

April 2, 2012

A regular meeting of the Board of Trustees of the Incorporated Village of Lynbrook was held on Monday, April 2, 2012 at 7:00 P.M. 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-Absent
Village Administrator John Giordano
Village Attorney Peter Ledwith

SCAFFOLD PERMIT
393 SUNRISE HWY.

RES.#[116-12](#)

It was moved by Trustee Beach, seconded by Trustee Hawxhurst to approve a permit to 393 Sunrise LLC to install scaffolding on the sidewalk to accommodate façade improvements at 393 Sunrise Highway. Motion carried, Trustee Becker & Trustee Atkinson absent all others voting “Aye”.

FIRE
HEADQUARTERS
REPAIRS

RES.#[117-12](#)

It was moved by Trustee Beach, seconded by Trustee Becker to approve a new double door and a ramp at Fire Headquarters to comply with ADA requirements which is to be installed by the DPW subject to review of the cost estimate for the doors by Trustee Beach. Motion carried, all voting “Aye”.

VILLAGE HALL
REPAIRS

RES.#[118-12](#)

It was moved by Trustee Becker, seconded by Trustee Hawxhurst to direct the Superintendent of Public Works to obtain estimates for a roll down gate to replace the wood veneer partition entering into the Village Clerk’s office in Village Hall. Motion carried, all voting “Aye”.

1996 CHEVY
BLAZER SURPLUS

RES.#[119-12](#)

It was moved by Trustee Becker, seconded by Trustee Beach to transfer a 1997 Chevy Blazer in the Department of Public Works to the Police Department for use by Parking Enforcement Officers as soon as necessary repairs are made by the DPW. Motion carried, all voting “Aye”.

ACQUISITION OF
RECYCLING TRUCK

RES.#[120-12](#)

It was moved by Trustee Becker, seconded by Trustee Hawxhurst to authorize the purchase from Town Sanitary District No. 6 a used 2002 duel hopper International recycling sanitation truck for the DPW for the purpose of picking up paper, glass & plastic at a cost of \$35,000. to be financed by a 2011 Bond Issue of \$170,000, and to furthermore authorize a transfer of the remaining \$135,000. of said bond funds to the Debt Reserve Fund for the purpose of reducing 2012/2013 debt service for this bond. Motion carried, all voting “Aye”.

NEW CODE
ENFORCEMENT
VEHICLE

RES.#[121-12](#)

It was moved by Trustee Becker, seconded by Trustee Beach to declare as surplus a 2000 Ford Crown Victoria used by Parking Enforcement Officers and dispose of to the highest bidder or for scrap. Motion carried, all voting “Aye”.

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DECISION -228
WHITEHALL ST.

RES.#[122-12](#)

It was moved by Trustee Becker, seconded by Trustee Beach to adopt a Resolution (Exhibit A) approving a Special Use Permit pursuant to the provisions of Village Code 252-116 and 252-68 approving the construction of a one story building to house a water filtration system together with a waste water holding tank upon the property known as 228 Whitehall Street as requested by Long Island Water Corp., after a Public Hearing held on February 21, 2012. Motion carried, all voting "Aye". It was moved by Trustee Beach, seconded by Trustee Becker 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.-
IMPACT FEE-5/7/12-
228 WHITEHALL

RES.#[123-12](#)

It was moved by Trustee Beach, seconded by Trustee Becker to set the date of May 7, 2012 at 7:00 PM pursuant to Chapter 146 of the Village Code to consider imposing an Impact Fee of \$10,000 to Long Island American Water in relation to their construction project at 228 Whitehall Street. Motion carried, all voting "Aye".

WAIVER-BLDG
PERMIT FEES-
TEMPLE AM ECHAD-
TABLED

RES.#[124-12](#)

It was moved by Trustee Becker, seconded by Trustee Beach to table a request for a waiver of building permit fees from Temple Am Echad. Motion carried, all voting "Aye".

REQUEST-
CATHOLIC
CHARITIES

RES.#[125-12](#)

It was moved by Trustee Becker, seconded by Trustee Beach to waive permit fees for 21 Employee parking permits to Catholic Charities for volunteers who attend the Thursday meetings at St. James Church from 9AM to 2PM for the Visually Impaired Center. Motion carried, all voting "Aye".

LYNBROOK
BAPTIST CHURCH
FILMING

RES.#[126-12](#)

It was moved by Trustee Becker, seconded by Trustee Beach to approve Lynbrook Baptist Church filming a commercial produced by Cablevision on various public sidewalks areas and to waive any necessary permit fees. Motion carried, all voting "Aye".

LOCAL LAW-
FILMING

RES.#[127-12](#)

It was moved by Trustee Becker, seconded by Trustee Beach to direct Village Attorney Peter Ledwith to prepare a Local Law to license Filming in the Village. Motion carried, all voting "Aye".

FLEA MARKET-
SONS OF ITALY

RES.#[128-12](#)

It was moved by Trustee Becker, seconded by Trustee Beach to approve a request from the Sons of Italy to hold a Flea Market in Parking Field # 12 and waive any fees subject to their remittance of a \$500. deposit to assure the clean up of the grounds. Motion carried, all voting "Aye".

F.D. USE OF
VEHICLE

RES.#[129-12](#)

It was moved by Trustee Beach, seconded by Trustee Becker to grant permission to members of Engine Company Number 1 to use the Fire Police Vehicle, designated as 426-1, to transport members and equipment to a fund raising event in eastern Pennsylvania, from June 13 through June 15, 2012. Motion carried, all voting "Aye".

EXECUTIVE
SESSION

RES.#[130-12](#)

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

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DENY REQUEST-
TEMPLE AM ECHAD

RES.#[131-12](#)

It was moved by Trustee Becker, seconded by Trustee Beach to deny the request from Temple Am Echad for a waiver of building permit fees pursuant to a legal opinion from the State Comptroller. Motion carried, all voting "Aye".

POLICE
PERSONNEL-
TABLED

RES.#[132-12](#)

It was moved by Trustee Becker, seconded by Trustee Beach to table the request regarding the promotion of an officer in the Police Department to the Title of Detective. Motion carried, all voting "Aye".

COVANTA
CONTRACT

RES.#[133-12](#)

It was moved by Trustee Becker, seconded by Trustee Beach to extend a Contract with Covanta Hempstead Company dated August 20, 2009 and expiring May 31, 2015, for a five year period beginning June 1, 2015 and ending May 31, 2020, for Municipal solid waste disposal services at a reduced fee schedule, subject to the review by the Village Attorney and permissiveness. Motion carried, all voting "Aye".

SITE PLAN REVIEW
FEE

It was moved by Trustee Becker, seconded by Trustee Beach to require a \$5000. site plan review deposit for both 443-449 Sunrise Highway and 228 Whitehall Street for their construction projects. Motion carried, all voting "Aye".

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

MARGARET RIVA-
100TH BIRTHDAY

The Mayor congratulated resident Margaret Riva on the occasion of her 100th Birthday.

MINUTES-3/19 &
3/26/12

RES.#[134-12](#)

It was moved by Trustee Becker, seconded by Trustee Beach to accept the Minutes of March 19th & 26, 2012 as submitted and place on file. Motion carried, all voting "Aye".

CHAMBER R
REPORT

Vice-President of the Lynbrook Chamber of Commerce Denise Rogers gave a report on Chamber of Commerce activities.

APPOINTMENTS &
DESIGNATIONS

RES.#[135-12](#)

The Mayor advised that tonight's meeting is considered the Annual Organizational Meeting necessitating the appointments of Village Officials, and Committee Liaisons designations and asked the Board for a single vote to approve these appointment categories. It was moved by Trustee Hawxhurst, seconded by Trustee Beach, that the following Mayoral appointments be ratified and serve a one year term unless otherwise noted as provided by Law; and that a single vote serve to ratify said appointments:

Mayor Hendrick appointed and administered the Oath of Office to Trustee Alan Beach as Deputy Mayor for a one (1) year term.

Mayor Hendrick appointed and administered the Oath of Office to Helen Lanza as Deputy Village Clerk/Treasurer for two (2) year term.

Clerk Treasurer-Administrator (2 years) – John Giordano
Budget Officer – John Giordano (2 years)
Village Attorney – Peter Ledwith, Esq.
Deputy Village Attorney – Charles Horn, Esq.
Secretary to Mayor & Board of Trustees – Susan Bonomo
Assoc. Village Justice – C. William Gaylor III
Court Clerk to Village Justice – Margaret Skartsiaris
Superintendent/Building Dept. – Brian Stanton
Superintendent/Dept. of Public Works – Phil Healey
Village Historian – Art Mattson

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Official Village Newspaper – Lynbrook/E.R. Herald & Newsday
Registrar of Vital Statistics (2 year) – Linda O’Reilly
Deputy Registrar (2 year) – Theresa Palladino

Motion carried, all voting “Aye”.

The Mayor then appointed the following Trustees to various Committees and Liaison assignments:

Quadrant Liaison

Deputy Mayor Alan Beach – Northwest
Trustee Michael Hawxhurst – Southeast
Trustee Thomas Atkinson – Northeast
Trustee Hilary Becker – Southwest

Department Liaisons

Building/Assessing Dept. – Trustee Michael Hawxhurst
Chamber of Commerce – Mayor William Hendrick & Trustee Hilary Becker
Emergency Management Office – Deputy Mayor Alan Beach
Economic Development – Trustee Hilary Becker
Ethics Liaison – Deputy Mayor Alan Beach
Finance – Trustee Michael Hawxhurst
Fire Department – Mayor William Hendrick
Library – Trustee Michael Hawxhurst
Labor Relations – Mayor William Hendrick & Trustee Thomas Atkinson
Long Island Railroad – Deputy Mayor Alan Beach & Trustee Thomas Atkinson
Multi-Media TV & Radio – Mayor William Hendrick
Municipal Utility – Trustee Thomas Atkinson
Police Department – Mayor William Hendrick & Trustee Thomas Atkinson
Public Works – Deputy Mayor Alan Beach
Pool Liaison – Deputy Mayor Alan Beach & Trustee Michael Hawxhurst
Recreation Department – Deputy Mayor Alan Beach
Veterans’ Liaison – Deputy Mayor Alan Beach

Committees

Business Improvement District Committee – Trustee Hilary Becker & Trustee Thomas Atkinson
Celebrations – Mayor William Hendrick
Parking Committee – Deputy Mayor Alan Beach, Trustee Hilary Becker
Senior Citizen Committee – Mayor William Hendrick

It was moved by Trustee Hawxhurst, seconded by Trustee Beach that a single vote be utilized to ratify the appointment by the Mayor of the following individuals to serve on their respective Boards for the term of office as noted:

Recreation Commission – 7 year term
Edward Alonge

Library Board of Trustees – 5 year term
Regina Flaherty (Chair)

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Board of Ethics- 5 year term

William McKeon
Eleanor DeNuefield
Margaret Smith
Carol Hansen – 1st Alternate

Board of Examining Electricians – 3 year term

Fred Faust
James Zervas

Board of Plumbing Examiners – 4 year term

Fred Ragusa
Richard Gazzola
Rob Wallace

Board of Zoning Appeals – 5 year term

Robert Boccio
Pat O'Brien (2nd Alternate)

Board of Architectural Review – 3 year term

Clem Becker
Doris Duignan
Allison Sitzman (1st Alternate)

Motion carried, Trustee Becker abstained, all others voting “Aye”.

The Mayor then appointed the following individuals to serve on his various advisory committees as follows:

Sexual Harassment Committee – 1 year term

Alan Beach, Deputy Mayor
Peter Ledwith, Village Attorney
Susan Bonomo

Health & Wellness Committee – 1 year term

Allison Sitzman (Chairperson)
Dr. Fern London
Jane Grogan
Dr. David Hecht
Dr. Karen Monstein
Dr. Susan Cohen
Michael Talish
Anastasia Schepers
Patricia Pearsall

Police/Fire Chaplains (1 year term)

Msgr. William Breslawski
Rabbi Howard Diamond
Rev. John P. Fahey, Jr.

The Mayor and Board of Trustees as Director of the Village Community Chest, Inc. designated the above Community Chest Committee members as official officers of the Village Community Chest, Inc.

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Community Chest Committee (1 year term)

Laura Ryder –President & Treasurer
Jennifer Atkinson - Secretary
Rina Beach – Vice-President
Cathy Bien – Vice-President
Rosemarie Curran – Vice-President
Lynn Curtis – Vice-President
Jay Korth, Esq. – Vice-President

It was moved by Trustee Becker, seconded by Trustee Beach that the following resolution be adopted:

RESOLVED, that the regular meetings of the Board of Trustees be held on the first and third Mondays of each month at 7:00 P.M. at the Village Hall for the ensuing year, and

RESOLVED, that the Village Prosecuting Attorneys are authorized to prosecute all violations of Village Code, Zoning Code and New York State laws and regulations where violations occur within the Inc. Village of Lynbrook, and

RESOLVED, for retirement system reporting purposes, six (6) hours equal the work day for the following positions: Mayor, Trustee, Village Justice, Acting Village Justice, Village Attorney, Deputy Village Attorney, Traffic Control Assistant, Parking Meter Attendant, Crossing Guard, Neighborhood Aide and Code Enforcement Officer, and

RESOLVED, that the Board of Trustees has determined to pay a fixed rate for mileage as reimbursement to officers and employees of the Village who use their personal automobiles while performing their official duties on the behalf of the Village at a rate equal to the maximum as set forth by the Internal Revenue Service.

RESOLVED, that the following Policies be readopted: Procurement, Sexual Harassment, Investment, Board Procedures, Internet Use, Automobile & Cell Phone.

RESOLVED, that the Board of Trustees authorize the payment in advance of audit of claim for public utility services, postage, freight & express charges pursuant to the Village Law 5-524(6), and that such claims be presented at the next regular meeting for audit.

RESOLVED, that the Board of Trustees designates the following institutions as depositories of all monies received by the Village as required by Village Law 4-412(3)(2): HSBC, MBNA CLASS (Village of Potsdam), Gold Coast Bank, Flushing Commercial Bank, Valley National Bank, Bank of America, TD Bank, Capital One, Chase Manhattan Bank.

Motion carried, all voting “Aye”.

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RESOLVED, that the Mayor be authorized to execute contracts with the following individuals for the term June 1, 2012 to May 31, 2013:

Philip Marino, Esq.	<u>Village Prosecutor & Deputy Zoning Attorney</u> (\$270/session; \$175. per hr)
Kevin Murtagh, Esq.	<u>Deputy Village Prosecutor</u> (\$225/session)
James Darcy, Esq.	<u>Deputy Village Prosecutor (Illegal Occupancy)</u> (\$150/hr with restrictions)
Robert Boccio, Esq.	<u>Assistant Village Prosecutor</u> (\$125/session)
Christopher Gomoka, Esq.	<u>Assistant Village Prosecutor</u> (\$150/session)
Timothy McGrath, Esq.	<u>Assistant Village Prosecutor</u> (\$125/session)
Jack Libert, Esq.	<u>Special Attorney</u> (\$175/hr)
Benjamin Truncale, Jr., Esq.	<u>Tax Certiorari Counsel</u> (\$200/hr.)
Bee, Ready, Fishbein, Hatter & Donovan by Kenneth Gray, Esq.	<u>Labor Attorney</u> (varies)
Jon Walter Lipinsky	<u>Illegal Housing Inspector</u> (\$30 per hr.)
Vincent Albert	<u>Illegal Housing Inspector</u> (\$30 per hr.)
Joseph Rice	<u>Plumbing Inspector</u> (\$10,800/yr)
Paul Wotzak	<u>Assessing Consultant</u> (\$50/hr)
Robert Cribbin	<u>Emergency Management Officer</u> (\$7750/yr)
Edward Murphy	<u>1st Asst. Emergency Mgt. Officer</u> (\$2250/yr)
Richard Straub	<u>2nd Asst. Emergency Mgt. Officer</u> (\$30/session)
Jeff Greenfield	<u>Insurance Consultant</u> (\$9,600/yr)
George McClosky	<u>Village Photographer</u> (\$150/session)
Bollam, Sheedy, Torani & Co.	<u>Village Auditors</u> (\$32,000/yr)
Cullen & Danowski	<u>Village CPAs</u> (\$14,200/yr)
Carman-Dunne	<u>Village Engineer</u> (varies)
Dr. Neal Skolnick	<u>Village Police & Fire Surgeon</u> (\$140/hr)
Leslie Rothschild	<u>Public Relations/Media Consultant</u> (\$11,900/yr.)
Kate Peterson	<u>Music Assistant for Pre-School Program</u> (\$125/mo.)
Carol Burak	<u>Coordinator of Senior Citizen Affairs</u> (5,000/yr)
Flo Brooks	<u>Beautification Consultant</u> (\$2,500/yr)
Rosemarie Curran	<u>Assist. Beautification Consultant</u> (\$1/yr)

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Michael Shindler	<u>Communications Commissioner</u> (\$20,000/yr)
Thomas Fabbicante	<u>Lynbrook TV Staff</u> (\$50/event - \$15/hr)
Paul Mengaziol	<u>Lynbrook TV Staff</u> (\$50/event - \$15/hr)
Alina Magollon-Volk	<u>Lynbrook TV Staff</u> (\$50/event - \$15/hr)
Matthew Kern	<u>Lynbrook TV Staff</u> (\$50/event - \$15/hr)
Karen Russo	<u>Lynbrook TV Staff – personality</u> (\$50/event - \$15/hr)
Allison Shapiro	<u>Lynbrook TV Staff – personality</u> (\$50/event - \$15/hr)
Polly Talbot	<u>Lynbrook TV Staff-personality</u> (\$50/event-\$15/hr)

Motion carried, all voting “Aye”.

T.O’CONNOR-EAGLE
SCOUT PROJECT

Tim O’Connor of Scout Troop 336 reported that he is a Eagle Scout candidate and that he plans to repaint white bands on wood telephone poles to delineate the locations of adjacent fire hydrants as an Eagle Scout Project.

J.GILLESPIE EAGLE
SCOUT PROJECT

Jessee Gillespie of Scout Troop 336 reported he is an Eagle Scout candidate who will fabricate wood Decoy Dogs to repel geese at Greis Park.

P.H.-417 OCEAN
AVE, 3 & 9 MERTON
AVE. ADJOURNED
TO 6/18/12

It was moved by Trustee Becker, seconded by Trustee Beach to adjourn the Public Hearing for 417 Ocean Avenue, 3 & 9 Merton Avenue to the June 18, 2012 Board Meeting. Motion carried, all voting “Aye”.

RES.#136-12

P.H.-490 WHITEHALL
STREET –
SUBDIVISION

The Mayor opened a Public Hearing to consider the application of Michael and Denise Cacace, as contract vendee, for a subdivision of a lot located at and known by 490 Whitehall Street, owned by Leonard A. and Dina Spitale. John Markos, Esq. representing the applicant advised that the subject apportionment is approximately 3 square feet, which will transfer said 3 square feet of land from 478 Whitehall Street to 490 Whitehall Street, known as Section 49, Block 1, Lot 2G. Mayor Hendrick asked if anyone would like to comment, after no further comments, it was moved by Trustee Becker, seconded by Trustee Beach to close the hearing and approve the subdivision. Motion carried, all voting “Aye”. It was moved by Trustee Beach, seconded by Trustee Becker 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”.

RES.#137-12

It was moved by Trustee Beach, seconded by Trustee Hawxhurst that Bills listed on Abstract of Audited Voucher #18, General Fund - \$157,389.38, Capital Fund - \$37,615.00, Electronic Transfer - \$261,652.65, all be paid as soon as same have been duly audited by the majority. Motion carried, all voting “Aye”.

BILLS

RES.#138-12

RECESS

It was moved by Trustee Becker, seconded by Trustee Beach to recess the meeting to join the Mayor and Board of Trustees for refreshments. Motion carried, all voting “Aye”.

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2012/2013
TENTATIVE
BUDGET REVIEW –
BLDG. DEPT. & DPW

The Board continued review of the 2012/2013 Tentative Budget and discussed the budget proposals with the Building Department Superintendent and the Superintendent of Public Works.

ADJOURNMENT

It was moved by Trustee Beach, seconded by Trustee Hawxhurst to adjourn the meeting at 10:35 PM. Motion carried, all voting “Aye”.