

December 16, 2013

A regular meeting of the Board of Trustees of the Incorporated Village of Lynbrook was held on Monday, December 16, 2013 at 7:00 P.M. in the Village Hall.

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 executive session to review applications for the positions of Court Clerk to fill the vacancy by the retirement of Margaret Skartsiaris on December 1, 2013, Deputy Clerk/Treasurer, and Detective Sergeant. Motion carried, all voting "Aye". It was moved by Trustee Beach, seconded by Trustee Atkinson to open an executive session to review applications for the positions of Court Clerk to fill the vacancy by the retirement of Margaret Skartsiaris on December 1, 2013, Deputy Clerk/Treasurer and Detective Sergeant. Motion carried, all voting "Aye". After a brief 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 open the regular meeting. Motion carried, all voting "Aye".

APPT.-J.DUBON-
COURT CLERK

RES.#[362-13](#)

The Mayor appointed Account Clerk Jackie DuBon as "Clerk to the Village Justice" to fill the unexpired term of Margaret Skartsiaris ending April 7, 2014. It was moved by Trustee Beach, seconded by Trustee Atkinson to ratify the Mayors appointment of Jackie DuBon as "Clerk to the Village Justice", subject to the approval of the Nassau County Civil Service Commission, at a salary of \$50,000 per year, and to furthermore grant her request for a 2 year leave of absence from her title of Account Clerk. Motion carried, all voting "Aye".

POLICE DEPT.
PROMOTIONS

RES.#[364-13](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson to approve the following Police Department promotions: Sgt. James Dillon to rank of Det. Sergeant; Detective William Straub to Det. Sergeant; and Police Officer Robert Hart to Sergeant, in accordance with the terms of the PBA Agreement and with the intention of not to maintain Det. Sergeant Straub Detective Sergeant position after his retirement. Motion carried, all voting "Aye".

NEW HIRES – PD
CIVILIANS

RES.#[365-13](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson to approve the following new civilian hires in the Police Department:

Karen Rivera – Crossing Guard - \$14.00 per hour –effective-5-14-13
Lillian Occhipinti – Neighborhood Aide - \$11.33-effective-10-21-13
George Schuchman – Neighborhood Aide - \$11.33-effective-9-9-13
Kelly Tanza – Crossing Guard - \$14.00-effective-10-2-13
Elizabeth Kast – Crossing Guard - \$14.00-effective-10-2-13
Jamie Thompson – Neighborhood Aide – effective-10-18-13
Nancy Lella – Crossing Guard - \$14.00-effective-11-20-13

Motion carried, all voting "Aye".

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JUSTICE COURT
STAFFING

RES.#[365-13](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson to authorize the Mayor to sign an Agreement to retain the contractual services of Mary Ann Hughes and Carmela Wentz to consult in the Court Clerks' Office until January 30, 2014 as per retainer. Motion carried, all voting "Aye".

SURPLUS DPW
VEHICLES &
EQUIPMENT

RES.#[366-13](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson to declare the following equipment as surplus and approve its sale or disposal:

1975 International truck chassis only – Vin#D10323CA22652
1981 International Truck – Vin#1HTAA1729B27757
1984 GMC Truck – Vin#1GDM7DB2EV511994
Sharp ARM277 Serial #46426
Three (3) HP Laser Jet Printers, Serial #CNR2R03459; CNJ1R97349; and USBB166510

Motion carried, all voting "Aye".

SURPLUS
LIBRARY
RECORDS

RES.#[367-13](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson to dispose of the following documents: Library Circulation sheets from 1992 – 1996 and cash receipt books from 1981 – 1999, as per records retention schedule promulgated by the NYS Archives and Records Administration Motion carried, all voting "Aye".

WAIVE BLDG
PERMIT FEE-
VULCAN CO.

RES.#[368-13](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson to waive the Building Permit fee for Vulcan Chemical & Hose Company at 216 Denton Avenue to replace the main rooftop HVAC system. Motion carried, all voting "Aye".

PUBLIC HEARING
– SIDEWALK
VIOLATIONS

RES.#[369-13](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson 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 Beach, seconded by Trustee Atkinson 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". (Exhibit A)

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

MINUTES-11/18/13

RES.#[370-13](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson to accept the Minutes of November 18, 2013 as submitted and place on file. 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.

F.D. REQUESTS

RES.#[371-13](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson to authorize the Fire Department: Use of F.D. bus for members of Hose Co. #1 –Annual trip to New York City-1/3/14; Use of F.D. bus for member of Jr. F.D. –Annual trip to New York-1/5/14;F. D. host Community Concert – Fund raiser event for the N.C. Fire Fighters Operation Wounded Warrior Project to be held at the Earle Avenue Firehouse on Saturday, September 20, 2014 from 4PM – 11PM, and to close all traffic on Earle Avenue between Merrick Road and St. James Place. Motion carried, all voting "Aye".

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GIRL SCOUTS –
SELL COOKIES-
VILLAGE WALK
THRU

RES.#[372-13](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson to authorize the Girl Scouts to use the Village walk thru on Atlantic Avenue to sell Girl Scout cookies from 10AM – 12 noon on Saturdays, February 8th and March 8, 2014. Motion carried, all voting “Aye”.

BILLS

RES.#[373-13](#)

It was moved by Trustee Atkinson, seconded by Trustee Beach that Bills listed on Abstract of Audited Voucher #10, General Fund - \$3,029,693.10; Trust & Agency - \$3,720.97; Capital Fund - \$96,211.76; Electronic Transfer - \$285,716.22, Community Development - \$3,116.00, all be paid as soon as same have been duly audited by the majority. Motion carried, all voting “Aye”.

GOOD & WELFARE

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

EXECUTIVE
SESSION

It was moved by Trustee Beach, seconded by Trustee Atkinson to adjourn the meeting to executive session to review applications for the position of Deputy Clerk Treasurer. Motion carried, all voting “Aye”. It was moved by Trustee Beach, seconded by Trustee Atkinson to open an executive session to review applications for the position of Deputy Clerk Treasurer. Motion carried, all voting “Aye”. After a brief 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 open the regular meeting. Motion carried, all voting “Aye”.

APPT.-N. DESAI-
DEPUTY CLERK
TREASURER

RES.#[374-13](#)

The Mayor appointed Nancy Desai as Deputy Clerk Treasurer to fill the unexpired term of Helen Lanza ending April 7, 2014. It was moved by Trustee Becker, seconded by Trustee Hawxhurst to ratify Nancy Desai as Deputy Clerk Treasurer, subject to the approval of the Nassau County Civil Service Commission. Motion carried, all voting “Aye”. It was moved by Trustee Hawxhurst, seconded by Trustee Atkinson to authorize a salary of \$87,500 for the Deputy Clerk Treasurer. Motion carried, Trustee Beach abstained, all others voting “Aye”.

SET DATE – P.H.-
1/13/14 - TAX LEVY

RES.#[375-13](#)

The Board reviewed proposed Local Law #1 of 2014. It was moved by Trustee Beach, seconded by Trustee Atkinson to set the date of January 13, 2014 for a Public Hearing to consider the enactment of proposed Local Law #1 of 2014 to amend Chapter 222 (Taxation) with respect to Article VII (Authority for Tax Levy Limit Override) to provide that the 2014 Real Property taxation may exceed the tax levy limit set forth in General Municipal Law 3-c. Motion carried, all voting “Aye”.

SET DATE – P.H.-
1/13/14 –CHAPTER
59-
ADMINISTRATIVE
SEARCH
WARRANT

RES.#[376-13](#)

The Board reviewed proposed Local Law#2 of 2014. It was moved by Trustee Beach, seconded by Trustee Atkinson to set the date of January 13, 2014 for a Public Hearing to consider the enactment of proposed Local Law #2 of 2014 at 7:00 P.M. to amend Chapter 59, to create a new sub-section entitled “Administrative Search Warrants”. 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.-
1/13/14-CHAP.25

RES.#[378-13](#)

The Board reviewed proposed Local Law #4 of 2014. It was moved by Trustee Beach, seconded by Trustee Atkinson to set the date of January 13, 2014 at 7:00 P.M. for a Public Hearing to consider the enactment of proposed Local Law #4 of 2014 to amend Chapter 25 Defense & Indemnification of Employees to create a new section requiring applicants for employment and/or promotions to have a fingerprint test performed.

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 –
1/13/14-CHAP.203
SIGNS

RES.#[379-13](#)

The Board reviewed proposed Local Law #5 of 2014. It was moved by Trustee Beach, seconded by Trustee Atkinson to set the date of January 13, 2014 at 7:00 P.M. for a Public Hearing to consider the enactment of proposed Local Law #5 of 2014 to amend Chapter 203 Signs, Section 203-4 Prohibited Signs to require a flashing sign to not change its message in less than seven (7) seconds. 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 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.-1/13/14-
REZONING-733
SUNRISE HWY.

RES.#[380-13](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson to set the date of January 13, 2014 at 7:00 P.M. for a Public Hearing to consider an application submitted by 733 Sunrise Realty LLC for the rezoning of part of 733 Sunrise Highway, Section 30, Block 1, Lot 2F from Residential “C”, to “Commercial”. Motion carried, all voting “Aye”.

RENEWAL-
ROLLER HOCKEY
LEASE-TABLED

RES.#[381-13](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson to table the renewal of the Lease with Lynbrook Roller Hockey League to the January 27, 2014 meeting. Motion carried, all voting “Aye”.

POLICE DEPT.
ACCREDITATION

RES.#[382-13](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson to table the discussion on a proposal to defer the filing of an application for Accreditation of the Police Department with the NYS Department of Criminal Justice Service, to the January 27, 2014 meeting. Motion carried, all voting “Aye”.

LICENSE
AGREEMENT -
LIRR &
LYNBROOK

RES.#[383-13](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson to table ratification of the Mayor signing a License Agreement between the Long Island Railroad Co. (LIRR) and the Village of Lynbrook to permit the Village to administer the issuance of parking permits for 233 on grade LIRR owned parking spaces under the LIRR Trestle, pursuant to the terms of said Agreement for a 10 year period. Motion carried, all voting “Aye”.

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PHASE I-
ENVIRONMENTAL
REPORT-158
MERRICK RD.

RES.#[384-13](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson to authorize the Village Attorney to obtain a Phase I Environmental Report for 158 Merrick Road in relation to the Village tax foreclosure action to acquire the property. Motion carried, all voting “Aye”.

ADJOURNMENT

It was moved by Trustee Beach, seconded by Trustee Atkinson to adjourn the meeting at 9:55 P.M. Motion carried, all voting “Aye”.