

May 6, 2013

A regular meeting of the Board of Trustees of the Incorporated Village of Lynbrook was held on Monday, May 6, 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 Michael Hawxhurst
Trustee Thomas Atkinson
Village Administrator John Giordano
Village Attorney Peter Ledwith

Absent: Trustee Hilary Becker

EXECUTIVE
SESSION

RES.#[147-13](#)

It was moved by Trustee Atkinson, seconded by Trustee Beach to adjourn the meeting to open an executive session to discuss attorney client matters with Village Attorney Peter Ledwith. 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 with Village Attorney Peter Ledwith. 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 Atkinson, seconded by Trustee Beach to reopen the regular meeting. Motion carried, all voting "Aye".

BID AWARD – 2013
SPARTAN ERV
1500 GALLON
PUMPER – HOSE
CO.

RES.#[148-13](#)

The Village Administrator reported that of the six potential bidders, one was submitted on April 25, 2013 for the acquisition of a 1500 GPM Fire Pumper Truck as follows:

Hendrickson Fire Rescue Equipment - 2013 Spartan ERV 1500
Bid Price - \$621,199
\$27,000 -Trade-In
\$4,085 -Chassis Pre-pay

It was moved by Trustee Beach, seconded by Trustee Atkinson to approve the bid from Hendrickson Fire Rescue Equipment as recommended by a Committee from Hose Co., authorize the trade in of the 1992 Pierce Pumper Vin.#4P1CT02D3NA000703, and to authorize the Mayor sign the contract in the amount of \$590,114.00, such costs to be financed by a Bond authorized on June 18, 2012. Motion carried, all voting "Aye".

EXECUTIVE
SESSION

RES.#[149-13](#)

It was moved by Trustee Atkinson, seconded by Trustee Beach to adjourn the meeting to open an executive session to discuss attorney client matters with the Special Counsel Jack Libert. 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 with the Special Counsel Jack Libert. 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 Atkinson, seconded by Trustee Beach to reopen the regular meeting. Motion carried, all voting "Aye".

TAXI RENEWAL
LICENSES

RES.#[150-13](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson to approve the renewal of seven (7) Taxi vehicles licenses for Village Car Service and twenty (20) for All Island Taxi. Motion carried, all voting "Aye". It was moved by Trustee Beach, seconded by Trustee Hawxhurst to table a request from All Island Taxi to establish a Taxi Stand at various locations, subject to review and recommendation by the Police Chief. Motion carried, all voting "Aye".

May 6, 2013

PRE-PROM &
POST-PROM
PARTY

RES.#[151-13](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson to authorize the Chamber of Commerce to conduct their annual pre-prom event on Atlantic Avenue on June 20, 2013 from 5:00 PM to 6:30 PM from Stauderman Avenue to Merrick Road and the post-prom breakfast on June 21, 2013 at the Lynbrook Pool at 3:30 AM as requested by Fly with the Owls, subject to submission of a Certificate of Insurance naming the Village as additional insured and payment of any Lifeguard salaries. Motion carried, all voting "Aye".

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

MUNICIPAL
CLERKS' WEEK

Mayor Hendrick presented a Proclamation to Village Clerk John Giordano proclaiming May 5th – May 11th, 2013 as Municipal Clerk's Week.

PROC.-SR. CITIZEN
MONTH

Mayor Hendrick presented a Proclamation to Josephine Byington proclaiming May 2013 as Senior Citizen Month.

MINUTES-4/8 &
4/15/13
RES.#[152-13](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson to approve the Minutes of April 8 & 15, 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.

CHAMBER OF
COMMERCE CAR
SHOW

RES.#[153-13](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson to grant permission to the Chamber of Commerce to hold their annual car shows in parking field #20 from 6PM to 9PM starting Thursday, June 6, 2013 and running to August 29, 2013, except for June 20th as determined by the Police Chief, and July 4, 2013. Motion carried, all voting "Aye".

MEDICAL CO.-
ANNUAL TRIP TO
CHINA TOWN
RES.#[154-13](#)

It was moved by Trustee Beach, seconded by Trustee Becker to approve the following requests from the Fire Department for members of Emergency Medical Company to use the Fire Department Bus 420-B for their annual trip to Manhattan on Monday, May 6, 2013. Motion carried, all voting "Aye".

RESCUE, HOOK,
LADDER &
BUCKET CO.-USE
OF F.D. BUS

RES.#[155-13](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson to grant permission for the members of Rescue, Hook, Ladder & Bucket Company No. 1 to use the Fire Department Bus 420-B, to transport members and their guests to Manhattan for their annual installation dinner on May 25, 2013. Motion carried, all voting "Aye".

ENGINE CO. NO.1
USE OF FIRE
POLICE VEHICLE
RES.#[156-13](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson to grant permission to member of Engine Company No. 1 to use the Fire Police Vehicle 426-1 to transport equipment to a fund raising event in Mt. Pocono, Pennsylvania on June 13 – June 15, 2013. Motion carried, all voting "Aye".

P.H.-CHAP.130-
FLOOD DAMAGE
PROTECTION

RES.#[157-13](#)

It was moved by Trustee Atkinson, seconded by Trustee Beach to open a Public Hearing to consider the enactment of proposed Local Law #5 of 2013 to amend the Code of the Village of Lynbrook, Chapter 130, entitled "Flood Damage Protection", Section 130-6, to recognize that the Federal Emergency Management Agency updated their Flood Insurance Rate Map. Mayor Hendrick read the 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 Hearing and enact Local Law #4 of 2013. 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.252-
APPT. OF
MEMBERS

RES.#158-13

It was moved by Trustee Beach, seconded by Trustee Atkinson to open a Public Hearing to consider the enactment of proposed Local Law #5 of 2013 amending the Code of the Village of Lynbrook, Chapter 252 Zoning, Section 252-114 entitled "Appointment of Members". Mayor Hendrick read the local law and indicated that the intent of the Law is to enable the Board of Trustees to increase its appointments of Alternate Members of the Board of Zoning Appeals from two (2) to three (3) members. The Mayor asked if anyone wished to speak. After no further comments, it was moved by Trustee Beach, seconded by Trustee Atkinson to enact Local Law #5 of 2013. 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.-CHAP.6
ALTERNATE
MEMBERS

RES.#159-13

It was moved by Trustee Atkinson, seconded by Trustee Beach to open a Public Hearing to consider the enactment of proposed Local Law #6 of 2013 to amend the Code of the Village of Lynbrook, Chapter 6, Architectural Review Board, Section 6-2, entitled "Creation of Board" to add the authority for the appointment of a third alternate member to the Board. Mayor Hendrick read the local law and indicated that the intent of the local law is to allow the Board of Trustees to increase its appointment of Alternate Members of the Architectural Review Board from two (2) to three (3) members. The Mayor asked if anyone wished to speak. After no further comments, it was moved by Trustee Beach, seconded by Trustee Atkinson to adopt Local Law #6 of 2013. 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".

PUBLIC HEAIRNG
- 881 SUNRISE
HWY.

RES.#160-13

Mayor Hendrick opened a Public Hearing to consider a request from Serota Brothers to repeal and vacatur a provision of Declaration of Covenants and Restrictions imposed by the Village on December 2, 1986 on real property described at 881 Sunrise Highway, Section 25, Block 4, Lots 5 & 6. Albert D'Agostino, Esq. representing the applicant requested that the Covenants and Restrictions imposed by the Village restricting the premises to be used as a furniture store, be modified to allow "Office Use". Mr. D'Agostino indicated that the proposed Office use and employee traffic would be consistent with the area. Charles Serota, owner, indicated that office use would not generate any retail traffic, and that offices do not generally operate on Saturdays and Sundays. Mayor Hendrick asked if anyone wished to comment. After no one wishing to comment, it was moved by Trustee Beach, seconded by Trustee Atkinson to approve the modification of restrictions to allow the premises to be used for Office Use. Motion carried, all voting "Aye". It was moved by Trustee Becker, 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".

RENEWAL OF FIRE
ALARM
MAITENANCE
CONTRACT
RES.#161-13

It was moved by Trustee Beach, seconded by Trustee Atkinson to renew the Fire Alarm Maintenance Contract with All Service Controls Corp. for the term June 1, 2013 to May 31, 2014. Motion carried, all voting "Aye".

May 6, 2013

RECYCLING
TRUCK GRANT

RES.#162-13

It was moved by Trustee Beach, seconded by Trustee Atkinson to modify Resolution #368-12 by 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 \$35,000. Motion carried, all voting "Aye"

BILLS

RES.#163-13

It was moved by Trustee Atkinson, seconded by Trustee Becker that Bills listed on Abstract of Audited Voucher #18, General Fund - \$249,691.53, Trust & Agency - \$7,000.00, Capital Fund - \$2,821.70, Electronic Transfer - \$274,023.65, 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.

CHAMBER OF
COMMERCE
STREET FAIR

RES.#164-13

It was moved by Trustee Beach, seconded by Trustee Atkinson to grant permission to the Chamber of Commerce to hold their annual Street Fair on Sunday, June 30, 2013 from 8AM to 5PM on Atlantic Avenue, from Merrick Road to Stauderman Avenue. Motion carried, all voting "Aye".

It was moved by Trustee Beach, seconded by Trustee Atkinson to continue the meeting in the conference room. Motion carried, all voting "Aye".

REQUEST - KVS
SEMINAR

RES.#165-13

It was moved by Trustee Beach, seconded by Trustee Atkinson to grant permission for Village employees Krislyn Roberts and Darlene Dicaro to attend the biennial financial training sessions offered by KVS Software on July 22 - 24, 2013 in Buffalo, NY. Motion carried, all voting "Aye".

TRANSFER OF
FUNDS

RES.#166-13

It was moved by Trustee Beach, seconded by Trustee Atkinson to approve the attached transfer of funds. (Exhibit A) Motion carried, all voting "Aye".

MERRICK ROAD
BUS SHELTER

It was moved by Trustee Beach, seconded by Trustee Atkinson to authorize the Village Administrator to request the Nassau County Department of Planning to remove the damaged bus shelter on the south side of Merrick Road, just east of Atlantic Avenue. Motion carried, all voting "Aye".

APPT.-
M.HOESSEL-
ALTERNATE
MEMBER ARB
RES.#167-13

It was moved by Trustee Beach, seconded by Trustee Atkinson to appoint MaryAnn Hoessel as an Alternate Member of the Architectural Board of Review. Motion carried, all voting "Aye".

SET DATE-P.H.-
DISCONTINUANCE
OF CENTRAL AVE.

RES.#168-13

It was moved by Trustee Beach, seconded by Trustee Atkinson to set the date of June 3, 2013 at 7:00 P.M. for a Public Hearing to consider the discontinuance of part of Central Avenue, east of Hempstead Avenue, pursuant to Section 6-614 of NYS Village Law. 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".

ST. ANTHONY'S
FEAST & WAIVER
OF SIGN PERMIT

RES.#169-13

It was moved by Trustee Beach, seconded by Trustee Atkinson to waive the sign permit fees for St. Anthony's Italian Benevolent Society for their Annual Feast to be held on June 23, 2013 at Greis Park for signs to be posted on the northwest corner of Sunrise Highway & Horton Avenue, southeast corner of Peninsula Blvd. & Ocean Ave, and northeast corner of Sunrise Highway & Ocean Avenue. Motion carried, all voting "Aye".

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CANCEL MAY 20TH
BD. MTG.

It was moved by Trustee Beach, seconded by Trustee Atkinson to cancel the May 20, 2013 Board Meeting due to the scheduling of Lynbrook Night at Citifield Stadium/Spirit Awards. Motion carried, all voting "Aye".

RES.#170-13

PARKING
METERS-2 HRS-
MERRICK RD.-
BETWEEN EARLE
& DENTON

It was moved by Trustee Beach, seconded by Trustee Atkinson to limit parking in parking meter zones on the north and south side of Merrick Road between Earle Avenue and Denton Avenue to two (2) hours, pursuant to Section 240-42 of the Code of the Village of Lynbrook. Motion carried, all voting "Aye".

RES.#171-13

WARRANT TO
TAX COLLECTOR

It was moved by Trustee Beach, seconded by Trustee Atkinson to issue a Warrant to the Village Clerk/Tax Collector for the collection of the 2013/2014 Real Property Taxes (See Exhibit B) pursuant to Section 1426 of the Real Property Tax Law. Motion carried, all voting "Aye".

RES.#172-13

ADJOURNMENT

It was moved by Trustee Beach, seconded by Trustee Atkinson to adjourn the meeting at 9:45 PM. Motion carried, all voting "Aye"