

The Regular meeting of the Board of Trustees was held on Thursday, October 19, 2017 at the Lawrence Village Hall, 196 Central Avenue, Lawrence, New York 11559.

Those members present were: Mayor Alex H. Edelman
Deputy Mayor Michael A. Fragin
Trustee Daniel J. Goldstein
Trustee Uri Kaufman
Trustee Syma F. Diamond

Also present were: Ronald Goldman, Village Administrator
Gerry Castro, Deputy Village Clerk
Lina Fusco, Deputy Village Treasurer
Village Attorney, Peter Bee, Esq.
Alison Cohen, Secretary to the BOT

WORK SESSION - Mayor Edelman called the work session to order at 7:00 p.m. Work Session ended at 7:58 p.m.

No Board action was taken.

PUBLIC HEARING (Continued from the 9/14/17 BOT meeting) (began at 8:00 p.m.)

Public Hearing for Proposed Local Law #6 of 2017 to amend Chapter 12 of the Village Code concerning the Board of Building Design

Board Action: Trustee Diamond moved to open the Public Hearing regarding proposed Local Law #6 of 2017 to amend Chapter 12 of the Village Code concerning the Board of Building Design (attached hereto as "Exhibit A"). Deputy Mayor Fragin seconded the motion. All in favor.

Deputy Mayor Fragin brought to light that comments and concerns had been made, pertaining to Local Law #6 of 2017, a revised version of which was also Item #5 on tonight's agenda regarding appeals of denials which would go before the Zoning Board. From an administrative perspective, there were concerns that this might overload the Board of Zoning Appeal's calendar. In addition, Deputy Mayor Fragin reiterated that he felt the Local Law (#6) was "deficient". Village Attorney Peter Bee made the following observation: he stated "In the first draft, the subject of this evening's Public Hearing, it provided a new §12-9a, which would enact into Local Law that fences must be a certain way. Therefore, if someone wished to vary from what that Local Law enactment said a fence must be, Deputy Mayor Fragin was correct in that it would then go before the Board of Zoning Appeals. In the second draft, which may be the subject of a Public Hearing down the road, we create a presumption that a fence will not be consistent with the aesthetic guidelines given to the Board, but the Board is free to vary, based on the

facts of a particular presentation. Accordingly a denial based on the grounds in the second Local Law draft, would not automatically go to the Board of Zoning Appeals for a Variance.” Deputy Mayor Fragin thanked Village Attorney Peter Bee for the clarification.

Board Action: Upon hearing no further comments or discussion, Mayor Edelman moved to close the Public Hearing regarding proposed Local Law #6 of 2017 to amend Chapter 12 of the Village Code concerning the Board of Building Design. Trustee Diamond seconded the motion. All in favor.

No Board Action was taken regarding the adoption of proposed Local Law #6 of 2017.

PLEDGE OF ALLEGIANCE

Mayor Edelman invited Legislator Howard Kopel to lead the Pledge of Allegiance.

REGULAR MEETING - Mayor Edelman called the regular meeting to order.

Approval of minutes: BOT September 14, 2017

Board Action: Deputy Mayor Fragin moved the approval of the September 14, 2017 BOT meeting minutes. Trustee Goldstein seconded the motion. All in favor.

GOOD & WELFARE

1. Legislator Howard Kopel raised the matter of Item #8 on tonight’s agenda regarding the Village going out to bid to procure an ambulance. Mayor Edelman interjected that obtaining the ambulance grant monies for the Village of Lawrence was due to the successful efforts of Legislator Howard Kopel’s and Legislator Denise Ford’s offices; and he thanked them. Legislator Kopel complimented the Mayor and Board for their successful efforts in this regard as well; “for stepping up to the plate and enabling something that had been stalled, for quite a while, to move forward.” He went on to say that this ambulance and Hatzalah “are going to save lives all over the area”. Legislator Kopel added that he felt that it was important for him to come to tonight’s meeting in support of passing Item #8 to approve the Village’s going out to bid for the ambulance, and for him to compliment and thank the Mayor and Board. Mayor Edelman once again, stated that on behalf of himself, the Board and the Village, the offer of the ambulance was greatly appreciated as were the efforts of Legislator Kopel’s and Legislator Ford’s offices. Deputy Mayor Fragin clarified that the ambulance (per the lease agreement) was primarily for use within the Village, but not exclusively for the Village. Legislator Kopel responded that this grant from Nassau County is for the Village and everything must be done, always, in accordance with the local law and local requirements. He added that if the Village is kind enough to allow it to

be used outside the Village as well, that's wonderful. Gratitude was expressed all around and included Nassau County Executive Edward Mangano for the final "stamp" of approval.

2. Mayor Edelman commended Deputy Treasurer Lina Fusco ("our financial wizard") on her procuring an additional amount of \$56,800.00 in CHIPS (Consolidated Local Street and Highway Improvement Program) funding for the Village. The Mayor thanked Deputy Treasurer Fusco for her efforts and success.
3. It was with great sorrow that Mayor Edelman noted the passing of the Inc. Village of Lynbrook's Mayor William J. Hendrick. He was the Mayor of Lynbrook for six years and loved by all. Mayor Edelman expressed his condolences to Mayor Hendrick's family and wished them all the blessings.

NEW BUSINESS

Item 1 – Approve Abstracts #'s

General Fund	#856, 857, 858, 859
Recreation Fund	#273, 274, 275, 276
Sewer Fund	# 105
Payroll	#092217, 100617, 102017

Board Action: Trustee Kaufman moved the approval of General Fund Abstracts #856, #857, #858 and #859. Trustee Goldstein seconded the motion. Deputy Mayor Fragin commented that he loved the new format of the new Village program's abstracts. All in favor.

Board Action: Trustee Goldstein moved the approval of Recreation Fund Abstracts #273, #274, #275 and #276. Trustee Diamond seconded the motion. All in favor.

Board Action: Mayor Edelman moved the approval of Sewer Fund Abstract #105. Trustee Goldstein seconded the motion. All in favor.

Board Action: Mayor Edelman moved the approval of Payroll Abstracts #092217, #100617 and #102017. Trustee Goldstein seconded the motion. All in favor.

Item 2 – Approve Appointments

Mayor Edelman appointed Philip Kerstein as a member of the Board of Building Design for a term of one year.

Board Action: No vote was taken. The appointment of Philip Kerstein as a member of the Board of Building Design was withdrawn.

Mayor Edelman appointed Menachem Pinter to the Planning Board for a term of five (5) years.

Board Action: Mayor Edelman moved the ratification of the appointment of Menachem Pinter as a member of the Planning Board for a term of five (5) years. Deputy Mayor Fragin seconded the motion. All in favor.

Item 3 – Approve the appointment of Cory Menking as Assistant General Manager of the LY&CC

Village Attorney Peter Bee apprised the Mayor and Board that there are some Nassau County Civil Service (NCCS) “glitches” standing in the way of the hiring of Mr. Cory Menking as Assistant General Manager of the LY&CC. He advised that they may or may not be overcome.

Board Action: Mayor Edelman moved the approval of the appointment of Cory Menking as Assistant General Manager of the LY&CC, subject to Nassau County Civil Service approval; at an annual salary of \$38,000.00. Trustee Diamond seconded the motion. All in favor.

Item 4 – Approve the hiring of Amber Johnson as Recreation Attendant at the LY&CC

Board Action: Mayor Edelman moved the approval of the hiring of Amber Johnson as Recreation Attendant at the LY&CC, as of the effective date of the Nassau County Civil Service approval; at a salary of \$30,000.00. Trustee Diamond seconded the motion. All in favor.

Item 5 – Approve Public Hearing regarding proposed (current draft of) Local Law #6 of 2017 to amend Chapter 12 of the VOL Code concerning the Board of Building Design

Board Action: Mayor Edelman moved the approval to set a Public Hearing for the proposed current draft of Local Law #6 of 2017 to amend Chapter 12 of the VOL Code concerning the Board of Building Design (attached hereto as “Exhibit B”), for the November 9, 2017 BOT meeting. Deputy Mayor Fragin seconded the motion. All in favor.

Item 6 – Approve contract/agreement with the Lawrence-Cedarhurst Fire Department (LCFD)

Discussion ensued regarding the approval of the contract/agreement with the Lawrence-Cedarhurst Fire Department (LCFD) due to the fact that since the latest revisions were received in the afternoon of the current day, the Board had not yet had a chance to review said agreement.

Board Action: Trustee Kaufman moved to table the approval of the contract/agreement with the Lawrence-Cedarhurst Fire Department (LCFD) until the

November 9, 2017 BOT meeting. Deputy Mayor Fragin seconded the motion. All in favor.

Item 7 – Approve the hiring of Robbin Koenig as Account Clerk, full-time

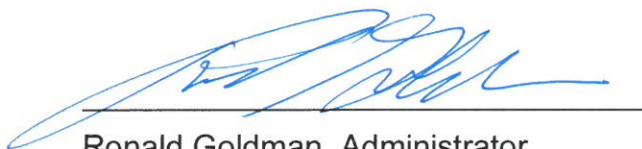
Board Action: Deputy Mayor Fragin moved the approval of the hiring of Robbin Koenig as Account Clerk, full-time, subject to the approval date of the Nassau County Civil Service Commission; at an annual salary of \$31,000.00 (within the CBA). Trustee Diamond seconded the motion. All in favor.

Item 8 – Approval to go out to bid to procure an ambulance

Board Action: Deputy Mayor Fragin moved the approval to go out to bid for the procurement of an ambulance, with the specifications to be determined by the administration; consistent with the Inter-Municipal Agreement with Nassau County; and the return date to be “forthwith”. Trustee Goldstein seconded the motion. All in favor.

On motion by Deputy Mayor Fragin, seconded by Trustee Kaufman, and unanimously approved, the Board adjourned at 8:40 p.m.

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



Ronald Goldman, Administrator,
Clerk/Treasurer

EXHIBIT A

Bill No. 6 of 2017

**VILLAGE OF LAWRENCE
BOARD OF TRUSTEES**

Local Law No. 6 of 2017

A LOCAL LAW TO AMEND
CHAPTER 12 OF THE VILLAGE
CODE CONCERNING THE
BOARD OF BUILDING DESIGN

BE IT ENACTED, by the Board of Trustees of the Village of Lawrence, as follows:

Section 1. Chapter 12 of the Village Code, entitled “Board of Building Design”, is hereby amended as follows:

§ 12-8 Appeals.

Any applicant aggrieved by the action of the Board of Building Design in disapproving a building permit application, and by the Building Inspector in denying such permit because of such disapproval, may request the Board to make formal findings of fact. In the event of such a request, the Board shall make such findings of fact within 15 days after the request is filed in the office of the Village Clerk, shall thereafter provide the applicant with an opportunity to answer the findings by the submission of formal proof and shall reconsider the application on the basis of such answer. If the application is disapproved after such reconsideration, the applicant may appeal the decision of the Board of Building Design to the Board of Trustees within 15 days after such determination, and the Board of Trustees may reverse, modify or affirm the action of the Board of Building Design and, upon such appeal, may exercise all of the powers herein conferred upon the Board of Building Design through a proceeding filed pursuant to Article 78 of the Civil Practice Law and Rules.

§ 12-9A Fencing and driveway standards; appeals.

A. Fences.

(1) A fence located in a side yard:

- (a) Shall not be taller than five feet in height, based on the median grade along the path of the fence; and
- (b) Shall not extend further than the area between the rear property line and the front façade of the primary structure on the property.

An applicant may appeal to the Board of Building Design from a denial of their request for a side yard fence in excess of five feet where the side yard of the applicant's property abuts the rear yard of another property and the height of the applicant's fence is necessary to match the height of an existing rear yard fence on the adjoining property.

(2) A fence located in a rear yard shall not be taller than six feet in height, based on the median grade along the path of the fence.

B. Driveways.

(1) No property shall be approved for a horseshoe-shaped driveway, or for any other driveway requiring two curb cuts, unless the property has street frontage of at least 66 feet and a minimum distance of 50 feet between the curb (or if none, the paved surface of the street) and the front façade of the primary building on the property.

(2) An applicant may appeal to the Board of Building Design from a denial of their request for a driveway described in subsection (B)(1) herein. In deciding whether to grant relief from the general standard above, the Board shall consider the factors set forth in Section 12-6 of the Village Code as well as any other factors the Board deems relevant with respect to the character and aesthetics of the surrounding neighborhood.

Section 2. This local law shall take effect immediately upon filing with the Office of the Secretary of State.

EXHIBIT B

Bill No. 6 of 2017

**VILLAGE OF LAWRENCE
BOARD OF TRUSTEES**

Local Law No. 6 of 2017

A LOCAL LAW TO AMEND
CHAPTER 12 OF THE VILLAGE
CODE CONCERNING THE
BOARD OF BUILDING DESIGN

BE IT ENACTED, by the Board of Trustees of the Village of Lawrence, as follows:

Section 1. Chapter 12 of the Village Code, entitled “Board of Building Design”, is hereby amended by adding thereto a new subdivision to section 12-6, to be subdivision F(4), to read as follows:

F(4) There shall be a rebuttable presumption that the following matters would produce one or more of the harmful effects set forth in § 12-1 and thus be detrimental to the character, property values or development of the surrounding property or of the Village as a whole:

- a. Side yard fences in excess of five feet in height, based on the median grade along the path of the fence (except where the applicant’s side yard abuts the rear yard of another property and the height of the applicant’s fence would be necessary to match the height of an existing rear yard fence on the adjoining property); and**
- b. Side yard fences extending further than the area between the rear property line and the front façade of the primary structure on the property; and**
- c. Rear yard fences in excess of six feet in height, based on the median grade along the path of the fence; and**
- d. “Horseshoe-shaped” driveways, or other driveways requiring two curb cuts, unless the property has street frontage of at least 66 feet and a minimum distance of 50 feet between the curb (or if none, the paved surface of the street) and the front façade of the primary building on the property.**

Section 2. Chapter 12 of the Village Code, entitled “Board of Building Design”, is hereby amended in section 12-8 as follows:

§ 12-8 Appeals.

Any applicant aggrieved by the action of the Board of Building Design in disapproving a building permit application, and by the Building Inspector in denying such permit because of such disapproval, may request the Board to make formal findings of fact. In the event of such a request, the Board shall make such findings of fact within 15 days after the request is filed in the

office of the Village Clerk, shall thereafter provide the applicant with an opportunity to answer the findings by the submission of formal proof and shall reconsider the application on the basis of such answer. If the application is disapproved after such reconsideration, the applicant may appeal the decision of the Board of Building Design to the Board of Trustees within 15 days after such determination, and the Board of Trustees may reverse, modify or affirm the action of the Board of Building Design and, upon such appeal, may exercise all of the powers herein conferred upon the Board of Building Design through a proceeding filed pursuant to Article 78 of the Civil Practice Law and Rules.

§ 12-9A Fencing and driveway standards; appeals.

A. Fences.

~~(3) A fence located in a side yard:~~

~~(a) Shall not be taller than five feet in height, based on the median grade along the path of the fence; and~~

~~(b) Shall not extend further than the area between the rear property line and the front façade of the primary structure on the property.~~

~~An applicant may appeal to the Board of Building Design from a denial of their request for a side yard fence in excess of five feet where the side yard of the applicant's property abuts the rear yard of another property and the height of the applicant's fence is necessary to match the height of an existing rear yard fence on the adjoining property.~~

~~(4) A fence located in a rear yard shall not be taller than six feet in height, based on the median grade along the path of the fence.~~

B. Driveways.

~~(3) No property shall be approved for a horseshoe-shaped driveway, or for any other driveway requiring two curb cuts, unless the property has street frontage of at least 66 feet and a minimum distance of 50 feet between the curb (or if none, the paved surface of the street) and the front façade of the primary building on the property.~~

~~(4) An applicant may appeal to the Board of Building Design from a denial of their request for a driveway described in subsection (B)(1) herein. In deciding whether to grant relief from the general standard above, the Board shall consider the factors set forth in Section 12-6 of the Village Code as well as any other factors the Board deems relevant with respect to the character and aesthetics of the surrounding neighborhood.~~

Section 3. This local law shall take effect immediately upon filing with the Office of the Secretary of State.