

The Special meeting of the Board of Trustees was held on Thursday, June 2, 2016 at the Lawrence Village Hall, 196 Central Avenue, Lawrence, New York 11559.

Those members present were: Mayor Martin Oliner
Deputy Mayor C. Simon Felder
Trustee Michael A. Fragin
Trustee Irving Langer (arrived 6:15 p.m.)
Trustee Alex H. Edelman

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

WORK SESSION

There was no Work Session prior to the Regular Meeting.

REGULAR MEETING - Mayor Oliner called the regular meeting to order at 6:08 p.m.

GOOD & WELFARE

- 1) Rochelle Stern Kevelson of 21 Causeway raised the issue of motorists not adhering to traffic laws and the potential safety issues. She requested cameras, signage and better enforcement. Mayor Oliner and Trustee Fragin responded that the Village did not have the authority to enforce these matters nor was it legal for the Village to install cameras. Mayor Oliner stated that he would take this under advisement.
- 2) Mark Taub of 123 Harrison Street, across from the Lawrence Yacht & Country Club's driving range, informed the Board that last Friday a golf ball came flying over the fence, broke through the window and screen of his house and landed in his children's playroom, for the second time, and that various neighbors had been hit by golf balls as well. He added that he had presented this issue to the Board a couple of years ago and it was taken under advisement, but nothing was done to ameliorate the situation. Mr. Taub, stating that due to the summer season increasing the outdoor activities (including the golfing) he requested that the Board install a higher fence or netting for matters of safety. Discussion ensued in this regard. Mayor Oliner stated that the Board did look into this two or three years ago, and that ten (10) feet could be added (in height) at a cost of approximately \$60,000 to \$70,000 at that time. The consensus was that this could be done. This will be looked into next week.

Mr. Taub added that he was hearing noise from some sort of water treatment or loud sprinkler system that he hears each summer by the golf course. LY&CC General Manager Leo McMahon responded that there was nothing at the LY&CC would cause this.

- 3) Trustee Fragin stated that two weeks ago he noticed signage at the Rock Hall Museum saying "if you enter the premises after 4:00 p.m. you will be prosecuted". Trustee Fragin brought this to the attention of the Supervisor (and his staff; who then took the signage down.
- 4) Trustee Fragin stated that the street light (pole and bulb) at the corner of Wentworth and Broadway, was ordered quite a long time ago (it was knocked down back in March); which seems like an absurd amount of time for it not to have arrived. Mittman Electric had ordered it after the incident and was supposed to install it upon arrival. Administrator Goldman and Deputy Administrator Castro said that they would look into this and follow up.
- 5) Trustee Fragin raised the issue of the back-up of weekend traffic on Route 878, which seems to be getting worse and worse (especially in the summer); both southbound and later in the day northbound. Trustee Fragin indicated that he believes that this is due, in part, to the traffic lights being out of synch. He requested that the Village contact the NYS and Nassau County DOT and have them come to check the timing and adjust the lights accordingly. Administrator Goldman stated that he would contact the necessary parties in this regard.

NEW BUSINESS

Approval of minutes:

BOT March 10, 2016
BOT April 12, 2016

Board Action: No Board action was taken.

Item 1 – Approve Abstracts #'s

| | |
|------------------------|------------------------|
| General Fund | #792 |
| Recreation Fund | #209 |
| Trust Fund | #277 |
| Payroll | #052016, 060316 |

Mayor Oliner explained that there was a large PSEG bill that was outstanding for the Village since Super Storm Sandy that due to his efforts was being settled at a reduced amount that had yet to be determined.

Mayor Oliner noted as well that he also worked out an arrangement today with PSEG to have them remove double poles from the Village, very promptly, where applicable.

Mayor Oliner added that the Village's insurance policies were being reviewed for the next BOT meeting on June 27th. The Mayor wants to make sure that they are up to par in all respects. In addition, the Mayor reported that the Village's financial statements are being worked on to bring them up to date, hopefully before the next meeting.

Board Action: Mayor Oliner moved the approval of General Fund Abstract #792. Trustee Edelman seconded the motion. All in favor.

Board Action: Mayor Oliner moved the approval of Recreation Fund Abstract #209. Trustee Edelman seconded the motion. All in favor.

Board Action: Mayor Oliner moved the approval of Trust Fund Abstract #277. Trustee Edelman seconded the motion. All in favor.

Board Action: Mayor Oliner moved the approval of Payroll Abstracts #052016 and #060316. Trustee Edelman seconded the motion. All in favor.

Item 2 – Appointments

No Board action was taken.

Item 3 - Approve Resolution regarding financing (Robert Smith Bond Counsel)

Administrator Goldman explained that there is a financing plan that was to cover a loan that was in conjunction with Nassau County's takeover of Lawrence's sewer plant and the amount that the Village was to be responsible for is now being increased to \$16,500,000.00; and this is a Resolution amending the original Bond Resolution.

Mayor Oliner went on to further explain that a number of years ago the Village entered into an Inter-Municipal Agreement (IMA) with Nassau County, whereby approximately \$15,000,000.00 was borrowed; and as part of that arrangement they (Nassau County) took over the sewer facility in its entirety, except for storm water sewage. All sewer responsibility, infrastructure, etc. became a County function. The County was then to collect the sewer revenues, which would, in the first instance, initially pay off the Bond issue, which was being borrowed by the Village. Approximately half of the money, \$7.5 - \$8 million, was forgiven at the outset, due to grants and other "things" the Village was able to get; so the total amount of the Village's loan that is really outstanding, which is really the County's loan, not the Villages; because all of the funds from the sewer will now go to them after the Village pays off the debt. So the debt is approximately \$7.5 - \$8 million, however the Village is now increasing the total project due to the fact that the project had overages and other items. Mayor Oliner went on to explain that this really does not matter to the Village because although the Village is a conduit for the collection of sewer taxes (approximately \$1.1 million annually), which could conceivably pay off this entire amount in about seven (7) years. From these funds, paying the debt

and interest both come first, and then pass the money on to Nassau County . The Mayor stated that the way the borrowing works is that it's first short-term borrowing; there are different categories of borrowing that the County has different municipal debt, and the kind of debt that we have right now is in the short-term pool. That short-term pool has to be made into long-term debt, or a more permanent debt, probably by July 1st. The Mayor then explained that the Village has to have a certain satisfactory financial rating for this extension and that the Village is in the process of putting together its financial statements in this regard. Some other decisions include how many years the Village wants to borrow for. Mayor Oliner suggested that twenty-five years would be the best option for the Village's long-term loan and went on to support this view. Discussion ensued in this regard.

Board Action: Mayor Oliner moved the approval of the following Resolution:

RESOLUTION OF THE VILLAGE OF LAWRENCE, NEW
YORK, ADOPTED JUNE 2, 2016, AMENDING THE BOND
RESOLUTION ADOPTED ON MARCH 31, 2009

Recitals

WHEREAS, pursuant to a bond resolution adopted on March 31, 2009; the Board of Trustees of the Village of Lawrence, in the County of Nassau, New York, has heretofore duly authorized the construction of improvements to the Village sewer system for the purpose of consolidating the Village's wastewater collection, conveyance and treatment infrastructure into Nassau County's sewage collection and treatment system, at the estimated maximum cost of \$27,000,000, and \$14,000,000 was appropriated to pay the Village's share of such cost, with the \$13,000,000 balance of the cost to be paid by Nassau County and the Village of Cedarhurst; and

WHEREAS, the estimated cost of said project has increased and the Village's share of such cost has now been determined to be \$16,500,000, and it is necessary and in the public interest to increase the appropriation for the project by \$2,500,000 and to amend said bond resolution to authorize the issuance of not to exceed \$16,500,000 bonds to reflect such increase;

Now, therefore, be it

RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF LAWRENCE,
IN THE COUNTY OF NASSAU, NEW YORK (by the favorable vote of not less than two-thirds of all
members of said Board of Trustees) AS FOLLOWS:

Section (A) The bond resolution of the Village of Lawrence duly adopted by the Board
of Trustees on March 31, 2009, entitled:

“Bond Resolution of the Village of Lawrence, New York, adopted March 31,
2009, authorizing the construction of improvements to the Village sewer
system, for the purpose of consolidating the Village’s system with Nassau
County’s sewage collection and treatment system; stating the estimated
maximum cost thereof is \$27,000,000; appropriating \$14,000,000 to pay the
Village’s share of such cost; and authorizing the issuance of \$14,000,000
bonds of said Village to finance said appropriation,”

is hereby amended to read as follows:

BOND RESOLUTION OF THE VILLAGE OF LAWRENCE,
NEW YORK, ADOPTED MARCH 31, 2009 AND AMENDED
JUNE 2, 2016, AUTHORIZING THE CONSTRUCTION OF
IMPROVEMENTS TO THE VILLAGE SEWER SYSTEM, FOR
THE PURPOSE OF CONSOLIDATING THE VILLAGE’S
SYSTEM WITH NASSAU COUNTY’S SEWAGE
COLLECTION AND TREATMENT SYSTEM; STATING THE
ESTIMATED MAXIMUM COST THEREOF IS \$30,000,000;
APPROPRIATING \$16,500,000 TO PAY THE VILLAGE’S
SHARE OF SUCH COST; AND AUTHORIZING THE
ISSUANCE OF NOT TO EXCEED \$16,500,000 BONDS OF
SAID VILLAGE TO FINANCE SAID APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF LAWRENCE, IN THE COUNTY OF NASSAU, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Lawrence, in the County of Nassau, New York (herein called the "Village"), is hereby authorized to construct improvements to the Village sewer system for the purpose of consolidating the Village's wastewater collection, conveyance and treatment infrastructure into Nassau County's sewage collection and treatment system. The project shall also include consolidation of sewer system infrastructure of the Village of Cedarhurst with the Nassau County system. The estimated maximum cost of the project, including preliminary costs and costs incidental thereto and the financing thereof, is \$30,000,000 and \$16,500,000 is hereby appropriated to pay the Village's share of such cost. The \$13,500,000 balance of the estimated maximum cost of the project shall be paid by Nassau County and the Village of Cedarhurst, as described in the Technical Design Report dated November 2008, prepared for the Nassau County Department of Public Works by Cameron Engineering & Associates, LLP, in association with Malcolm Pirnie, as amended. The plan of financing includes the expenditure of not to exceed \$13,500,000 by Nassau County and the Village of Cedarhurst to pay their respective shares of the cost of the project, the issuance of not to exceed \$16,500,000 bonds of the Village to finance its share of the cost, and the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable. Sewer rents have been imposed in the Village and it is expected that such rents shall continue to be imposed and collected by the Village in certain years and in certain amounts subject to the provisions of the inter-municipal agreement between the Village and Nassau County and the amounts derived there from shall be

budgeted and used as an offset to the taxes to be levied and collected to pay principal and interest on the bonds and/or operating and maintenance expenses.

Section 2. Bonds of the Village in the principal amount of not to exceed \$16,500,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance the Village's share of the cost of the project.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the purpose for which said bonds are authorized are to be issued, within the limitations of Section 11.00 a. 4 of the Law, is forty (40) years.

(b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized, or for such expenditures made on or before such effective date if the Village has made a prior declaration of intent to issue indebtedness therefore. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both

principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, 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

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to publish or cause to be published, in full, in the "*Nassau Herald*," a newspaper having a general circulation within said Village and hereby designated the official newspaper of the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the following form:

VILLAGE OF LAWRENCE, NEW YORK

PLEASE TAKE NOTICE that on June 2, 2016, the Board of Trustees of the Village of Lawrence, in the County of Nassau, New York, adopted a bond resolution amending the bond resolution adopted by said Board of Trustees on March 31, 2009, which bond resolution, as amended, is entitled:

"Bond Resolution of the Village of Lawrence, New York, adopted March 31, 2009 and amended June 2, 2016, authorizing the construction of improvements to the Village sewer system, for the purpose of consolidating the Village's system with Nassau County's sewage collection and treatment system; stating the estimated maximum cost thereof is \$30,000,000; appropriating \$16,500,000 to pay the Village's share of such cost; and authorizing the issuance of not to exceed \$16,500,000 bonds of said Village to finance said appropriation,"

an abstract of such bond resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Village to construct improvements to the Village sewer system for the purpose of consolidating the Village's wastewater collection, conveyance and treatment infrastructure into Nassau County's sewage collection and treatment system; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$30,000,000; STATING that the project shall also include consolidation of sewer system infrastructure of the Village of Cedarhurst with the Nassau County system; APPROPRIATING \$16,500,000 to pay the Village's share of such cost; STATING that the \$13,500,000 balance of the estimated maximum cost of the project shall be

paid by Nassau County and the Village of Cedarhurst, as described in the Technical Design Report dated November 2008, prepared for the Nassau County Department of Public Works by Cameron Engineering & Associates, LLP, in association with Malcolm Pirnie, as amended; STATING that the plan of financing includes the expenditure of not to exceed \$13,500,000 by Nassau County and the Village of Cedarhurst to pay their respective shares of the cost of the project, the issuance of not to exceed \$16,500,000 bonds of the Village to finance its share of the cost, and the levy of a tax upon all the taxable real property within the Village to pay the principal of said bonds and interest thereon; and STATING that sewer rents have been imposed in the Village and it is expected that such rents shall continue to be imposed and collected by the Village in certain years and in certain amounts subject to the provisions of the intermunicipal agreement between the Village and Nassau County and the amounts derived therefrom shall be budgeted and used as an offset to the taxes to be levied and collected to pay principal and interest on the bonds and/or operating and maintenance expenses;

SECOND: AUTHORIZING the issuance of not to exceed \$16,500,000 bonds of the Village pursuant to the Local Finance Law of the State of New York (the "Law") to finance the Village's share of the cost of the project;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued is forty (40) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Village for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Village; and PLEDGING to their payment the faith and credit of the Village;

FIFTH: DELEGATING to the Village Treasurer the powers and duties as to the issuance of said bonds, and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: June 2, 2016

Ronald Goldman
Village Clerk

Section 8. The Village Clerk is hereby directed, after said bond resolution shall take effect, to cause said bond resolution to be published, in summary or in full, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section (B) The amendment of the bond resolution as set forth in Section (A) of this resolution shall in no way affect the validity of any liabilities incurred, obligations issued, or action taken pursuant to said bond resolution prior to amendment, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond resolution, as amended.

Section (C) Said bond resolution, as amended, is subject to a permissive referendum as therein provided. In the event that a valid petition protesting against said bond resolution and requesting that it be submitted to the electors of said Village for their approval or disapproval is filed and the Proposition submitted therefore is defeated, the validity of the bond resolution adopted March 31, 2009 shall not be in any way affected and shall remain in full force and effect.

The adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

AYES: Mayor Martin Oliner

Deputy Mayor C. Simon Felder

Trustee Michael Fragin

Trustee Irving Langer

Trustee Alex Edelman (seconded the Motion)

NOES:

The resolution was declared adopted.

Item 4 – Consideration of Legislative Grant

Administrator Goldman explained that two of the Nassau County Legislators have acquired funding, which they wish to make available to the Village as a conduit for a third party purchase. Counsel for the third party would like to know the final form of the Lease Agreement because the County Legislators, after reviewing the document had had suggested some changes, although non-substantive. The Inter-municipal Agreement's signing has been deferred pending the Lease Agreement, to complete a total package. Discussion ensued in this regard.

Board Action: Mayor Oliner moved the approval of the authority for the Mayor to sign the Lease Agreement, as it has been presented to the Board, with no substantive changes from any other party. Trustee Edelman seconded the motion. All in favor.

Item 5 – Park Commission Recommendations

a) Approve procuring lighting for the Tennis Courts that would, in turn, facilitate evening/nighttime play

LY&CC General Manager Leo McMahon explained that the Park Commission voted down the procurement of night lighting for the Tennis Courts because they believed that the surrounding residents would object, even though they were not officially polled. Discussion ensued in this regard.

Board Action: Deputy Mayor Felder moved the approval to authorize Village Administrator Ronald Goldman to go out to bid for lighting for nighttime play on three (3) of the LY&CC tennis courts; with bids due in two weeks. Trustee Fragin seconded the motion. All in favor.

b) Approve Monthly Installment Program for Golf, Tennis and Marina

Board Action: Mayor Oliner moved the approval of a monthly installment program for Golf, Tennis and Marina members. Trustee Fragin seconded the motion. All in favor.

c) Approve Metal Storage Lockers/Sheds Lawrence Marina

LY&CC General Manager Leo McMahon explained the reasons why this was proposed and recommended. Discussion ensued. Mr. McMahon was advised to pre-sell the lockers prior to purchase by the Village.

Board Action: No Board action was taken.

d) Tennis Bubble

Board Action: No Board action was taken.

Item 6 – Approve Authorization of Village Administrator to Appoint Danny Vacchio as Superintendent of Buildings or as Deputy Superintendent of Buildings

Board Action: Mayor Oliner moved the approval for authorization to appoint Danny Vacchio, subject to Nassau County Civil Service Commission approval, as either Superintendent of Buildings or as a Deputy Superintendent of Buildings. Trustee Fragin seconded the motion. All in favor.

Item 7 – Approve Amendments to Royalton, Chap-A-Nosh and Schick Catering Agreements

Board Action: Mayor Oliner moved the approval of the Amendment to the Royalton contract, which extends the (Royalton) contract through December 31, 2020; as presented to the Board of Trustees, with all of the other provisions in the contract. Trustee Langer seconded the motion.

Item 8 – Approve Change of next BOT meeting date from June 16, 2026

Board Action: Mayor Oliner moved the approval of moving the next Board of Trustees meeting from Thursday, June 16th to Monday, June 27th at 8:00 p.m.; with a Work Session at 7:15 p.m. This was unanimously approved by the Board.

GOOD & WELFARE

1. Dr. Judd Lesser of 2 Keewaydin Road (at the corner of Causeway), stated that since March 15th he has had four sewer back-up incidents in his house, including one last night. Dr. Lesser, who has put in a Claim against the Village, went on to explain his frustration regarding ascertaining who is responsible, accountable and obtaining the correct information to have the situation addressed. It was agreed that the Village's website would be updated to reflect the telephone number for the company that Nassau County is using in this regard, Suez. The Mayor and Board members reiterated that the Village does not have any responsibility or control over this since the sewer plant was taken over by Nassau County. Discussion ensued in this regard. It was suggested by the Mayor and members of the Board that Dr. Lesser write a letter to (or contact) Nassau County Legislator Howard Kopel to try to find some relief and/or answers to his situation; as well as file a Notice of Claim against the County.

Pertaining to this topic, Ms. Rochelle Stern Kevelson of 21 Causeway stated that this past winter she too experienced a sewer back-up for the first time in 35 years of her living in Lawrence.

2. Trustee Fragin noted that he saw that the Town of Hempstead is moving their legal notices online as well as bidding them out, and suggested that since the Village spends an enormous amount of money publishing their legal notices in the Nassau Herald, to possibly follow suit. A brief discussion ensued.

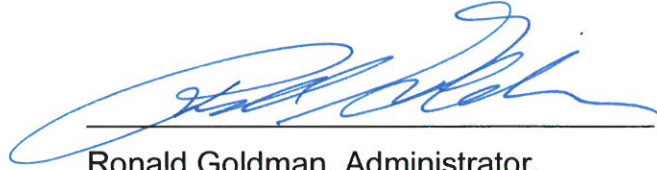
On motion by Mayor Oliner, seconded by Trustee Fragin and unanimously approved the Board convened in Executive Session at 7:30 p.m. to discuss personnel matters.

EXECUTIVE SESSION

No Board Action was taken during the Executive Session.

There being no further business, on motion by Trustee Edelman, seconded by Trustee Langer and unanimously approved, the meeting was adjourned at 7:50 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.

A handwritten signature in blue ink, appearing to read "Ronald Goldman", is written over a horizontal line.

Ronald Goldman, Administrator,
Clerk/Treasurer