

Lawrence, New York, April 8, 2010

The regular meeting of the Mayor and Board of Trustees was held on Thursday, April 8, 2010, in the Lawrence Village Hall, 196 Central Avenue, Lawrence, New York 11559.

Mayor Felder called the meeting to order at 8:00 PM

Those members present were: Mayor C. Simon Felder  
Deputy Mayor Martin Oliner  
Trustee Edward I. Klar  
Trustee Michael A. Fragin

Also present were: David E. Smollett, Administrator, Elizabeth Kaye, Deputy Clerk/Treasurer and A. Thomas Levin, Village Attorney.

Those members absent were: Trustee Mael arrived at 9:45 pm

Upon motion by Trustee Klar, seconded by Deputy Mayor Oliner, and unanimously carried, the minutes of March 11, 2010, were approved, as corrected.

## **REPORTS**

Police – Mayor Felder and Officer Arpaia discussed the most recent police report, a copy of which is on file in Village Hall. Mayor Felder expressed concern that details of the accidents at Central Avenue and Rockaway Turnpike were not available to the public. Officer Arpaia explained that this was to protect the parties involved; however, the board could request a summary of each case. Administrator Smollett was asked to request this information and provide a brief report by the next meeting.

Fire – Trustee Fragin read the fire report for the month of March, a copy of which is on file in Village Hall. Discussion ensued regarding the recent storm and the Village's preparedness. Administrator Smollett indicated that he and Trustee Fragin had met with the Fire Department to discuss preparedness including the need for an evacuation route. Administrator Smollett and Trustee Fragin would be meeting with LIPA to discuss

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improving coordination and communications during an emergency. Trustee Fragin noted that the 911 system had been out of commission during part of the storm. The board asked for suggestions on how the Village could improve its response during an emergency. Administrator Smollett was instructed to prepare a brief report for the next meeting. Trustee Klar asked about expenses incurred and insurance claims made in connection with the storm. Deputy Clerk/Treasurer indicated that she had filed a report with FEMA which would entitle the Village to reimbursement in the event an emergency is declared by the Federal Government for Nassau County. Deputy Mayor Oliner thanked Administrator Smollett and the Highway Department for their hard work during the storm. Trustee Klar thanked Administrator Smollett and Trustee Fragin for being on-hand during the storm. Mayor Felder concurred. Trustee Fragin commented that the Village might want to explore establishing its own police force.

Finance - Administrator Smollett reviewed the Finance Report and noted that the Sewer Funds on-hand as of the contract date with Nassau County had been transferred to Flushing Commercial Bank. Trustee Fragin commented that the Payroll Abstract had not been submitted to the board in advance. On a motion by Deputy Mayor Oliner, seconded by Trustee Klar, Abstracts 586, 587, 60, 61 were approved. Motion carried with Deputy Mayor Oliner, Trustee Klar and Mayor Felder all voting in the affirmative and Trustee Fragin voting Nay.

Public Works - Deputy Mayor Oliner reviewed the Public Works report. Deputy Mayor Oliner acknowledged the Highway Department employees for their help during the storm.

Recreation – Trustee Klar reported that construction at the club was on schedule. Trustee Klar thanked Club Manager Frank Argento and his staff for their efforts in cleaning up after the storm.

The board addressed Item # 3 under New Business which was to accept the resignation of Frank Argento as Club Manager, effective April 25, 2010. Trustee Klar expressed his appreciation for Mr. Argento's many years of service. Deputy Mayor Oliner expressed his appreciation as well. Mr. Argento expressed his regard for the

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board and the club membership and his pride in the club facility.

Deputy Mayor Oliner inquired about the status of open items with regard to the Club facility. Trustee Fragin asked about the status of a second kosher caterer. Trustee Klar indicated that there had not been any further progress in this regard.

A resident in attendance expressed concern with recent turn-over of high-ranking employees.

Water Pollution Control Facility – No news to report.

Sanitation – Trustee Klar reported that the Sanitation District had made a special pick-up the day before Passover. Trustee Klar is continuing to work with the Sanitation District to improve recycling and regular pick-up.

Nassau County Office of Emergency Management - Mayor Felder thanked Dr. Sicklick for his work as Emergency Management liaison. Administrator Smollett reported that he and Trustee Fragin would be meeting with James Callahan of Nassau County's Office of Emergency Management. Trustee Fragin commented that the Village needs to identify those residents with special health needs so that they could receive immediate attention in an emergency. Administrator Smollett indicated that he would do a direct mailing in this regard. Deputy Mayor Oliner commented that a list of emergency response requirements should be prepared before a letter is sent out. Mayor Felder reiterated the need for an emergency evacuation route.

### OLD BUSINESS

No old business to report.

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NEW BUSINESS

(Skipped to Item#9)

Item #9 – Presentation of Proclamation for Census 2010 to Mr. John Colbert, Regional Director

Mayor Felder presented Mr. John Colbert with a proclamation declaring April 1<sup>st</sup> Census 2010 Day. Mr. Colbert emphasized the importance of returning the Census questionnaire. Mayor Felder asked the Lawrence Association to encourage its members to return the questionnaire and instructed Administrator Smollett to send an email reminder to the residents as well.

Item 1 – Public Hearing on 2010-2011 Tentative Budget

Trustee Fragin made a motion which was seconded by Trustee Klar, and unanimously approved, to open the public hearing on the 2010-2011 Tentative Budget.

Administrator Smollett gave a brief report on the tentative budget noting that the Mayor and Board serve without compensation and that the proposed budget reflects no increase in the tax rate over the prior year.

There being no comment from the public, a motion was made by Trustee Klar, seconded by Deputy Mayor Oliner, and unanimously approved, to close the public hearing.

Trustee Fragin commented on the considerable size of the Fund Balance and the need to address certain capital projects. Administrator Smollett indicated that he and Deputy Mayor Oliner would be meeting to discuss road improvement projects, the cost of which would be allocated from the Fund Balance. Trustee Fragin noted that the board needed to discuss making improvements to Village Hall as well.

Upon motion by Trustee Fragin, seconded by Trustee Klar, and unanimously approved, the board voted to; adopt the 2010-2011 tentative budget as final with a tax

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rate of 70.61 per \$1,000 of assessed value; authorize the levy of taxes for the 2010-2011 fiscal year and mailing of tax bills and authorize the Mayor to sign the tax warrant.

Ms. Kevelson, President, Lawrence Association, inquired about the need for renovations at Village Hall. Mayor Felder responded that renovations were necessary for safety reasons.

Item #2 - Sidewalk Maintenance Legislation

Village Attorney Levin spoke about the proposed legislation which would clarify the Code on residents' responsibility over sidewalk maintenance.

Trustee Fragin made a motion, which was seconded by Deputy Mayor Oliner, and unanimously approved, to schedule the public hearing for May 13<sup>th</sup>, 2010 at 8:00 pm, on proposed local law 3 of 2010.

Item #3 – Resignation of Frank Argento (previously discussed)

Item #4 - Appointment of Deputy Registrar

A motion was made by Deputy Mayor Oliner, seconded by Trustee Klar, and unanimously approved, to appoint Gail Daniels as Deputy Registrar effective Monday, April 12<sup>th</sup>, 2010.

Item #5 - Fee Changes for Handicap Parking Tickets

Administrator Smollett discussed increasing the fines for handicap parking tickets from \$130.00 to \$150.00 which would bring the fines in line with other villages.

Trustee Fragin asked the board to consider increasing the warning period on tickets from 15 to 30 days. The board determined it needed more information on the revenue impact of such a change before it voted. The matter of handicap parking tickets

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was tabled pending additional information.

Item #6 - Set Public Hearing on Annual Stormwater Report

Administrator Smollett discussed the annual requirement to hold a public hearing on the Village's Annual Stormwater Report to be filed with the NYS Department of Conservation by June 1<sup>st</sup>.

Deputy Mayor Oliner made a motion, seconded by Trustee Fragin, and unanimously approved, to set the public hearing on the Annual Stormwater Report for May 13<sup>th</sup> at 8:00 pm.

Item #7 - Appoint Special Prosecutor

This item was adjourned to Executive Session.

Item #8 - Modify Letter of Credit /Collateralization Requirements for Village Investments

**WHEREAS**, the Incorporated Village of Lawrence adopted a Village Investment Policy, and;

**WHEREAS**, the Village Investment Policy needs to be amended to include language required by General Municipal Law Section 10 (3) (c) (ii);

**BE IT RESOLVED**, that this Board of Trustees hereby amends Section V111 of the Village Investment Policy by adding the following provision:

4. In addition to the deposit of eligible securities, the officers making a deposit may, in the case of an irrevocable letter of credit issued in favor of the local government by a federal home loan bank whose commercial paper and other unsecured short-term debt obligations are rated in the highest rating category by at least one nationally recognized statistical rating organization, accept such letter of credit payable to such local government as security for the payment of one-hundred percent (100%) of the aggregate amount of public deposits from such officers and the agreed upon interest, if any.

Moved by Trustee Fragin  
Seconded by Trustee Klar

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AYES           4  
NOES           0

Item # 9 – Presentation of Proclamation to Mr. John Colbert (previously discussed)

Item # 10 - Letter from the Lawrence Association

Ms. Kevelson, Lawrence Association President, presented a letter which addressed; the sale of property to the library, limiting Trustee term limits, televising Trustee meetings, cell phone usage at meetings. Ms. Kevelson expressed dissatisfaction that her request to be added to the agenda was not done until the evening of the meeting.

Trustee Klar asked if the subject letter had been approved by the Association's Board of Governors. Ms. Kevelson responded that it had not been approved by her board.

Discussion ensued regarding contacting the MTA's attorney directly to discuss lifting restrictions on the sale of property to the library versus relying on the library's attorney to contact the MTA.

Mr. Blass, Lawrence Association member, suggested tabling the Lawrence Association items until additional research could be done.

Trustee Mael inquired as to how items are placed on the agenda. Mayor Felder indicated that the Administrator places items on the agenda which are then reviewed with the Mayor.

There being no further business, upon motion by Deputy Mayor Oliner, seconded by Trustee Fragin, and unanimously approved, the board closed the regular meeting at 9:50 PM and moved into Executive Session.

The board reconvened into the public session at 10:15 PM.

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Whereas, the Board of Trustees of the Village of Lawrence recognizes that circumstances may occur in which the Village Prosecutor is unable or unavailable to act as prosecutor in one or more particular matters in the Village Justice Court.

Whereas, the Board of Trustees wishes to designate a Special Prosecutor, to be available without delay in such instances.

No, therefore, be it

Resolved, that the Board of Trustees hereby approves the appointment of Edward Sieban as Special Prosecutor for the Village of Lawrence, to serve the balance of the current official year and at the pleasure of the Board, and to act in such matters in the Village Justice Court as may be designated by the Village Administrator when the Village Prosecutor is unable or unavailable to act, and it is further

Resolved, that the Special Prosecutor shall be compensated for his services at the rate of \$225.00 per hour.

A motion to approve the foregoing resolution was made by Trustee Klar, seconded by Trustee Fragin, and unanimously approved.

There being no further business, the meeting was closed at 10:30 pm.

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

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David E. Smollett, Administrator,  
Clerk/Treasurer