

October 6, 2014

A regular meeting of the Board of Trustees of the Incorporated Village of Lynbrook was held on Monday, October 6, 2014 at 6:30 P.M. in the Village Hall.

Present: Mayor William Hendrick
Trustee Alan Beach
Trustee Michael Hawxhurst
Trustee Thomas Atkinson
Trustee Hilary Becker
Village Administrator John Giordano
Village Attorney Peter Ledwith

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 an employee in the Village Justice Court. Motion carried, all voting "Aye." It was moved by Trustee Beach, seconded by Trustee Atkinson, to open an Executive Session, to discuss disciplinary charges against an employee in the Village Justice Court. 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 Beach, seconded by Trustee Atkinson, to open the regular meeting. Motion carried, all voting "Aye."

AMEND SCHOOL
SPEED ZONE-N.
MIDDLE SCHOOL
RES.#[367-14](#)

It was moved by Trustee Beach, seconded by Trustee Becker, to deny a request from the County of Nassau to amend the 7AM to 4PM school speed limit zone in front of North Jr. High School on Merrick Road from 7:00 AM to 6:00 PM. Motion carried, all voting "Aye."

2014 SANITATION
COLLECTION
RATES-TABLED
RES.#[368-14](#)

It was moved by Trustee Becker, seconded by Trustee Atkinson, to table discussion on amending Sanitation Collection Rates for 2014 to the October 20, 2014 meeting. Motion carried, all voting "Aye."

RESCHEDULE
VILLAGE
ELECTION-3-18-15
RES.#[369-14](#)

It was moved by Trustee Atkinson, seconded by Trustee Hawxhurst, to adopt the following resolutions regarding the March 2015 Village Election as required by Section 15 of the NYS Election Law:

RESOLVED, that the March 17, 2015 Village Election be rescheduled for March 18, 2015 as required by Section 15-104 (a) of the NYS Election Law.

RESOLVED, that the Village of Lynbrook will hold a Village Election on Wednesday, the 18th day of March 2015, for Mayor and two (2) Village Trustees for a term of four (4) years each.

RESOLVED, that the hours during which the polls shall be open shall be from 7:00 o'clock A.M. until 9:00 o'clock P.M.

RESOLVED, that the Village of Lynbrook be one (1) Election District for the Village Election and for all future general and special Village Elections, until this resolution is modified, amended, revoked, or rescinded.

RESOLVED, that the boundaries of the aforementioned designated Village Election District is coterminous with the corporate limits of the Incorporated Village of Lynbrook.

RESOLVED, that the Village Clerk shall cause proper notice of the foregoing resolution to be published and posted as required by law.

Motion carried, all voting "Aye."

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P.H.-11/3/14-
NOISE-TABLED
RES.#[370-14](#)

It was moved by Trustee Becker, seconded by Trustee Atkinson, to table setting the date for a Public Hearing to consider the enactment of a proposed Local Law to amend Section 175-6(c) of the Village Code, to prohibit landscapers from operating their machinery on Sundays and Village Holidays to the October 20, 2014 meeting. Motion carried, all voting "Aye."

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

MINUTES-9/15/14
RES.#[371-14](#)

It was moved by Trustee Becker, seconded by Trustee Hawxhurst, to accept the Minutes of September 15, 2014 as submitted and place on file. Motion carried, all voting "Aye."

CHAMBER OF
COMMERCE
REPORT

Linda Stephenson, Vice-President of the Chamber of Commerce, reported on Chamber of Commerce activities.

DEPARTMENT
REPORTS-
AUGUST 2014

RES.#[372-14](#)

It was moved by Trustee Hawxhurst, seconded by Trustee Atkinson, to accept the following Department Reports for the month of August 2014: Police Dept., Library, Building Dept., Department of Public Works, Recreation Department, Fire Department and Village Justice Court. Motion carried, all voting "Aye."

ANTI BULLYING
MONTH

Mayor Hendrick designated October as Anti-Bullying Awareness Month and the week of October 19-25 as Freedom From Workplace Bullies Week.

PROC-ITALIAN
AMERICAN
HERITAGE &
CULTURE
MONTH

Mayor Hendrick proclaimed the month of October as Italian-American Heritage & Culture Month.

TEMPLE AM
ECHAD STREET
FAIR-5/17/15
RES.#[373-14](#)

It was moved by Trustee Hawxhurst, seconded by Trustee Atkinson, to grant permission to Temple Am Echad to reschedule their Street Fair to May 17, 2015, as per approval of May 5, 2014. Motion carried, all voting "Aye."

ST. JOHN'S
HARVEST
FESTIVAL-10/5/14
RES.#[374-14](#)

It was moved by Trustee Becker, seconded by Trustee Hawxhurst, to ratify the Mayor's approval for St. John's Lutheran Church to hold their Harvest Festival on Sunday, October 5, 2014 from 11:00 AM to 3:00 PM on the Church property at the corner of Peninsula Blvd. and Merrick Road. Motion carried, all voting "Aye."

REQUEST-
F.D.BUS-ENGINE
CO-CHINA TOWN
TRIP
RES.#[375-14](#)

It was moved by Trustee Becker, seconded by Trustee Hawxhurst, to ratify the Mayor's approval for members of Engine Company Number 1 to use the Fire Department bus 420-B for their annual trip to New York City on Thursday, October 4, 2014. Motion carried, all voting "Aye."

REQUEST-JR. F.D.
-BUS-10/5/14
RES.#[376-14](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson, to ratify the Mayor's approval for members of the Jr. Fire Department to be transported in the Fire Department bus to JFK Airport on Sunday, October 5, 2014 or alternate date of November 21, 2014 to view the emergency response equipment operated by the Port Authority. Motion carried, all voting "Aye."

REQUEST-F.D.
RACK TRUCK-
HOME COMING
PARADE

RES.#[377-14](#)

It was moved by Trustee Becker, seconded by Trustee Beach, to approve the Fire Department to use rack truck, Unit 4211, on Saturday, October 25, 2014 for Lynbrook High School Home Coming Parade. Motion carried, all voting "Aye."

SIGN NCCD
GRANT-40TH
YEAR
RES.#[378-14](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson, to authorize the Mayor to sign the Contract with Nassau County Office of Housing and Community Development to receive 40th Year Community Block Grant Funds in the amount of \$125,000.00 for Streetscape

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Improvements on Merrick Road, engage Anker Electric and Frank Robustello & Son to undertake said improvements pursuant to their requirement contracts, and to authorize the temporary transfer of funds from the General Fund to the Community Development Fund and reimbursement to the General Fund from Community Development Fund, for such costs incurred in the 39th & 40th Program years. 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."

BILLS

RES.#[379-14](#)

It was moved by Trustee Atkinson, seconded by Trustee Beach, that Bills listed on Abstract of Audited Voucher #5, General Fund - \$238,624.81, Trust & Agency - \$9,163.87, Capital Fund - \$2,922.89, Electronic Transfer - \$290,309.00, 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.

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

TEMPORARY
SIGN-LYMBROK
LITTLE LEAGUE
RES.#[380-14](#)

It was moved by Trustee Beach, seconded by Trustee Becker, to grant permission to the Lynbrook Little League to install two (2) temporary signs on Sunrise Highway and a banner on Atlantic Avenue north of Stauderman Avenue to inform the residents about Little League registration in November. Motion carried, all voting "Aye."

APPT. K.
ROBERT'S-
ACCOUNT CLERK
RES.#[381-14](#)

It was moved by Trustee Becker, seconded by Trustee Hawxhurst, to amend the title of Krislyn Roberts from "Clerk Typist" to "Account Clerk", subject to the approval of the Nassau County Civil Service Commission. Motion carried, all voting "Aye."

AMEND K.
ROBERT'S
SALARY
RES.#[382-14](#)

It was moved by Trustee Hawxhurst, seconded by Trustee Atkinson, to amend Account Clerk Krislyn Roberts salary from \$42,931. to \$45,612., effective February 1, 2015. Motion carried, all voting "Aye."

APPT.-S.
BONOMO-
ARCHITECTURAL
BOARD OF
REVIEW
RES.#[383-14](#)

The Mayor reported that Architectural Board of Review member Peter Brougal has resigned. It was moved by Trustee Atkinson, seconded by Trustee Becker, to ratify the Mayor's appointment of Sue Bonomo, Alternate Member of the Architectural Board of Review, to fill the unexpired term of Peter Brougal ending April 2016. Motion carried, all voting "Aye."

APPT.-E.HYNES-
ALTERNATE
MEMBER ARB
RES.#[384-14](#)

It was moved by Trustee Hawxhurst, seconded by Trustee Atkinson, to ratify the Mayor's appointment of Ed Hynes as an Alternate Member of the Architectural Board of Review to fill the unexpired term of Sue Bonomo ending in April 2017. Motion carried, all voting "Aye."

PUBLIC HEARING-
CHAP.231-TOW
VEHICLES
RES.#[385-14](#)

It was moved by Trustee Beach, seconded by Trustee Hawxhurst, to open 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 effective 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 Hawxhurst, to continue the Hearing at the October 20,

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2014 meeting. Motion carried, all voting "Aye."

GREIS PARK
PLAYGROUND-
TABLED
RES.#386-14

It was moved by Trustee Becker, seconded by Trustee Hawxhurst, to table a proposal to install a rubberized playground surface on both Greis Park Playgrounds. Motion carried, all voting "Aye."

BID AWARD-
POLICE DEPT.
UNIFORMS
RES.#387-14

Village Administrator, John Giordano, advised that of the three (3) potential bidders two bids were received for Police Department Uniforms on September 9, 2014 as follows:

Economy Uniforms - \$13,941.
Promark International, Inc. - \$17,389.

It was moved by Trustee Atkinson, seconded by Trustee Beach, that the bid be awarded for 2014 – 2017 to Economy Uniforms as the low bidder, as recommended by the Police Chief in the amount of \$13,941. for 2014. Motion carried, all voting "Aye."

AMEND – POLICE
DEPARTMENT
RULES-TABLED
RES.#388-14

It was moved by Trustee Beach, seconded by Trustee Atkinson, to table discussion on amending the Police Department Rules, Article 9, Disciplinary Action and Article 13, Appearance Tickets and Pre-Arrestment Bail. Motion carried, all voting "Aye."

PROMOTION-
D.DILLON-
LIEUTENANT
RES.#389-14

It was moved by Trustee Becker, seconded by Trustee Beach, to promote Police Sergeant Daniel Dillon to the rank of Lieutenant, effective October 13, 2014, in accordance with the terms of the Agreement with the Police Benevolent Association. Motion carried, all voting "Aye."

APPT.-M.
BAMONTE-
POLICE OFFICER
RES.#390-14

It was moved by Trustee Becker, seconded by Trustee Atkinson, to appoint Mark Bamonte to the position of Police Officer, effective October 9, 2014, in accordance with the terms of the Agreement with the Police Benevolent Association. Motion carried, all voting "Aye."

APPT.-K.BECKER-
REC.ATTENDANT
RES.#391-14

It was moved by Trustee Beach, seconded by Trustee Atkinson, to appoint Kevin Becker as a part-time Recreation Attendant at a rate of \$8.00 per hour. Motion carried, Trustee Becker abstained, all others voting "Aye."

APPT.B.VARADY-
CLEANER
RES.#392-14

Park Supervisor Patrick McDermott reported that Brian Cribbin declined his appointment to the position of part-time "Cleaner". It was moved by Trustee Hawxhurst, seconded by Trustee Becker, to appoint Brandon Varady as a part-time Cleaner for the Recreation Department to replace Rafael Estevez at a rate of \$12.00 an hour. Motion carried, all voting "Aye."

REC.
ATTENDANTS
RES.#393-14

It was moved by Trustee Becker, seconded by Trustee Beach, to amend the titles of the following employees from "seasonal" Recreation Attendants, who were formerly part-time "Recreation Attendants", to part-time "Recreation Attendants":

Mike Brethel
Brian Brethel
Rick Brethel
John Cussen
Jillian Delacruz
Dan Luckert
Nico Luppino
Andrew Nohilly
Keith McDermott
Mike McDermott
Melissa McHenry
Frank Murphy

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Brian Pavone
Eliot Podgorsky
Kristen Rochford
Julie Steinert
Robert Torres
Zachary Niederberger
James Woll

Motion carried, all voting “Aye.”

APPT.-T
ATKINSON-
HEARING
OFFICER
RES.#[394-14](#)

It was moved by Trustee Hawxhurst, seconded by Trustee Beach, to appoint Thomas Atkinson as a Hearing Officer in the matter of Section 75 Hearing concerning a School Crossing Guard. Motion carried, all voting “Aye.”

APPT.-K.GRAY AS
HEARING
OFFICER
RES.#[395-14](#)

It was moved by Trustee Beach, seconded by Trustee Becker, to authorize Bee Ready Fishbein Hatter & Donovan to prepare charges for termination of a Clerk in the Office of the Justice Court and represent the Village if a Demand for Arbitration is made pursuant to the terms of the Agreement with the United Public Service Employees Association. Motion carried, all voting “Aye.”

SET DATE –
HOOKAH-11/3/14
RES.#[396-14](#)

It was moved by Trustee Becker, seconded by Trustee Atkinson, to set the date of November 3, 2014 to hold a Public Hearing to consider enacting proposed Local Law #21 of 2014 to amend the Village Code, Chapter 113, entitled “Electronic Cigarettes and Hookahs,” to provide for the prohibition of smoking of a hookah in any public place. 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.”

USE OF WILCOX
ALLEY
RES.#[397-14](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson, to approve a request from Jason Scala to park nineteen (19) film production trucks in “Wilcox Alley” on October 30, 2014 provided a \$5,000. fee is paid to the Village. Motion carried, all voting “Aye.”

PD –HIRE TEMP.
CLERK TYPIST
RES.#[398-14](#)

It was moved by Trustee Hawxhurst, seconded by Trustee Atkinson, to authorize Police Chief Neve to request a “Temporary Substitute Clerk Typist” position for a thirty (30) day period, and to hire same at a rate of \$20. an hour subject to the approval of the Nassau County Civil Service Commission. Motion carried, all voting “Aye.”

INTER-
MUNICIPAL
AGREEMENT-
POOL-RVC
RES.#[399-14](#)

It was moved by Trustee Becker, seconded by Trustee Atkinson, to authorize the Mayor to sign an Inter-Municipal Agreement with the Village of Rockville Centre to permit up to 100 Rockville Centre residents to be eligible to become members of the Lynbrook Pool. 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.”

10/20/14 BD. MTG.
RESCHEDULED
TO 7:45 AM
RES.#[400-14](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson, to reschedule the October 20, 2014 Board Meeting to begin at 7:45 A.M. Motion carried, all voting “Aye.”

ADJOURNMENT

It was moved by Trustee Beach, seconded by Trustee Becker, to adjourn the meeting at 11:50 P.M. Motion carried, all voting “Aye.”

