

Inc. Village of Lawrence, February 9, 2012

The regular meeting of the Board of Trustees was held on Thursday, February 9, 2012, at Lawrence Village Hall, 196 Central Avenue, Lawrence, New York 11559.

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

Also present were: David E. Smollett, Village Administrator  
Abraham Farber, Deputy Treasurer  
Danielle Schochet, Secretary to BOT  
A. Thomas Levin, Village Attorney

Mayor Oliner opened the meeting at 8:07 pm.

## **GOOD & WELFARE**

**1. Lawrence Association:** Hope Nathan of the Lawrence Association raised the issue of the job posting that had appeared on a website for the position of CEO of the Village. She said that the Association had sent a letter to the Village requesting additional information. Mayor Oliner said he received the letter but it has not been determined who placed the job posting and he will provide any additional information as it becomes available.

**2. Rabbi Dov Snow** of The Jewish Fellowships organization requested permission to park a sports car on the sidewalk in front of a restaurant on Central Avenue as part of a promotional launch for his organization at an upcoming event to be held at the restaurant. Mayor Oliner asked Mike Ryder to have Code Enforcement and the Building Department follow up with Rabbi Snow on this matter.

**3. Speed Bumps – New McNeil Ave:** Administrator Smollett said he researched speed bumps at neighboring villages but they do not have any. Trustee Fragin asked whether other speed mitigation options can be considered. Mayor Oliner asked Administrator Smollett to follow up on this and bring the matter to final resolution.

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**4. Street Lights out:** Trustee Fragin mentioned that many streetlights were out on Broadway & 878. Mayor Oliner asked Administrator Smollett to follow up with the appropriate offices at the State and County levels to take care of this issue. Mr. Levin arrived at the meeting during this discussion.

## **NEW BUSINESS**

**Item 1 – Approval of abstracts – General Fund #646, Recreation Fund #55, Sewer Fund #48, Trust Fund # 239 & Payroll #'s 2308 & 2309**

**Board Action:** Trustee Klar moved to approve all abstracts but requested that the Administration provide him with copies of invoices for Leventhal & Sliney, International Turf and Nielsen, Huber & Coughlin et al. Trustee Fragin seconded. All in favor.

**Item 2 – LY&CC software and hardware system upgrade request:**

Administrator Smollett presented various quotes on the hardware and concluded that the State contract price was the most economical.

**Board Action:** Trustee Klar moved to purchase the hardware excluding one of the touch screen monitors and excluding the computers for the Marina and Tennis Center. He also moved to approve entering into a monthly contract for the license of the IBS point of sale software at \$450 per month, cancellable by LY&CC upon 30 days notice. Mayor Oliner seconded. All in favor.

**Item 3 – Approve lease of copier/scanner equipment from Konica Minolta:**

**Board Action:** Mayor Oliner moved to lease the Konica/Minolta copier/scanners in accordance with the lease terms presented by Administrator Smollett. Trustee Klar seconded. All in favor.

**Item 4 – Resolution adopting policy for compliance with Public Officers Law 103(e):** Village Attorney A. Thomas Levin read the policy (see attached Exhibit 1).

**Board Action:** Mayor Oliner moved to adopt the policy, Trustee Fragin seconded. All in favor.

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**Board Action:** Trustee Fragin moved to have the Village Administration post, as available, agendas and related materials for upcoming BOT meetings 48 hours prior to the meeting. Trustee Klar seconded. All in favor.

**Item 5 – Announce resignation of Phillip Rosen from the Board of Zoning Appeals and appoint Lester Henner as new ZBA member.**

**Board Action:** Mayor Oliner moved for the appointment of Lester Henner as new ZBA member, Trustee Felder Seconded. All in Favor.

**Item 6 – Cameron Engineering Topographic Survey Report**

**Board Action:** Trustee Mael moved to table issue until next meeting. Mayor Oliner seconded. All in favor.

**Item 7 – Discussion: Service Contract for LY&CC alarm system**

Trustee Mael asked the Administration to call Mr. Elefant from Mittman Electric to discuss whether a service contract is recommended for the LY&CC fire alarm system.

**Item 8 – Discussion: Community Security Services (CSS) “Cadets Course”**

Discussion ensued regarding a meeting on Security in the Community conducted by Mayor Oliner in Village Hall on 2/9/2012. Trustees Mael, Klar and Fragin said that, as Trustees, they should have been notified of the meeting. Mayor Oliner said the meeting was organized at the last minute. He said in the future all Trustees will be advised of such meetings in advance.

Additional discussion ensued regarding the costs of the CSS course which was estimated at \$10,000. Consensus was that this is too expensive for the Village to consider at this time.

**Item 9 – Announce tentative assessment roll and certify list of unpaid taxes as of February 9, 2012:**

Administrator Smollett announced the tentative assessment roll and amount of unpaid taxes.

**Board Action:** Mayor Oliner moved to approve the tentative assessment roll. Trustee Klar seconded. All in favor.

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**Board Action:** Mayor Oliner moved to authorize the Village Administrator to set a date for a tax lien sale of unpaid taxes in accordance with the law. Trustee Klar seconded. All in favor.

Discussion ensued regarding rate of return on purchased tax liens.

**Board Action:** Mayor Oliner moved to have the Village purchase all Village tax liens. Trustee Fragin seconded. All in favor.

Trustee Mael requested that the Administration research and determine whether the newspaper "Jewish Star" meets qualifications for publication of legal notices and if so, find out rates for publication.

### **OLD BUSINESS**

#### **1. Construction Debris on NYS 878/Central Ave/Alonzo Update –**

Administrator Smollett reported that Mike Ryder had contacted NYS and Nassau County and that almost all of the debris has been removed. Only a few pipes were left behind by one of the contractors who will be contacted to remove them as soon as possible.

**2. Country Club Fire Insurance Update –** David Smollett informed the board that the Village received a reimbursement check from the insurance company in the amount of \$288,758.46.

**3. Post Office Parking Lot Update –** Trustee Mael asked Administrator Smollett to contact the MTA or Town of Hempstead to request that parking signs restricting parking time to 30 minutes be placed in front of the parking spots along the railroad tracks across the street from the post office.

**APPROVE MINUTES: September 12, 2011, November 1, 2011, December 15, 2011, January 12, 2012**

**Board Action:** Trustee Klar moved to approve minutes for 9/12/11 and 11/1/11 BOT meetings as per revised version including comments from Trustees Klar, Fragin and Mael. Trustee Mael seconded. The vote was taken as follows:

Mayor Oliner –	Nay
Deputy Mayor Mael -	Aye
Trustee Felder -	Abstain

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Trustee Klar -	Aye
Trustee Fragin	Aye

Motion Passed.

**Minutes for December 15, 2011 – Tabled.**

**Minutes for January 12, 2012 – Tabled**

There being no further business, Trustee Fragin moved to convene in Executive Session to discuss matters that may lead to the hiring, firing or discipline of one or more employees and separately, matters dealing with pending litigation. Trustee Klar seconded. All in favor.

The Board convened in executive session at 10:50 PM.

The Board returned to public session at 11:40 pm. There being no further business, the meeting was adjourned.

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.

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David E. Smollett, Administrator,  
Clerk/ Treasurer

**Exhibit 1**

**RESOLUTION ADOPTING POLICY FOR COMPLIANCE  
WITH PUBLIC OFFICERS LAW §103(e)**

WHEREAS, effective February 2, 2012, the State Legislature and Governor have enacted L. 2012, c. 603, to require that certain documents be available at or before a public meeting of a public body at which such documents are scheduled to be discussed; and

WHEREAS, the said legislation contains various exclusions and limitations, to be determined in the discretion of the Board of Trustees; and

WHEREAS, in order to fulfill the requirements of the said legislation, the Board of Trustees hereby determines and enacts this policy for compliance with such legislation by all agencies and departments of the Village;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. All public records other than proposed resolutions, laws, rules, regulations, policies or amendments thereto, which are available to the public pursuant to Article 6 of the Public Officers Law and which are scheduled to be the subject of discussion by any public body of the Village in an open meeting public session of such body, shall be made available to any person requesting such record for inspection and/or copying, provided that
  - a. Such record is requested by such person by written request to the Presiding Officer or Clerk of such body at least two business days prior to the public meeting; and
  - b. All copying fees for such record(s) are paid prior to delivery of any such copies;

- c. This policy shall not require the copying or inspection of any record which is exempt or may be withheld from inspection and/or copying pursuant to Article 6 of the Public Officers Law
  2. All proposed resolutions, laws, rules, regulations, policies or amendments thereto scheduled to be the subject of discussion by a public body of the Village during an open meeting in public session shall be made available to any person requesting such document for inspection and/or copying, subject to the following conditions:
    - a. Except with respect to any proposed local law or resolution which is the subject of a scheduled public hearing, each such document is requested by such person by written request to the Presiding Officer or Clerk of such body at least two business days prior to the public meeting;
    - b. Copies of any proposed local law or resolution which is the subject of a scheduled public hearing shall be available at the hearing, in reasonable quantities as determined by the Village Administrator, without any requirement for a prior request;
    - c. All copying fees for such record(s) are paid prior to delivery of any such copies;
3. The Village Administrator shall determine which of the records and documents described in paragraphs 1 and 2 above should be provided on the Village website in advance of any public meeting at which such document is to be discussed. With respect to any records or document so made available on the Village website, the provisions of paragraphs 1 and 2 shall not apply,

and it shall be discretionary with the Clerk or Presiding Officer of each public body whether to make additional copies of such records or documents available at any public meeting.

4. This policy shall not affect the Village's procedures for compliance with Article 6 of the Open Meetings Law, nor expand, qualify, or limit the right to inspect and/or copy any record or document as provided in such Article.
5. The Board of Trustees hereby finds and determines that provision of copies of records and/or documents at public meetings other than as provided in this policy is not practicable, in that doing so would require the expenditure of excessive amounts of time by Village personnel for such purposes, divert them from the performance of their regular and customary duties for the Village, and also require the Village to incur expenses to implement the requirements of Public Officers Law §103 which the Village is not required by such statute to incur.