

June 17, 2013

A regular meeting of the Board of Trustees of the Incorporated Village of Lynbrook was held on Monday, June 17, 2013 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  
Village Administrator John Giordano  
Village Attorney Peter Ledwith

EXECUTIVE SESSION

It was moved by Trustee Beach, seconded by Trustee Atkinson to adjourn the meeting to open an executive session to discuss the discipline of a DPW employee due to failure to pass a random CDL drug test. Motion carried, all voting "Aye". It was moved by Trustee Beach, seconded by Trustee Atkinson to open an executive session to discuss the discipline of a DPW employee due to failure to pass a random CDL drug test. Motion carried, all voting "Aye". After no further discussion, it was moved by Trustee Beach, seconded by Trustee Atkinson to close 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".

DPW LABORER

**RES.#196-13**

It was moved by Trustee Hawxhurst, seconded by Trustee Becker to authorize Labor Counsel Ken Gray to serve disciplinary charges to a DPW MEO to effectuate termination of employment. Motion carried, all voting "Aye".

LIBRARY- NEW  
EMPLOYEES-HEALTH  
INSURANCE

**RES.#197-13**

It was moved by Trustee Hawxhurst, seconded by Trustee Atkinson to request the Library Board of Trustees to consider imposing a 10% employee health insurance contribution rate to all new employees hired after this date. Motion carried, all voting "Aye".

TRANSFER OF FUNDS  
LIBRARY

**RES.#198-13**

It was moved by Trustee Beach, seconded by Trustee Hawxhurst to transfer \$20,000 from Contingency Acct. #1990.0444 to Acct. #L9060.820 to partially finance unbudgeted costs for two (2) new Library employees requiring Health Insurance, and that remaining unbudgeted costs at year end financed by surplus funds from other Library line item accounts as later approved by the Board. Motion carried, all voting "Aye".

TRANSFER OF FUNDS

**RES.#199-13**

It was moved by Trustee Beach, seconded by Trustee Atkinson to approve the attached transfer of funds. Motion carried, all voting "Aye". It was moved by Trustee Beach, seconded by Trustee Atkinson to authorize the attached transfer of unexpended bond funds from the Capital Fund, to the Debt Service Reserve Fund. Motion carried, all voting "Aye". (See Exhibit A)

ALL ISLAND TAXI  
STAND

**RES.#200-13**

It was moved by Trustee Beach, seconded by Trustee Atkinson to table a request from All Island Taxi to establish a taxi stand on the north side of Sunrise Hwy. between Rocklyn Ave. & Ocean Ave. Motion carried, all voting "Aye".

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OVERNIGHT PARKING  
PERMITS PF#14-19

RES.#[201-13](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson to require Overnight Parking Permits from 7PM to 7AM Monday - Friday in PF # 15 – 18 on Peninsula Blvd. between Irwin Court & Lynbrook Avenue, and PF #14 between Hempstead Avenue and Irwin Court and PF #19 from Remsen Street and Lynbrook Avenue from midnight to 5AM Monday – Friday pursuant to Section 240-19.1A of the Code of the Village of Lynbrook. Motion carried, all voting “Aye”.

PUBLIC HEARING –  
SIDEWALK VIOLATIONS

RES.#[202-13](#)

It was moved by Trustee Atkinson, seconded by Trustee Beach to open a Public Hearing to consider the repair and construction of the attached list of sidewalk violations in the Village pursuant to Section 212.1 of the Village Code. Mayor Hendrick asked if anyone wished to comment, after no further comments heard, it was moved by Trustee Atkinson, seconded by Trustee Beach to close the Public Hearing and to authorize the Village to repair the sidewalks in violation, to assess the properties for such repair costs and adopt the attached resolution as written. Motion carried, all voting “Aye”.

PD RULES –  
AMENDMENTS

RES.#[203-13](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson to approve the attached changes to Article 8 of the Police Department Rules Manual (Exhibit B). Motion carried, all voting “Aye”.

EMPLOYEE/VOLUNTEER  
FIREFIGHTER  
RESPONSES POLICY

RES.#[204-13](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson to approve the attached Employee/Volunteer Firefighter Response Policy (Exhibit C). Motion carried, all voting “Aye”.

BID AWARD-DEBRIS  
REMOVAL

RES.#[205-13](#)

Supt. of Public Works Phil Healey advised that two (2) bids were received for Debris Removal on May 23, 2013 as follows:

Jamaica Ash & Rubbish Removal - \$186,720.  
Progressive Waste Solution of LI - \$248,862.

It was moved by Trustee Beach, seconded by Trustee Atkinson to award the bid to Jamaica Ash & Rubbish Removal as the low bidder. Motion carried, all voting “Aye”.

BID AWARD -  
2013/2014 STREETSCAPE  
REQUIREMENTS

RES.#[206-13](#)

Superintendent of Public Works Phil Healey advised that bids were received on May 23, 2013 for 2013/2014 Streetscape Requirements as follows:

Stasi Bros. Asphalt - \$98,600  
Frank Robustello & Son - \$98,260  
Gold Coast Pavers - \$134,300.00  
E. Cook Industries, Inc. - \$101,184.00

It was moved by Trustee Beach, seconded by Trustee Atkinson to award the bid to Frank Robustello & Son as the lowest bidder. Motion carried, all voting “Aye”.

REPLACEMENT-DPW  
DIESEL FUEL TANK  
PROJECT

RES.#[207-13](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson to authorize the installation of a replacement fuel inventory system for the DPW diesel fuel tank replacement project at a cost of not to exceed \$26,000. as provided by a Bond Resolution adopted on June 18, 2012. Motion carried, all voting “Aye”.

PURCHASE -N.C. TAX  
LIEN -158 MERRICK RD.

RES.#[208-13](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson to purchase Nassau County Tax Liens for Section 38, Block 94, Lot 106 known as 158 Merrick Road for \$16,213.32. Motion carried, all voting “Aye”.

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PURCHASE N.C. TAX  
LIEN-60 FOWLER AVE.

**RES.#[209-13](#)**

It was moved by Trustee Beach, seconded by Trustee Atkinson to purchase Nassau County Tax Liens for Section 37, Block 318, Lot 355, known as 60 Fowler Avenue for \$1,732.88 for Municipal purposes. Motion carried, Trustee Hawxhurst voting "Nay", all others voting "Aye".

ANNUAL REVIEW  
LEGAL SERVICE  
CONTRACTS

**RES.#[210-13](#)**

It was moved by Trustee Beach, seconded by Trustee Atkinson to accept a report prepared by the Village Administrator of Legal costs associated with various matters as of the end of 2013/2014. Motion carried, all voting "Aye".

The Mayor invited all those present for a continuance of the meeting in the conference room.

MINUTES-6/3/13

**RES.#[211-13](#)**

It was moved by Trustee Beach, seconded by Trustee Atkinson to accept the Minutes of June 3, 2013 as submitted and place on file. Motion carried, all voting "Aye". It was moved by Trustee Beach, seconded by Trustee Atkinson to change the January 14, 2013 Minutes Resolution #20-13 to read 224.50.C. Motion carried, all voting "Aye".

CHAMBER OF  
COMMERCE REPORT

Denise Rogers, President of the Chamber of Commerce gave an update of Chamber of Commerce activities. Jeff Greenfield, Chairman of the Mayor's Golf Outing thanked committee members for their assistance, and presented a check in the amount of \$6,500. to the Community Chest Committee from the proceeds of the Outing.

PROCLAMATIONS-  
TITANS GIRLS SELF  
DEFENSE TEAM

Mayor Hendrick presented Award Certificates to members of the Titans Girls Self Defense Team.

SET DATE- 7/15/13- P.H.-  
CHAP.185-PROPERTY  
MAINTENANCE

**RES.#[212-13](#)**

The Board reviewed proposed local law #7 of 2013. It was moved by Trustee Beach, seconded by Trustee Atkinson to set the date of July 15, 2013 for a Public Hearing to consider proposed Local Law #7 of 2013 to amend Chapter 185, entitled "Property Maintenance", Section 185-12 to add a new subsection 185-12.B (3)-(5) to enable the Village to remedy conditions and assess such costs to the property owner. 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".

P.H.-7/15/13-CHAP. 185-  
PROPERTY  
MAINTENANCE

**RES.#[213-13](#)**

The Board reviewed proposed Local Law #8 of 2013. It was moved by Trustee Beach, seconded by Trustee Atkinson to set the date of July 15, 2013 for a Public Hearing to consider the enactment of proposed Local Law #8 Chapter 185, "Property Maintenance", to consolidate chapters 107, 143, 170, 189, 200 and 236 into 185, and repeal same. 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".

VINEYARD CHURCH-  
PICNIC-9/7/13

**RES.#[214-13](#)**

It was moved by Trustee Beach, seconded by Trustee Atkinson to approve a request from Vineyard Church to hold their Summer's End Picnic on Saturday, September 7, 2013, and to waive any necessary permit fees. Motion carried, all voting "Aye".

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SWIM ACROSS  
AMERICA-8/17/13

**RES.#215-13**

It was moved by Trustee Beach, seconded by Trustee Atkinson to approve a request from to Swim Across America to use the pool facility at Greis Park on August 17, 2013. Motion carried, all voting "Aye".

TRIATHLON-FLY WITH  
OWLS-8/1/13

**RES.#216-13**

It was moved by Trustee Beach, seconded by Trustee Atkinson to approve a request from Fly with the Owls, Inc. to hold a Triathlon on August 1, 2013 at Greis Park and to waive any necessary permit fees. Motion carried, all voting "Aye".

BEAUTIFICATION  
AWARDS

Mayor Hendrick presented the following Beautification Awards: The Heinrich Family – 257 Earle Avenue – Northeast Quadrant; The Gaertner Family – 99 Central Avenue – Northwest Quadrant; Ellen & Joe Genna – 36 Raymond Avenue – Southeast Quadrant; Frank & Florence Orzo – 27 Piccadilly Downs – Southwest Quadrant; Il Luogo Ristroanti – 159 Sunrise Highway.

2013 WOMAN & MAN OF  
THE YEAR

Mayor Hendrick presented a Citation to Kathy Aprile Sci as the 2013 Woman of the Year and Walter Fitzner as 2013 Man of the Year.

BILLS

**RES.#217-13**

It was moved by Trustee Atkinson, seconded by Trustee Beach that Bills listed on Abstract of Audited Voucher #2, General Fund – \$736,165.84, Trust & Agency - \$2,239.72 and Capital Fund - \$210.24, all be paid as soon as same have been duly audited by the majority. Motion carried, all voting "Aye".

RECESS

It was moved by Trustee Beach, seconded by Trustee Atkinson to adjourn the meeting to the conference room after a 10 minute recess. Motion carried, all voting "Aye".

DISC-VILLAGE  
INSURANCE/EXECUTIVE  
SESSION

Insurance Consultant Jeff Greenfield discussed the efforts of Insurance Broker Salerno to secure renewals of the Villages Worker's Comp., Liability/Property policies, review various Claims, and provide risk management services. It was moved by Trustee Beach, seconded by Trustee Atkinson to adjourn the meeting to open an executive session to discuss the status of a workers compensation claim of a Police Officer. Motion carried, all voting "Aye". It was moved by Trustee Beach, seconded by Trustee Atkinson to open an executive session to discuss the status of a workers compensation claim of a Police Officer. Motion carried, all voting "Aye". After no further discussion, it was moved by Trustee Beach, seconded by Trustee Atkinson to close 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".

2013/2014  
LIABILITY/PROPERTY/W  
ORKERS COMP  
RENEWALS

**RES.#218-13**

It was moved by Trustee Atkinson, seconded by Trustee Beach to approve the State Insurance Fund and Volunteer Firefighters Insurance Services as the carrier's for Worker's Compensation Insurance; American Alternative Insurance Corp. as the Liability and Property Insurance carrier, ALL FOR 2013/2014 and to approve Salerno Brokerage as the Village Insurance Broker of Record and authorize the Village Administrator to sign their Annual Service Fee Agreement. Motion carried, Trustee Atkinson absent, all others voting "Aye".

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SET DATE – 7/2/13 – RE-  
HEARING-  
DISCONTINUANCE OF  
CENTRAL AVE.

**RES.#219-13**

It was moved by Trustee Beach, seconded by Trustee Hawxhurst to set the date for a Special Meeting and reopen a Public Hearing held on June 3, 2013 to consider the Discontinuance of part of Central Avenue, east of Hempstead Avenue, on Tuesday, July 2, 2013 at 7:00 P.M. Motion carried, Trustee Atkinson absent, all others voting “Aye”.

ADJOURNMENT

It was moved by Trustee Beach, seconded by Trustee Hawxhurst to adjourn the meeting at 9:28 P.M. Motion carried, Trustee Atkinson absent, all others voting “Aye”.