman voting aye; Trustee Gene Kaplan voting aye; Deputy Mayor Stephen Lam voting nay; 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 Non-Union raises of 3%. The Police Chief and Lieutenant to receive a raise of 3.9%. The motion was unanimously approved by those present. Trustee Handsman was absent for vote.

On motion by Mayor Cooper seconded by Trustee Hoffman, the meeting was adjourned at 10:39 p.m.

Respectively Submitted,

Patrick E. Farrell
Village Administrator and Clerk