

November 19, 2012

A regular meeting of the Board of Trustees of the Incorporated Village of Lynbrook was held on Monday, November 5, 2012 at 7:00 PM 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 Thomas Atkinson
Trustee Michael Hawxhurst
Village Administrator John Giordano
Village Attorney Peter Ledwith

SET DATE-P.H.-
SETTLEMENT-
POLICE CIVILIAN
UNIT

RES.#[356-12](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson to set the date of December 3, 2012 at 7:00 PM for a Public Legislative Hearing to consider a settlement between the Village and Civil Service Employees Assoc. Local 882 (Police Civilian Unit), with regard to their Collective Bargaining Agreement, which expired May 31, 2009. Motion carried, Trustee Becker absent all others voting ðAyeö.

SET DATE-P.H.-
SUB-DIVISION-
173 EARLE AVE

RES.#[357-12](#)

It was moved by Trustee Beach, seconded by Trustee Hawxhurst to set the date of December 17, 2012 for a Public Hearing to consider an application from RKG Building, Inc. for a sub-division for 173 Earle Avenue into three (3) parcels for three (3) new one (1) family homes. Motion carried, Trustee Becker absent, all others voting ðAyeö.

AMEND
RESOLUTION 6
BONDING

RES.#[358-12](#)

It was moved by Trustee Hawxhurst, seconded by Trustee Beach to correct Resolution #207-12 adopted on June 18, 2012 as follows: \$58,000 ó Acquisition of Fire Chief Vehicle ó October 2012 (not 2013) and \$101,000 ó Acquisition of Fire Department Equipment ó October 2012 (not 2013). Motion carried, Trustee Becker absent, all others voting ðAyeö.

PROPOSED
PILOT-443-449
SUNRISE HWY

RES.#[35912](#).

It was moved by Trustee Beach, seconded by Trustee Atkinson to ratify a Town of Hempstead Industrial Development Agency approval of a Payment in Lieu of Tax agreement with SLZM Realty/Zwanger & Persiri Radiology Group LLP, 443-449 Sunrise Highway that would net the Village the following payments in lieu of taxes:

Fiscal Year	Village Tax Amount
2013/14	\$17,141.00
2014/15	\$17,140.00
2015/16	\$17,140.00
2016/17	\$20,688.00
2017/18	\$21,722.00
2018/19	\$22,282.00
2019/20	\$22,842.00
2020/21	\$23,468.00
2021/22	\$24,113.00
2022/23	\$25,054.00

Motion carried, all voting ðAyeö.

November 19, 2012

P.H.-CHAP.222
TAXATION

RES.#[360-12](#)

The Mayor opened a Public Hearing to consider the enactment of a proposed Local Law to amend the Village Code, Chapter 222, entitled "Taxation", Section 222-32, sub-sections A & C, Authority for Tax Levy Limit Override, to provide that the 2013 real property taxation may exceed the tax levy limit set forth in General Municipal Law 3-c. Mayor Hendrick read the local law asked if anyone wished to speak. After no further comment, it was moved by Trustee Beach, seconded by Trustee Hawxhurst to adopt Local Law #9 of 2012. Motion carried, Trustee Becker absent, all others voting "Aye".

At this point Trustee Becker attended the meeting.

EXECUTIVE
SESSION

It was moved by Trustee Beach, seconded by Trustee Becker 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 Atkinson, seconded by Trustee Beach to reopen the regular meeting. Motion carried, all voting "Aye".

APPT.-
L.SCHILLING-
PARKING METER
SERVICER

RES.#[361-12](#)

It was moved by Trustee Becker, seconded by Trustee Beach to appoint DPW Laborer Larry Schilling as "Parking Meter Servicer" to replace retiring employee Jack Cuchel, for a six (6) month probationary period with the ability to reassign him as a Laborer at any time, and authorize the Superintendent of Public Works to sign a stipulation with the CSEA to reflect such terms. Motion carried, all voting "Aye".

NYS DOT
REPORT-
HIGHWAY
MILEAGE

RES.#[362-12](#)

It was moved by Trustee Becker, seconded by Trustee Beach to authorize the Superintendent of Public Works to amend the NYS Department of Transportation Annual Report of Highway Mileage from 39.3 miles to 39.98 center lane miles. Motion carried, all voting "Aye".

WAIVE METER
FEES-PF#10-
POSTAL TRUCKS

RES.#[363-12](#)

It was moved by Trustee Beach, seconded by Trustee Becker to waive parking meter fees in PF #10 for up to 15 US Postal Trucks displaced from East Rockaway and Island Park Post Offices, due to Hurricane Sandy. Motion carried, all voting "Aye".

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

MINUTES-11/5/12

RES.#[364-12](#)

It was moved by Trustee Beach, seconded by Trustee Becker to accept the Minutes of November 5, 2012 as submitted and place on file. Motion carried, all voting "Aye".

CHAMBER OF
COMMERCE
REPORT

President of the Chamber of Commerce William Gaylor gave a report on Chamber of Commerce activities.

DEPARTMENT
REPORTS
9/12

RES.#[365-12](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson to accept the following Department Reports for the month of September 2012: Fire Department, Police Department, Building Department, Library, Village Justice Court, Recreation, and Department of Public Work. Motion carried, all voting "Aye".

November 19, 2012

RES.-BUILDING
FEE WAIVER

RES.#366-12

It was moved by Trustee Becker, seconded by Trustee Beach to pass the following resolution for an Emergency Waiver of Building Permit Fees due to Hurricane Sandy:

WHEREAS, a severe storm, denominated as Hurricane Sandy, and a subsequent northeaster have recently struck Lynbrook causing heavy property damage to homes of Lynbrook residents and to business buildings, power outages, and disruption of public and other vital services; and

WHEREAS, the Mayor and Board have determined that the Village of Lynbrook should take every reasonable measure to assist residents and businesses within the Village legal authority; and

WHEREAS, many residents and businesses requires contract work to repair damages caused by said storms which work would require such residents and business owners to undertake the process of application for and payment for building permits at the Village Department of Buildings in order to accomplish said work, a process that can take considerable time and expense; and

WHEREAS, the Mayor and Board has determined that it would be beneficial to health, safety and general welfare of the residents and businesses and of the Village of Lynbrook that the Village provide all aid and assistance possible in this aspect of government in the most efficient manner,

NOW, THEREFORE, BE IT RESOLVED

- (1) That for the 90 day period following the date of this Resolution, the Building Department will not charge fees for permits for such repair and restoration work to homes and businesses within the Village as made necessary by said storms; and
- (2) That the Building Department is hereby instructed to expedite to the fullest extent possible the processing and issuance of building permits as well as the completion of necessary subsequent inspections so as to facilitate such repairs and restoration work.

Motion carried, all voting ðAyeö.

F.D. CHRISTMAS
RIDES

RES.#367-12

It was moved by Trustee Beach, seconded by Trustee Becker to grant permission to the Fire Council to offer rides for children in the Village on fire apparatus on Saturday, December 15, 2012 from 12 noon to 3:00 PM. Motion carried, all voting ðAyeö.

AUTHORIZE TO
SIGN GRANTö
RECYCLING
TRUCK

RES.#368-12

It was moved by Trustee Beach, seconded by Trustee Becker to pass a resolution authorizing the Mayor to sign all grant documents with the NYS Department of Environmental Conservation for 50% reimbursement funding for our purchase of a used split hopper recycling truck costing \$23,500. Motion carried, all voting ðAyeö.

November 19, 2012

BILLS

RES.#[369-12](#)

It was moved by Trustee Atkinson, seconded by Trustee Becker that Bills listed on Abstract of Audited Voucher #8, General Fund - \$299,026.23, Trust & Agency - \$30.00, Capital Fund - \$142,764.25, Electronic Transfer - \$280,575.51, Community Development - \$14,275.00, all be paid as soon as same have been duly audited by the majority. Motion carried, all voting ðAyeö

GOOD &
WELFARE

Mayor Hendrick asked if anyone wished to speak under Good & Welfare

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

ADJOURNMENT

It was moved by Trustee Atkinson, seconded by Trustee Hawxhurst to adjourn the meeting at 8:40 PM. Motion carried, all voting ðAyeö.