

June 18, 2012

A regular meeting of the Board of Trustees of the Incorporated Village of Lynbrook was held on Monday, June 18, 2012 in the Village Hall. The Mayor opened the meeting with the Pledge of Allegiance.

Present: Mayor William Hendrick  
Trustee Alan Beach  
Trustee Hilary Becker  
Trustee Michael Hawxhurst  
Trustee Thomas Atkinson  
Village Administrator John Giordano  
Village Attorney Peter Ledwith

BOND  
RESOLUTIONS

RES.#207-12

An extensive discussion ensued concerning various Capital Project requests and scheduling repayment of new debt service in 15/16 when existing debt levels decline. It was moved by Trustee Beach, seconded by Trustee Hawxhurst to approve the following 2012 Bond Resolutions (see attached) totaling \$3,577,000. with acquisition/payment dates for specific projects as follows:

\$25,000 – Improvements to Fire Headquarters – March 2013  
\$21,000 – Additional Cost- Acquisition of Ambulance –October 2012  
\$1,200,000 – Acquisition of (2) Pumper Trucks-November 2013/June 2014  
\$65,000 – Acquisition of Police Radios – October 2012  
\$936,000 – Highway Improvements(Sherman,Vincent, John,Glover, Merton, Central & misc) –November 2013  
\$35,000 – Acquisition of DPW Truck-October 2012  
\$265,000 – Underground Diesel Fuel Tank Replacement-December 2013  
\$58,000 – Acquisition of Fire Chief Vehicle-October 2013  
\$101,000 – Acquisition of Fire Department Equipment-October 2013  
\$250,000 – Acquisition of Fire Department Bunker Gear-June 2015  
\$37,000 – Acquisition of Fire Department Computers-October 2012  
\$120,000 – Acquisition of (4) Police Department Vehicles-October 2012  
\$200,000 – Acquisition of DPW Street Sweeper-June 2015  
\$264,000 – PF#8 Resurfacing – November 2013

and to furthermore engage Liberty Capital Service, Standards & Poors and Moodys Investors Services and provide for such associated bonding costs through the bond for “Highway Improvements,” authorize the bidding of said projects, direct the Village Treasurer to close on said Bonds in June 2014, make a temporary advance of funds from the General Fund to the Capital Fund to finance any such project undertaken prior to June 2014 in an amount as necessary of up to \$2,527,000, and reimburse same to the General Fund as soon as said Bonds are sold. Motion carried, all voting “Aye”.

F.D. – WOUNDED  
WARRIOR  
PROJECT FUND  
RAISER

RES.#208-12

It was moved by Trustee Becker, seconded by Trustee Beach to authorize the Fire Department to host a fundraising event for the benefit of the Wounded Warrior Project on Sunday, September 30, 2012 from 12 noon to 6:00 PM at the Earle Avenue firehouse, and to close Earle Avenue between Merrick Road and St. James Place from 11AM to 7PM. Motion carried, all voting “Aye”.

RELOCATE –  
UNIT 426-3

RES.#209-12

It was moved by Trustee Becker, seconded by Trustee Atkinson to store former Floodlight Unit Truck 426-3 at the DPW to allow the Fire Department to park Unit 4211, a 2008 Ford Rack Truck inside Fire Headquarters. Motion carried, all voting “Aye”.

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TRANSFER OF  
FUNDS-PEG  
RESERVE

**RES.#[210-12](#)**

It was moved by Trustee Becker, seconded by Trustee Atkinson to authorize a transfer of \$86,312. from the Cable TV PEG Reserve Account to the General Fund Account to reimburse the General Fund for costs paid by the General Fund for technician services since 2006. Motion carried, all voting "Aye".

SUNRISE HWY.  
STREETSCAPE  
IMPROVEMENTS  
PHASE III

**RES.#[211-12](#)**

It was moved by Trustee Becker, seconded by Trustee Atkinson to approve a Temporary Advance of \$200,000 from the General Fund to the Capital Fund for the Sunrise Highway Streetscape Improvements Phase III Program, and to approve a change order to the contract awarded December 7, 2009 with Commander Electric, to require Commander to remove and replace 29 street lights on the north side of Sunrise Highway from Horton Avenue to Peninsula Blvd, and other related path light improvements up to \$200,000, to be financed by USDHUD grant #B10SPNY0225, and repayment of said funds to the General Fund upon receipt of such reimbursement from the USDHUD . Motion carried, all voting "Aye".

RENEWAL  
AGREEMENT-CGI  
VIDEO

**RES.#[212-12](#)**

It was moved by Trustee Becker, seconded by Trustee Atkinson to renew the Agreement with CGI Video to produce a "Lynbrook Video Tour book" for the Village website promoting the Village. Motion carried, all voting "Aye".

BID AWARD –  
STREET  
LIGHTING  
MAINTENANCE  
CONTRACT

**RES.#[213-12](#)**

The following bids were received on February 23, 2012 for the Street Lighting Maintenance Contract – Anker Electric - \$19,293 per year and Welsbach Electric - \$19,572. It was moved by Trustee Hawxhurst, seconded by Trustee Becker to award the Street Lighting Maintenance Contract to Anker Electric for a term expiring May 31, 2013 with one year renewal options as determined by the Village. Motion carried, Trustee Hawxhurst and Trustee Becker "Nay", all others voting "Aye".

F.D. ALARM  
CONTRACT

**RES.#[214-12](#)**

It was moved by Trustee Hawxhurst, seconded by Trustee Becker to renew the Fire Department Alarm Maintenance Contract with All Service Controls Corp. of Oceanside for a term expiring May 31, 2013. Motion carried, all voting "Aye".

N.C. POLLING  
PLACE  
AGREEMENT

**RES.#[215-12](#)**

It was moved by Trustee Becker, seconded by Trustee Atkinson to approve the Polling Place Agreement with Nassau County Board of Elections to use the Village Hall as Polling Place for a Primary Election scheduled for Tuesday, June 26, 2012. Motion carried, Trustee Hawxhurst voting "Nay" all others voting "Aye".

PERMA TAIL  
CLAIM

**RES.#[215A-12](#)**

It was moved by Trustee Beach, seconded by Trustee Becker to authorize the Mayor to sign an Agreement with PERMA to administer four (4) remaining Worker's Comp. "Tail Claims" that occurred when the Village was previously self insured, at a rate of \$600.00 per claim. Motion carried, all voting "Aye".

P.H.-CHAP.252-  
SECURITY  
GATES

**RES.#[216-12](#)**

The Mayor opened a Public Hearing to consider the enactment of a proposed local law to amend the Village Code Chapter 252 entitled "Zoning" Section 252-30 "Prohibited Uses" to prohibit the installation of an exterior security gate on a building unless installed in the interior of said building. The Mayor read the proposed local law and asked if anyone wished to speak. After no further comments, it was moved by Trustee Beach, seconded by Trustee Atkinson to close the Public Hearing and to enact Local Law #4 of 2012. Motion carried, all voting "Aye". It was moved by Trustee Beach, seconded by Trustee Atkinson that the Board of Trustees declare themselves as Lead Agency and that a Negative Declaration be issued for this action as it has no significant adverse impact on the environment pursuant to the New York State Environmental Quality Review Act. Motion carried, all voting "Aye".

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P.H.-CHAP.178-  
PEDDLING &  
SOLICITING

**RES.#217-12**

The Mayor opened a Public Hearing to consider the enactment of a proposed Local Law to amend the Village Code, Chapter 178 entitled "Peddling & Soliciting" to include a Statement of Legislative Purpose, amend regulations related to the age of a proposed peddler/solicitor and permissible hours of performance. The Mayor read the proposed local law and asked if anyone wished to speak. It was noted for the record that a letter from Kase & Drucker, representing New York Youth Club, Inc. opposing the proposed local law was received and placed on file. It was moved by Trustee Beach, seconded by Trustee Atkinson to close the Public Hearing and to enact Local Law #5 of 2012. Motion carried, all voting "Aye". It was moved by Trustee Beach, seconded by Trustee Atkinson that the Board of Trustees declare themselves as Lead Agency and that a Negative Declaration be issued for this action as it has no significant adverse impact on the environment pursuant to the New York State Environmental Quality Review Act. Motion carried, all voting "Aye".

SET DATE-P.H.-  
ALTERNATE  
MEMBERS-  
PLUMBING BD.

**RES.#218-12**

It was moved by Trustee Becker, seconded by Trustee Atkinson to set the date of July 16, 2012 for a Public Hearing to consider the enactment of a proposed Local Law to amend Section 181-4.1 of the Village Code to provide for Alternate Members for the Examining Board of Plumbers. Motion carried, all voting "Aye".

SET DATE-P.H.-  
ALTERNATE  
MEMBERS-  
ELECTRICAL BD.

**RES.#219-12**

It was moved by Trustee Becker, seconded by Trustee Atkinson to set the date of July 16, 2012 for a Public Hearing to consider the enactment of a proposed Local Law to amend Section 112.13 of the Village Code to provide for Alternate Members for the Board of Examining Electricians. Motion carried, all voting "Aye".

PARKING FUND  
MORATORIUM  
EXTENDED 1  
YEAR

**RES.#220-12**

The Board reviewed a Resolution of October 5, 2009 extending its moratorium on collecting a payment in lieu of parking fee pursuant to Section 146-3 of the Village Code, and associated Resolution adopted on November 20, 2006. It was moved by Trustee Becker, seconded by Trustee Atkinson to extend the Moratorium for an additional one year suspending the imposition of Parking Fund fees by the Board of Zoning Appeals as a result of the grant of parking variance, and if a parking variance is granted during the Moratorium period, the Board of Zoning Appeals shall not assess a Parking Fund fee, and during this Moratorium period, in furtherance of the Village Board's commitment to commercial development in the Village in these difficult economic times, any firm or individual whose parking variance application has been denied by the Lynbrook Board of Zoning Appeals is invited to apply to the Village Board for assistance in (a) investigating the on-site parking shortage, (b) considering alternative methods to alleviate or mitigate that shortage, and (c) to work towards creating a solution that may be presented to the Board of Zoning for its reconsideration of the variance application. Motion carried, all voting "Aye".

EXECUTIVE  
SESSION

It was moved by Trustee Beach, seconded by Trustee Atkinson to adjourn the meeting to open an executive session to discuss attorney client matters. Motion carried, all voting "Aye". It was moved by Trustee Beach, seconded by Trustee Atkinson to open an executive session to discuss attorney client matters. Motion carried, all voting "Aye". After a lengthy discussion, it was moved by Trustee Beach, seconded by Trustee Atkinson to adjourn the executive session. Motion carried, all voting "Aye". It was moved by Trustee Beach, seconded by Trustee Atkinson to reopen the regular meeting. Motion carried, all voting "Aye".

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HEARING  
OFFICER  
OPINION-BLDG.  
DEPT. EMPLOYEE  
**RES.#221-12**

It was moved by Trustee Becker, seconded by Trustee Atkinson to accept the Hearing Officers opinion of imposing a one (1) day suspension without pay on a Building Department employee for violating the Village Dress Code Policy. Motion carried, all voting "Aye".

Mayor Hendrick invited all those present for a continuation of the meeting in the court room.

MINUTES – 5/7,  
5/11 & 5/21/12  
**RES.#222-12**

It was moved by Trustee Beach, seconded by Trustee Atkinson to accept the Minutes of May 7, 11 & 21, 2012 as submitted and place on file. Motion carried, all voting "Aye".

CHAMBER OF  
COMMERCE  
REPORT

Vice President of the Chamber of Commerce Denise Rogers gave a report on Chamber of Commerce activities and presented the Village a \$2,000 donation. The Chamber of Commerce requested permission to host Prom Night for Lynbrook High School on Atlantic Avenue from Stauderman Ave. to Merrick Road on Thursday, June 21, 2012 from 5PM to 6:30 PM. It was moved by Trustee Beach, seconded by Trustee Becker to approve closing Atlantic Avenue from Stauderman Avenue to Merrick Road. Motion carried, all voting "Aye".

CITATION-  
TITAN'S GIRLS  
SELF DEFENSE

Mayor Hendrick presented Citations to the Titan's Girls Self Defense Team.

SIDEWALK  
ASTRONOMY

Mr. Tom Lynch, a resident, announced that he will allow viewers to utilize his telescope for viewing the sky in municipal parking field #20 on June 29, 2012.

CITATION-JULIE  
BERGIN

Mayor Hendrick presented a Citation to Julie Bergin for representing New York State at the 3<sup>rd</sup> Annual Moms Congress on Education and Learning Conference in Washington D.C.

SWIM ACROSS  
AMERICA  
**RES.#223-12**

It was moved by Trustee Beach, seconded by Trustee Becker to authorize Swim Across America to use the Village pool on Saturday, August 11, 2012, to raise money for cancer research. Motion carried, all voting "Aye".

CITATION –P.O.  
ZEE & MENNA

Mayor Hendrick presented Citations to P.O. Tony Zee and P.O. Frank Menna for their skillful and quick response on May 8, 2012 which averted a loss of life.

CITATION-FIRE  
CHIEF DECARLO

Mayor Hendrick presented Citations to Fire Chief Anthony DeCarlo and AMT Josh Parsons for their skillful and quick response on April 11, 2012 which averted a loss of life.

CITATION-  
P.O.MATZEN-  
RETIREMENT

Mayor Hendrick presented a Citation to Police Officer John Matzen on the occasion of his retirement after thirty-one years of dedicated and loyal service with the Village of Lynbrook's Police Department

LADIES AUX.  
TRUCK CO.  
PICNIC

The Ladies Auxiliary from Truck Company announced that they will be hosting a picnic on Saturday, July 28, 2012 at their firehouse on Earle Avenue.

PRESENTATION-  
RELAY FOR LIFE

Pat Ambrosio and Adam Glickman announced that Relay for Life raised \$75,000 this year and thanked the Community.

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BEAUTIFICATION  
AWARD

Mayor Hendrick presented the following Beautification Awards: Jim & Janet Gannon – 200 Central Avenue – Northwest Quadrant; The Rozea Family – 5 Chestnut Street – Northeast Quadrant; The Kleinertz Family – 212 Piccadilly Downs – Southwest Quadrant; The Andrews Family – 1B Abrams Place – Southeast Quadrant; Valencia Ravioli – 82 Broadway; and Lynbrook Gardens – 2 Fowler Avenue.

2012 WOMAN &  
MAN OF THE  
YEAR

Mayor Hendrick presented a Citation to Tricia Murphy as the 2012 Woman of the Year, and Paul Rauch as the 2012 Man of the Year.

BILLS

RES.#[224-12](#)

It was moved by Trustee Atkinson, seconded by Trustee Becker that Bills listed on Abstract of Audited Voucher #1, General Fund - \$1,175,151.29; Trust & Agency - \$89,707.22, Capital Fund - \$26,417.73, all be paid as soon as same have been duly audited by the majority. Motion carried, all voting “Aye”.

EXECUTIVE  
SESSION

It was moved by Trustee Beach, seconded by Trustee Atkinson to adjourn the meeting to open an executive session to discuss attorney client matters. Motion carried, all voting “Aye”. It was moved by Trustee Beach, seconded by Trustee Becker to open an executive session to discuss attorney client matters. Motion carried, all voting “Aye”. After a brief discussion, it was moved by Trustee Beach, seconded by Trustee Atkinson to adjourn the executive session. Motion carried, all voting “Aye”.

2012/2013  
INSURANCE  
RENEWAL

RES.#[225-12](#)

It was moved by Trustee Beach, seconded by Trustee Becker to renew the 2012/2013 Insurance for Worker’s Compensation with the State Insurance Fund, Fire Department Worker’s Compensation with Fire Districts Mutual and Property Liability with Galtfleler Claims Management, Inc. as administered by Village Insurance Broker Salerno Brokerage Corp. as recommended by Village Insurance Consultant Jeff Greenfield. Motion carried, all voting “Aye”.

SET UP-  
SEASONAL  
SUPV.-STEINERT  
& DIGIVANNI

RES.#[226-12](#)

It was moved by Trustee Becker, seconded by Trustee Atkinson to approve a temporary stipend of \$400.00 each and promotion of a Laborer to Motor Equipment Operator for DPW employees Robert Stienert and Paul DiGivanni to supervise seasonal workers to conclude August 31, 2012. Motion carried, all voting “Aye”.

PROMOTION-  
C.SKARTSIARIS-  
DETECTIVE-  
6/25/12

RES.#[227-12](#)

It was moved by Trustee Becker, seconded by Trustee Atkinson to promote Police Officer Chris Skartsiaris to the rank of Detective effective June 25, 2012. Motion carried, all voting “Aye”.

APPT.-LISA  
KENNY-  
ASSESSOR

RES.#[228-12](#)

The Mayor reported that the Office of Village Assessor is presently being filled on a holdover basis by Elizabeth Hoffman and nominated Deputy Assessor Lisa Kenny as Assessor. It was moved by Trustee Becker, seconded by Trustee Beach to ratify the Mayor’s appointment of Lisa Kenny to Assessor to a term expiring April 1, 2013 and waive any residency requirements, and authorize a severance payout of four (4) weeks to Elizabeth Hoffman. Motion carried, all voting “Aye”.

J.OBANHEIN-  
SIDEWALK  
INSPECTOR

RES.#[229-12](#)

It was moved by Trustee Beach, seconded by Trustee Becker to enter into a contract with John Obanhein as a Sidewalk Inspector at an hourly rate of \$15.50 for up to 90 hours per month for a period expiring May 31, 2013. Motion carried, all voting “Aye”.



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P.H.-7/16/12-  
EMINENT  
DOMAIN  
PROCEDURE  
LAW-47  
BROADWAY

**RES.#[230-12](#)**

It was moved by Trustee Becker, seconded by Trustee Beach to set the date of July 16, 2012 at 7:00 PM for a Public Hearing pursuant to Section 202 of the Eminent Domain Procedure Law to consider the acquisition of 47 Broadway. Motion carried, all voting "Aye". It was moved by Trustee Becker, seconded by Trustee Beach to engage Nelson & Pope to conduct a Blight Study of 47 Broadway at a cost not to exceed \$5,000. Motion carried, all voting "Aye". It was moved by Trustee Becker, seconded by Trustee Atkinson to extend the engagement of Special Counsel Jack Libert, Esq., to provide for him to commence Eminent Domain Procedure Law actions on 47 Broadway as directed by the Mayor and Board. Motion carried, all voting "Aye".

HIRE-N.CHASE-  
SEASONAL  
CLERK

**RES.#[231-12](#)**

It was moved by Trustee Becker, seconded by Trustee Atkinson to hire Nicole Chase as a Seasonal Clerk in the Village Clerks Office at a rate of \$8.00 per hour. Motion carried, all voting "Aye".

ADJOURNMENT

It was moved by Trustee Becker, seconded by Trustee Beach to adjourn the meeting at 10:50 P.M. Motion carried, all voting "Aye".