The regular meeting of the Board of Trustees was held on Thursday, April 11, 2013 at Village Hall, 196 Central Avenue, Lawrence New York 11559.

Those members present were:	Mayor Martin Oliner
	Deputy Mayor C. Simon Felder
	Trustee Joel A. Mael
	Trustee Michael A. Fragin
	Trustee Irving Langer
Also present were:	David E. Smollett, Village Administrator
	Abraham Farber, Deputy Treasurer
	A. Thomas Levin, Village Attorney
	Alison Cohen, Secretary to the BOT

The Board convened in public work session at 7:40 p.m.

WORK SESSION

The following matter was addressed.

Item 9 – Civil Service law Section 209.4 to resolve impasse between the Village and CSEA

Labor Counsel Peter Bee summarized the history of the collective bargaining process. No Board Action was taken during the Work Session.

On motion by Trustee Fragin, seconded by Trustee Langer, the Board convened in Executive Session at 7:55 p.m. to discuss matters pertaining to pending and prospective litigation.

EXECUTIVE SESSION

Trustee Mael moved to close Executive Session at 8:10 p.m. and return to public session. Mayor Oliner seconded the motion. All in favor.

REGULAR MEETING - Mayor Oliner called the meeting to order at 8:10 p.m.

Approval of minutes:

BOT January 10, 2013
BOT January 31, 2013
Special BOT February 17, 2013
BOT March 14, 2013

Board Action: Mayor Oliner moved the approval of the minutes of the January 10, 2013 BOT meeting. Trustee Langer seconded the motion. All in favor except for Deputy Mayor Felder who abstained.

Board Action: Mayor Oliner moved the approval of the minutes of the January 31, 2013 BOT meeting. Deputy Mayor Felder seconded the motion. All in favor.

Board Action: Mayor Oliner moved the approval of the minutes of the February 17, 2013 Special BOT meeting. Deputy Mayor Felder seconded the motion. The vote was as follows:

Mayor Oliner – Aye
Deputy Mayor Felder – Aye
Trustee Langer – Aye
Trustee Fragin – Abstained
Trustee Mael – Abstained
Motion passed.

Board Action: Mayor Oliner moved the approval of the minutes of the March 14, 2013 BOT meeting. Trustee Mael seconded the motion. All in favor.

NEW BUSINESS

Item 1 – Approve Abstracts #'s

General Fund	**#682, 683**
Recreation Fund	**#100, 101, 102, 103**
Sewer Fund	**#63**
Trust Fund	**#251**
Payroll	**#2339, 2340**

Board Action: Mayor Oliner moved the approval of General Fund Abstracts #682 and 683. Trustee Langer seconded the motion. All in favor.

Board Action: Mayor Oliner moved the approval of Recreation Fund Abstracts #100, 101, 102 and 103. Deputy Mayor Felder seconded the motion. All in favor.

Board Action: Mayor Oliner moved the approval of Sewer Fund Abstract #63. Trustee Fragin seconded the motion. All in favor.

Board Action: Mayor Oliner moved the approval of Trust Fund Abstract #251. Trustee Fragin seconded the motion. All in favor.

Board Action: Mayor Oliner moved the approval of Payroll Abstracts #2339 and 2340. Trustee Langer seconded the motion. All in favor.

Item 2 – Public Hearing – 2013 – 2014 General Budget

Board Action: Mayor Oliner moved to open the public hearing for the 2013 – 2013 general budget. Trustee Langer seconded. All in favor.

Administrator Smollett confirmed the legal notice was placed in the newspaper and posted in the six Village locations as prescribed by law for the 2013 – 2014 general budget public hearing.

Administrator Smollett and Mayor Oliner provided an overview of the 2013 - 2014 proposed general budget for the Village. Mayor Oliner recommended a zero increase in the tax rate keeping it at $71.60 per $100 of assessed value.

Board Action: Mayor Oliner moved to close the public hearing. Trustee Langer seconded the motion. All in favor.

Item 3 – Adoption of Budget

Administrator Smollett reviewed the recommended changes to the tentative budget producing the final proposed budget to be adopted as follows:

	04/11/2013	FY 13/14 vs. 12/13	FY 13/14 vs. 12/13	
	2013-2014	CHANGE	CHANGE	2012-2013
	Adopted	$	%	Adopted
APPROPRIATIONS	$6,337,317	-$142,196	-2.19%	$6,479,513
REVENUES	$1,564,947	$5,260	0.34%	$1,559,687
APPROPRIATED FUND BALANCE	$1,945,226	$239,723	14.06%	$1,705,503
AMOUNT TO BE RAISED BY TAXES	$2,827,144	-$387,179	-12.05%	$3,214,323
FINAL ASSESSMENT	$3,948,525	-$540,753	-12.05%	$4,489,278
TAX RATE PER $100 OF ASSESSED VALUE	$71.60	$0.00	0.00%	$71.60

Board Action: Mayor Oliner moved to adopt the budget as presented by Administrator Smollett as per above summary schedule. Deputy Mayor Felder seconded the motion. All in favor.

Item 4 – Set tax rate and authorize issuance of tax warrants

Board Action: Mayor Oliner moved to set the 2013 – 2014 tax rate at $71.60 per $100 of assessed value based on a Final Assessment of $3,948.525. Additionally, tax warrants are to be issued to Village property owners in accordance with this rate. Trustee Fragin seconded the motion. All in favor.

Item 5 – Ratify contract for supply and installation of irrigation system at LY&CC golf course (insurance/FEMA)

Board Action: Mayor Oliner moved to ratify the contract for supply and installation of the irrigation system at the LY&CC golf course with Storr Tractor Company in the amount of $77,004.12; with the understanding that Administrator Smollett was going to request Storr Tractor Company change the contract to include two (2) year service on the central computer instead of the one (1) year service, and find out the possible cost involved. Trustee Langer seconded the motion. All in favor.

Item 6 – Ratify LY&CC Kitchen Appliance Bid Selection

Administrator Smollett reported the necessity of going out for bids for LY&CC kitchen appliances per the losses from Hurricane Sandy. He explained that the list of replacement equipment that needed to be purchased to have the restaurant and catering facility operating on schedule with the restoration timeline was obtained from the new LY&CC caterer with the help of Leo McMahon. Administrator Smollett had sent the Board an e-mail to approve his recommendation to award the bid to Sam Tell & Sons, the overall lowest responsible bidder, in the amount of $101,719.09, to place the order in a timely manner. Mayor Oliner, Trustee Langer and Deputy Mayor Felder responded affirmatively to Administrator Smollett's request to order the equipment from Sam Tell & Sons.

Board Action: Mayor Oliner moved to ratify the LY&CC kitchen appliance bid selection from Sam Tell & Sons in the amount of $101,719.09. Trustee Langer seconded the motion. All in favor.

Item 7 – Approve Bids for Roadwork (Ocean Avenue and Chauncey Lane)

Administrator Smollett explained the course of events in going out for roadwork bids for Ocean Avenue and Chauncey Lane, per the Board's authorization at the October 18th, 2012 BOT meeting. Building Superintendent Mike Ryder and Gerry Castro, reviewed all the bids, and recommended the lowest responsible bidder, Carlo Lizza & Sons Paving, for the total amount of $355,015.50; which breaks down to $250,175.00 for Ocean Avenue and $104,840.50 for Chauncey Lane. Administrator Smollett confirmed that Mr. Ryder and Mr. Castro conducted due diligence on the recommended lowest bidder and they came highly recommended.

Trustee Mael would like to see more background on the lowest bidder going forward, regardless, to help the Board make more informed decisions. In addition, Trustee Mael felt strongly about a completion date prior to the peak summer season for Ocean Avenue in particular, since it is so heavily trafficked in the summer months to come.

Board Action: Mayor Oliner moved the approval and ratification of the roadwork bid to the recommended lowest responsible bidder, Carlo Lizza & Sons Paving, in the total amount of $355,015.50; $250,175.00 for Ocean Avenue and $104,840.50 for Chauncey Lane. Trustee Langer seconded the motion. All in favor.

Item 8 – LY&CC Update

Leo McMahon gave an update on the LY&CC restoration. He recognized all of the Village employees for doing an outstanding job with the restoration process for the Club and Marina. Trustee Langer and Mayor Oliner recognized Mr. McMahon himself for all of his efforts and hard work in this process and the progress that has been made.

Golf membership revenues have increased. The marina and tennis memberships have not been fully received to date, to be tallied. The first affair in the using the kosher kitchen is May 19th, and the Club should be ready way before then. Mayor Oliner stated that we will have to act on an emergency basis to repair the tennis building. The estimates are extremely high and widely varied. They will be submitted for approval when ready. As of right now the boiler is not operational, however there is a temporary one installed for hot water usage.

Trustee Mael asked when the pedestals for the Marina were ordered. Mr. McMahon stated that they were ordered through Mittman about three (3) weeks ago, who will then run all of the electric.

Item 9 – Public Hearing – Civil Service Law Section 209.4 to resolve impasse between the Village and CSEA

Mayor Oliner noted the presence of Labor Counsel Peter Bee.

Board Action: Mayor Oliner moved to open the public hearing pursuant to Civil Service Law Section 209.4 to resolve impasse between the Village and CSEA. Trustee Fragin seconded the motion. All in favor.

Administrator Smollett confirmed that the requisite postings and legal notice in the newspaper were done according to the law.

Labor Counsel Peter Bee identified himself and presented the history of the collective bargaining agreement and negotiations, which began when the CSEA contract expired in June 2010. Negotiations began after the expiration date and lasted through mid 2011. The NYS Public Relations Board then appointed a mediator, who attempted to help the parties reach an agreement albeit unsuccessfully. This process lasted through mid 2012. The law provides that if mediation is unsuccessful, the next step is fact finding, which is a process that involves a presentation to a neutral person, appointed by the Public Employment Relations Board, and attempt to persuade them to the "correctness" of your point of view. Both sides entered into the fact finding process, willing to come to an agreement. They were unable to come to closure due to three main issues which kept them apart. The first were base wages, retroactivity to certain employees and the pendency of a grievance. The Mayor wrote to the Board in support of an agreement based on the fact finders report while the CSEA rejected it. The law states that the Board shall take such action as is deemed in the public interest. Another provision of the law states that the Board must honor most of the terms of the expired, collective bargaining agreement until a new one is in place. The Board can declare and formalize a one year wage freeze, which has already existed through the period of June 2010 through May of 2011, by passing a resolution. Mayor Oliner requested Labor Counsel Peter Bee to verify, for the record, that at his request, when the fact finders report was issued, that his recommendation, (in writing) was forwarded to the Board members, as is required by law.

Mayor Oliner requested Administrator Smollett read the proposed resolution aloud.

Board Action: Deputy Mayor Felder moved the adoption of the following resolution:

WHEREAS, the Village of Lawrence (hereinafter the "Village") and the Civil Service Employees Association, Local 1000, AFSCME, AFL-CIO, Local 882 (Lawrence Unit) (hereinafter the "CSEA") were parties to a collective bargaining agreement (hereinafter the "CBA") for the period June 1, 2005 – May 31, 2010; and

WHEREAS, the Village and the CSEA thereafter entered into collective bargaining for a successor agreement, which bargaining reached an impasse requiring the intervention of the New York State Public Employment Relations Board ("PERB"); and

WHEREAS, pursuant to New York Civil Service Law (CSL) 209, PERB appointed a Mediator, and subsequently a Factfinder, to assist the Village and the CSEA in the resolution of the collective bargaining dispute; and

WHEREAS, the Factfinder conducted hearings, took evidence, and received arguments from the parties as to the proper resolution of the collective bargaining dispute, and was charged by PERB pursuant to CSL 209 to thereupon report and recommend as to the proper resolution of the impasse; and

WHEREAS, on or about March 18, 2013, the Mayor's office (through Special Counsel Peter Bee) received the Report and Recommendations of the PERB Factfinder (a copy of which has been reviewed by the Board of Trustees of the Village of Lawrence ("Board")); and

WHEREAS, the Board thereafter convened a public hearing on April 11, 2013, pursuant to CSL 209.4 to hear the explanation of the parties regarding the Factfinder's Report and Recommendations; and

WHEREAS, the Board has considered the foregoing events, and the matters brought forth at the April 11, 2013 hearing;

Now, therefore, it is

RESOLVED, that in furtherance of the public interest, the Board of Trustees of the Village of Lawrence hereby declares and imposes that there shall be no wage increase for the maximum period permitted by law for the period on and after June 1, 2010 for persons represented by the CSEA.

Board Action: Trustee Langer seconded the motion. All in favor.

Item 10 – Yael Mandel/HAFTR Middle School 5K Run – Parade Permit Approval

Administrator Smollett gave the background of this parade permit request, affirming that indeed the route of this 5k run was the same route as two years ago. The revised date for this event is June 3rd, 2013, and Sgt. Moulds of the 4th Precinct has signed off on this as well.

Board Action: Mayor Oliner moved to approve Yael Mandel's 5k run parade permit for 6/3/13. Deputy Mayor Felder seconded the motion. All in favor.

Item 11 – Purchase Radar Trailer

Administrator Smollett explained that the County speed radar trailer was quite dilapidated. After it was repaired it was not available exclusively to the Village for usage. The Village had a demo of a speed radar trailer unit and was very pleased with the outcome. The Village received three original bids for purchase of a radar trailer unit; one of them was off the Federal GSA purchase contract for $4,733.00 plus $600 for shipping, totaling $5,333.00. That was from the manufacturer itself. A local distributor, Independent Equipment Corporation, came in with a lower bid, at $5,260, with the same warranty and they would service it locally, providing a replacement unit while it is being

serviced. It will be placed at strategic locations and moved around the Village by the Highway Dept. at the Village's discretion.

Board Action: Mayor Oliner moved to approve the purchase of the speed radar trailer from Independent Equipment Corporation in the amount of $5,260.00. Trustee Fragin seconded the motion. All in favor.

Item 12 – Stop signs on Broadway and Sutton Place

Administrator Smollett explained that Deputy Mayor Felder requested that he look into placing a stop sign at Broadway and Sutton Place, due to the pedestrian traffic and crosswalk issues. Administrator Smollett got in touch with Aryeh Lemberger, who is the Unit Head for Traffic Engineering for Nassau County, since Broadway is a County road. There is a precedent of a four way stop sign on Broadway (a County road) being installed by Lynbrook. Mr. Lemberger confirmed that the Village has the authority to install a four way stop sign at this location. If the Board chooses to do this, there needs to be a resolution to amend the Village Code to insert/add this stop sign.

Board Action: Deputy Mayor Felder moved to adopt a resolution to amend the Village Code to add/install a four way stop sign at the intersection of Broadway and Sutton Place; and to install the aforementioned stop sign. There was no second to the motion.

Trustee Fragin stated his opinion, as in previous meetings, that crosswalks and a traffic light at this location are a good idea, but that installing a four way stop sign is not a good idea, and in fact a more dangerous idea. Discussion ensued.

Board Action: Mayor Oliner moved to refer the matter of installing signage of some type (at Broadway and Sutton Place) and the safety issues to Sam Schwartz to be studied and reported back in time for the next BOT meeting. Trustee Mael raised some objections and further discussion ensued. Deputy Mayor Felder seconded. The vote was as follows:

Mayor Oliner – Aye
Deputy Mayor Felder – Aye
Trustee Langer – Aye
Trustee Fragin – Aye
Trustee Mael – Nay
Motion carried.

Item 13 – Approve bid for LY&CC Solid Metal Chiavari Chairs

This item was tabled for now.

Item 14 – EFC Drawdown #3 for Nassau County Water Pollution Control

Administrator Smollett explained that the Environmental Facilities Corporation is requesting that the Village move forward with the drawdown #3 for Nassau County Water Pollution Control, for the monies that they need to continue the project. The request is in the amount of $5,358,807.51. They have been asking for this drawdown since January, and the concern now is that if the Village doesn't move quickly enough in

making this payment, the EFC and Nassau County are in jeopardy of losing this money through the federal government.

Board Action: Trustee Mael moved to authorize the EFC Drawdown #3 for Nassau County, in the amount of $5,358,807.51. Trustee Fragin seconded the motion. Discussion ensued.

Mayor Oliner was concerned whether or not we have received the correct amount of work for the dollars spent at the sewer treatment plant. Village Administrator Smollett explained that Village employees are not qualified to make this determination. Trustee Mael urged the necessity of timeliness in this regard, if in fact the Village has an outside auditor make this determination.

All in favor, with the proviso that the funds will not be disbursed without authorization from the Board of Trustees.

Board Action: Trustee Fragin moved to authorize the Village Administrator, David Smollett to hire an independent auditor, in an amount of up to $10,000.00, to review the amount of work done at the sewer plant and the EFC Drawdown request. Mayor Oliner seconded the motion. All in favor.

Item 15 – Resolution to appoint Election Inspectors

Board Action: Mayor Oliner moved the following:

That inspectors of election be employed at $200.00 for Chair and $175.00 for Inspectors for the Village Election to be held on June 18, 2013. That the following persons be and hereby are appointed as inspectors of the election: Mr. Aaron Philipson (Republican), Ms. Mildred Spinner (Democrat), Ms. Rosalyn Gold (Democrat), Ms. Sandra Last (Republican) and Mr. Robert Karol (Republican).

The motion was seconded by Trustee Fragin and unanimously approved.

Item 16 – Resolution to schedule a public hearing on the proposed Cablevision renewal agreement for May 9, 2013 BOT meeting

Board Action: Mayor Oliner moved to schedule a public hearing on the proposed Cablevision renewal agreement for the May 9, 2013 BOT meeting. Trustee Fragin seconded the motion. All in favor.

GOOD & WELFARE

1. Trustee Fragin noted that the March Police and L.C.F.D. reports listed accidents and incidents that did not take place in the Village of Lawrence. The reports need to be corrected to exclude incidents outside of the Village.

2. Trustee Fragin requested that Gerry Castro investigate/research updated parking meter options as alternatives to the current (antiquated) municipal parking lot muni-meters currently in place and report his findings at the May 9th, 2013 BOT meeting. There is a high level of frustration in the Village with the current system(s), especially for residents now having to place the ticket in the car window.

3. Village resident, Mr. Isaac Levy, of 325 Marbridge Road spoke regarding the recurring and worsening flooding issues on Meadow Lane and Marbridge Road. He noted that the Village has looked into trying to mitigate this problem for a number of years. The Village reached an impasse when one of the engineering firms required several hundred thousand dollars just to do a study. With the cooperation of Mr. Ryder and Mr. Castro from the Village's Building Department, Mr. Levy and the neighboring residents have been looking into the situation with an outside engineering firm for the last two months. He introduced three gentlemen from plumbing and pumping service companies that have been studying the situation. Their names were Paul Barrone, David Silverman and Tim Leak. David Silverman gave handouts and a presentation on proposed storm water pumping stations as well as a conceptual overview of the situation with their recommendations. Discussion ensued after the presentation.

   Mayor Oliner invited Mr. Barrone, Mr. Silverman and Mr. Leak to meet with Mr. Ryder and Mr. Castro from the Village's Building Department, in addition to the residents of Marbridge Road and Meadow Lane, to share the data/research that the Village has already compiled regarding pumps and share all information concerning this issue. The Village would like to ascertain a more concrete solution than the conceptual one presented, as well as an accurate dollar amount of the proposed solution.

OLD BUSINESS

1. LY&CC Refund

Board Action: Mayor Oliner moved the approval of the LY&CC refund for Mrs. Lisa Weissman in the amount of $2,000.00. Deputy Mayor Felder seconded the motion. All in favor.

There being no further business the meeting was adjourned at 11:50 p.m.

This is to certify that I, David E. Smollett, read the preceding minutes, and they are in all respects a full and correct record of such proceedings.

David E. Smollett, Administrator,

Clerk/Treasurer