

November 17, 2014

A regular meeting of the Board of Trustees of the Incorporated Village of Lynbrook was held on Monday, November 17, 2014 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

RESCHEDULE-12/1/14
BD, MTG. TO 12/15/14

RES.#[430-14](#)

It was moved by Trustee Hawxhurst, seconded by Trustee Atkinson, to reschedule the December 1, 2014 Board Meeting to December 15, 2014 at 6:30 P.M. Motion carried, all voting "Aye."

SAPERSTEIN PLAZA
METERS

RES.#[431-14](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson, to amend Section 240-22 of the Village Vehicle & Traffic Code to amend the existing two (2) hour parking limits on the north side of Saperstein Plaza, west of the westerly curb line of Broadway for the first six parking spaces, to 12 hour meters. Motion carried, all voting "Aye."

AMEND
PROCUREMENT
POLICY

RES.#[432-14](#)

It was moved by Trustee Beach, seconded by Trustee Becker, to amend the Procurement Policy as recommended by the Village Auditors. Motion carried, all voting "Aye." (Exhibit A)

CANCEL PAY PHONE IN
PD

RES.#[433-14](#)

It was moved by Trustee Becker, seconded by Trustee Atkinson, to cancel the lease with PTS for the pay phone in the Police Department lobby. Motion carried, all voting "Aye."

CANCEL QUENCH
LEASE

RES.#[434-14](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson, to cancel the existing lease with Quench for five (5) hot/cold water dispensers, and authorize the purchase of equivalent units in lieu of. Motion carried, all voting "Aye."

SALE OF MICROFILM
READER

RES.#[435-14](#)

It was moved by Trustee Becker, seconded by Trustee Hawxhurst, to authorize the sale of the Minolta Microfilm Reader, Model #MS6000 and printer in the amount of \$1,500.00 to the Green County Historical Society. Motion carried, all voting "Aye."

POSTAL METER LEASE
RENEWAL

RES.#[436-14](#)

It was moved by Trustee Becker, seconded by Trustee Beach, to renew the Postal Meter Lease with Neopost in the amount of \$2,260. 00 per year for three years. Motion carried, all voting "Aye."

REGAL THEATRE
REDEVELOPMENT

RES.#[437-14](#)

It was moved by Trustee Hawxhurst, seconded by Trustee Becker, to authorize the Mayor to sign a contract amendment with VHB Engineering to continue their SEQRA/ Site Plan review services for the proposed Regal Theatre redevelopment project at 321 Merrick Road, and to request the applicant, Blumenthal Development Group, to deposit an additional \$25,000 in escrow to the Village to finance said costs. Motion carried, all voting "Aye."

TELECOMMUNICATION
BILL AUDIT-SPY GLASS

RES.#[438-14](#)

It was moved by Trustee Becker, seconded by Trustee Beach, to authorize the Mayor to sign a Contract with Spy Glass to perform an audit of telecommunication bills as per commission retainer of not to exceed 35%. Motion carried, all voting "Aye."

November 17,2014

FILING OF 2013/2014
AUDIT

RES.#[439-14](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson, to approve the Village Administrators Management Response Letter for the Villages 2013/2014 Financial Report. Motion carried, all voting "Aye."

PUBLIC HEAIRNG –
SIDEWALK
VIOLATIONS

RES.#[440-14](#)

It was moved by Trustee Hawxhust, 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 Becker, 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 B attached)

PUBLIC HEAIRNG-
L.L.#18 OF 2014-TOW
VEHICLES

RES.#[441-14](#)

It was moved by Trustee Becker, seconded by Trustee Atkinson, to open a continuation of a Public Hearing to consider the enactment of proposed Local Law #18 of 2014 to amend the Village Code, Chapter 231 entitled "Tow Vehicles" subsection 26(G), to require tow companies to obtain a Special Use Permit prior to immobilizing or "boot" parked vehicles on private property and require an owner of a parking lot to post effecting warnings prior to immobilizing unauthorized parked vehicles. Motion carried, all voting "Aye." The Mayor read the proposed Law and asked for comments. After a brief discussion, and no further comments, it was moved by Trustee Beach, seconded by Trustee Atkinson, to close the Public Hearing and enact Local Law #18 of 2014. Motion carried, all voting "Aye."

PUBLIC HEARING-
L.L.#19 OF 2014-
CHAP.113-ELECTRONIC
CIGARETTES AND
HOOKAHS

RES.#[442-14](#)

It was moved by Trustee Hawxhurst, seconded by Trustee Atkinson, to open a continuation of a Public Hearing to consider the enactment of proposed Local Law #19 of 2014 to amend the Village Code Chapter 113, "Electronic Cigarettes and Hookah," to provide for the prohibition of smoking of a hookah in any public place. The Mayor read the proposed Local Law and asked for comments. After a brief discussion, and no further comments, it was moved by Trustee Becker, seconded by Trustee Atkinson, to close the Public Hearing and enact Local Law #19 of 2014. Motion carried, all voting "Aye."

PUBLIC HEARING-
L.L.#20 OF 2014-
CHAP.151-LICENSING
OF GARDENERS &
LANDSCAPERS

RES.#[443-14](#)

It was moved by Trustee Becker, seconded by Trustee Hawxhurst, to open a continuation of a Public Hearing to consider the enactment of proposed Local Law #20 of 2014 to amend the Village Code, Chapter 151, "Licensing of Gardeners and Landscapers" to prohibit the operation of any power equipment for landscaping or gardening on Sundays by licensed landscapers. The Mayor read the proposed Local Law and asked for comments. After a brief discussion, and no further comments, it was moved by Trustee Becker, seconded by Trustee Atkinson, to close the Public Hearing and to enact Local Law #20 of 2014, effective March 1, 2015. Motion carried, all voting "Aye."

PUBLIC HEARING-LL
#21 OF 2014 – CHAP.175,
PEACE & GOOD ORDER

RES.#[444-14](#)

It was moved by Trustee Beach, seconded by Trustee Becker, to open a continuation of a Public Hearing to consider the enactment of proposed Local Law #21 of 2014 to amend the Village Code, Chapter 175, "Peace and Good Order" to prohibit the use of power lawnmowers and other power gardening equipment before 10AM on Sundays. The Mayor read the proposed Local Law and asked for comments. After a brief discussion, and no further comments, it was moved by Trustee Becker, seconded by Trustee Atkinson, to close the Public Hearing and to enact Local Law #21 of 2014. Motion carried, all voting "Aye."

November 17, 2014

ENGAGE COUNSEL-
CALANDRELLA
v.VILLAGE

RES.#[445-14](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson, to engage Special Counsel, Jack Libert to represent the Village in the matter of Article 78 Petition that was filed by Dominic Calandrella of Body Works, 1676 Rockaway Avenue, regarding a Zoning Code restriction. Motion carried, all voting "Aye."

DEMOLISH-35 WOOD
STREET

RES.#[446-14](#)

It was moved by Trustee Atkinson, seconded by Trustee Hawxhurst, table an application from RKG Building, Inc. to demolish the one family residence located at 35 Wood Street, and to keep the existing two (2) car garage on said lot to accommodate a new one family residence, pending submission of a color rendering of the new residence. Motion carried, all voting "Aye."

EXECUTIVE SESSION

It was moved by Trustee Becker, seconded by Trustee Atkinson, to adjourn the meeting to open an Executive Session to discuss disciplinary charges against a School Crossing Guard. Motion carried, all voting "Aye." It was moved by Trustee Becker, seconded by Trustee Atkinson, to open an Executive Session to discuss disciplinary charges against a School Crossing Guard. Motion carried, all voting "Aye." After a lengthy discussion, it was moved by Trustee Becker, seconded by Trustee Atkinson, to adjourn the Executive Session. Motion carried, all voting "Aye." It was moved by Trustee Becker, seconded by Trustee Atkinson, to open the regular meeting. Motion carried, all voting "Aye."

TERMINATION-
CROSSING GUARD-
WILLIAM MONTANEZ

RES.#[447-14](#)

It was moved by Trustee Beach, seconded by Trustee Becker, to adopt the Hearing Officers Section 75 Hearing decision to terminate School Crossing Guard William Montanez. Motion carried, Trustee Atkinson abstained, all others voting "Aye."

CHANGE ORDER-
ROBUSTELLO -MERRICK
ROAD

RES.#[448-14](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson, to authorize a Change Order with Robustello & Son to install brick between the sidewalk and curb on Merrick Road in front of North Middle School at a cost of approximately \$8,500.00, such expense to be paid from Community Development Funds. Motion carried, all voting "Aye."

HIRE-R. PERNICE-
TEMPORARY CLERK
SUBSTITUTE

RES.#[449-14](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson, to hire Rosemarie Pernice as a "Temporary Clerk Substitute" in the Village Clerks Office to fill a vacancy cause by the resignation of Mary Ellen Hillman, at a rate of \$20.00 per hour, until the completion of the Deputy Clerk/Treasurers maternity leave. Motion carried, all voting "Aye."

Mayor Hendrick invited all those present for a continuation of the meeting in the Court Room.

MINUTES-11/3/14

RES.#[450-14](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson, to accept the Minutes of November 3, 2014 as submitted and place on file. Motion carried, all voting "Aye."

CHAMBER OF
COMMERCE REPORT

Denise Rogers, President of the Chamber of Commerce, reported on Chamber of Commerce activities.

CONTRIBUTION-
COMMUNITY CHEST

Laura Ryder, Chairperson of the Community Chest Committee, gave thanks for the contribution made from part of the proceeds of the 2014 Mayors Golf Outting.

DEPARTMENT
REPORTS-9/14

It was moved by Trustee Beach, seconded by Trustee Atkinson, to accept the following Department Reports for the month of September 2014 as submitted: Department of Public Works, Library, Recreation, Fire Dept. Building Department and Police Department. Motion carried, all voting "Aye."

November 17, 2014

AWARD
CERTIFICATES-
LYNBROOK TITANS

Mayor Hendrick presented Award Certificates to the Lynbrook Titans' Football Team and Cheerleading Squad.

BILLS

RES.#[451-14](#)

It was moved by Trustee Atkinson, seconded by Trustee Hawxhurst, that Bills listed on Abstract of Audited Voucher #8, General Fund - \$188,421.28, Trust & Agency - \$30,300.00, Capital Fund - \$451.92, all be paid as soon as same have been duly audited by the majority. Motion carried, all voting "Aye."

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

ADJOURNMENT

It was moved by Trustee Becker, seconded by Trustee Atkinson, to adjourn the meeting at 9:25 P.M. Motion carried, all voting "Aye."