

August 14, 2017

A regular meeting of the Board of Trustees of the Incorporated Village of Lynbrook was held on Monday, August 14, 2017 at 7:00 P.M. in the Village Hall.

Present: Mayor William Hendrick
Trustee Alan Beach
Trustee Hilary Becker
Trustee Michael Hawxhurst
Trustee Ann Marie Reardon
Village Administrator John Giordano
Village Attorney Peter Ledwith

EXECUTIVE SESSION

It was moved by Trustee Reardon, seconded by Trustee Beach, to adjourn the regular meeting to open an Executive Session to review applications for the position of Account Clerk. Motion carried, all voting "Aye." It was moved by Trustee Reardon, seconded by Trustee Beach, to open an Executive Session, to review applications for the position of Account Clerk. Motion carried, all voting "Aye." After a lengthy discussion, it was moved by Trustee Reardon, seconded by Trustee Beach, to adjourn the Executive Session. Motion carried, all voting "Aye." It was moved by Trustee Reardon, seconded by Trustee Beach, to open the regular meeting. Motion carried, all voting "Aye."

SEVERANCE PAYOUT-
F.MENNA
RES.#[205-17](#)

It was moved by Trustee Beach, seconded by Trustee Reardon, to approve severance pay for retired Police Det. Frank Menna. Motion carried, all voting "Aye."

BUILDING INSPECTOR
CONFERENCE
RES.#[206-17](#)

It was moved by Trustee Beach, seconded by Trustee Becker, to authorize Building Superintendent Brian Stanton to attend the NYS Building Official Conference – Sept. 27- 29, 2017 held in Syracuse. Motion carried, all voting "Aye."

AMEND PD RULES
RES.#[207-17](#)

It was moved by Trustee Beach, seconded by Trustee Reardon, to amend the Police Department Rules, Article 10 – Rules 10, 11 and 12 pertaining to the use of radios. Motion carried, all voting "Aye."

DISPOSITION OF F.D.
EQUIPMENT
RES.#[208-17](#)

It was moved by Trustee Beach, seconded by Trustee Reardon, to amend the Fixed Asset Inventory by approving the disposal of expired Fire Department air bags as follows:

Serial #: 0699 7947
1098 3464
1100 7660
1100 8198
1100 8257

and two Vetter air bag controller units. Motion carried, all voting "Aye."

STORAGE SHED-GREIS
PARK
RES.#[209-17](#)

It was moved by Trustee Beach, seconded by Trustee Reardon, to extend the soccer storage shed at Greis Park, approximately 14'x21', and waive permit fees. Motion carried, all voting "Aye."

HIRE-ANN-MARIE
KAJTAZI-ACCOUNT
CLERK
RES.#[210-17](#)

It was moved by Trustee Beach, seconded by Trustee Becker, to hire Ann-Marie Kajtazi as an Account Clerk to fill the upcoming vacancy of Dana Croft in the Village Clerk's Office at a salary of \$40,279.00 subject to the approval of the Nassau County Civil Service Commission. Motion carried, all voting "Aye." It was moved by Trustee Beach, seconded by Trustee Reardon, to authorize a one (1) day a week work schedule for Dana Croft up until September 9, 2017 to assist the transition. Motion carried, all voting "Aye."

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RECREATION STAFFING-
TITLE CHANGE
RES.#211-17

It was moved by Trustee Beach, seconded by Trustee Reardon, to request the Nassau County Civil Service Commission open a new "Recreation Specialist" title. Motion carried, all voting "Aye." It was moved by Trustee Beach, seconded by Trustee Reardon, to hire "Recreation Attendants" Yesina Morales and Amanda Sirakmowski as "Recreation Specialist" effective if and when approved by the Nassau County Civil Service Commission if deemed provisional, with no change in hours or previously approved pay of \$13.50/hr. Motion carried, all voting "Aye."

PUBLIC HEARING-
VERIZON FRANCHISE
RENEWAL
RES.#212-17

The Mayor opened a Public Hearing to consider the grant of a proposal for the Renewal of the Cable Franchise Agreement between the Village of Lynbrook and Verizon New York, Inc. pursuant to 16 NYCRR 891.2 (a) which Renewal proposal is available for public inspection at the office of the Lynbrook Village Clerk. The Mayor asked for comments. After no further comments, it was moved by Trustee Beach, seconded by Trustee Reardon, to close the Hearing and renew the Cable Franchise Agreement for a five (5) year period ending 2022. Motion carried, all voting "Aye."

SET DATE-P.H.-213
HEMPSTEAD AVE-
CHANGE OF ZONE
RES.#213-17

It was moved by Trustee Becker, seconded by Trustee Beach, to set the date of September 18, 2017 for a Public Hearing to consider an application from Mark Berg, owner of 213 Hempstead Avenue to convert his existing Professional Use from a Dentist, to an Accountant including renting the second floor while not being owner occupied as per the Village Code. Motion carried, all voting "Aye." It was moved by Trustee Beach, seconded by Trustee Reardon, that the Board of Trustees declare itself 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..240-PARKING
PERMIT PLACMEMENT
RES.#214-1

The Mayor opened a Public Hearing to consider the enactment of proposed Local Law #4 of 2017 to amend the Village Code, Chapter 240, Vehicles & Traffic, Section 240-50 to allow the placement of parking permits in any location on the rear of a licensed motor vehicle, including rear window, in lieu of rear bumper only. Mayor Hendrick read the proposed Local Law and asked for comments. After a brief discussion and no further comments, it was moved by Trustee Beach, seconded by Trustee Reardon, to close the Public Hearing. Motion carried, all voting "Aye." It was moved by Trustee Beach, seconded by Trustee Reardon, to enact Local Law #4 of 2017. Motion carried, all voting "Aye."

P.H.-CHAP.185 & CHAP.
59 – ADMINISTRATIVE
SEARCH WARRANTS
RES.#215-17

The Mayor opened a Public Hearing to consider the enactment of proposed Local Law 2 & 3 of 2016 to consider the two amendments of the Village Code as follows:

- a) Chapter 185 entitled "Property Maintenance" to add a subsection D to 185-12 "Penalties and Remedies for Offenses" to provide the application for an Administrative Search Warrant when there are reasonable grounds for concluding that there is a violation of Village Code Chapter 185 and further reasonable grounds for concluding that the Building Department representative will be denied entry upon the subject premises; and
- b) Chapter 59 entitled "Administrative Search Warrants" to add a new 59-6 "Warrant Return" to provide that the Village representative executing the Administrative Search Warrant must file a Return with the Village Justice who issued the Warrant which return must describe when and how compliance with the Administrative Search Warrant was effectuated. Mayor Hendrick read the proposed Local Law and asked for comments.

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After a brief discussion, and no further comments, it was moved by Trustee Beach, seconded by Trustee Reardon, to close the Public Hearing. Motion carried, all voting "Aye". It was moved by Trustee Beach, seconded by Trustee Reardon, to enact Local Law #2 & 3 of 2017. Motion carried, all voting "Aye."

UPDATE JOHNSON
CONTROLS

Village Attorney Peter Ledwith reported that upon examination and consultation with Special Village Engineer LiRo, it is determined that Johnson Controls is in compliance with the terms of their Energy Performance Agreement in respect to year end savings to the Village.

PRESENTATION-MILL
CREEK RESIDENTIAL
APARTMENTS

Representatives of Mill Creek Residential displayed a conceptual site plan for redevelopment of the property on the east side of Rocklyn Avenue between Sunrise Highway & Merrick Road for 275 luxury residential rental units with 1.5 parking spaces per apartment home, having monthly market rents between \$2,000 -\$3,500.

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

MINUTES-7/17/17
RES.#216-17

It was moved by Trustee Becker, seconded by Trustee Hawxhurst, to approve the Minutes of July 17, 2017 as submitted and place on file. Motion carried, all voting "Aye."

CHAMBER OF
COMMERCE REPORT

Carol Burak, President of the Chamber of Commerce gave an update on Chamber activities.

DEPARTMENT REPORTS

It was moved by Trustee Beach, seconded by Trustee Reardon, that the following Departmental Reports be accepted: Fire Dept., Police Dept., Library, DPW, Building Dept., Village Justice Court and Recreation Dept. Motion carried, all voting "Aye."

PROC.-FRANK MENNA

Mayor Hendrick presented a Proclamation to Det. Frank Menna on the occasion of his retirement from the Police Department after thirty-three (33) years and thanked him for his dedicated and loyal service to the Village.

EVERYTHING SPECIAL
NEEDS-WALK-GREIS
PARK
RES.#217-17

It was moved by Trustee Beach, seconded by Trustee Reardon, to grant permission to Everything Special Needs for the use of Greis Park, to hold their upcoming Charity Fundraising Walk for Everybody, on Sunday, October 22, 2017 from 7:00 A.M. to 1:00 P.M. Motion carried, all voting "Aye."

REQUEST-F.D.-ENGINE
CO.-CHINA TOWN
RES.#218-17

It was moved by Trustee Beach, seconded by Trustee Becker, to grant permission for members of Engine Company #1 to use the Fire Department bus, for their annual trip to China Town on Thursday, August 3, 2017. Motion carried, all voting "Aye."

ST. JOHN'S LUTHERAN
CHURCH-HARVEST
FESTIVAL-10/1/17
RES.#219-17

It was moved by Trustee Becker, seconded by Trustee Reardon, to grant permission to St. John's Lutheran Church, to hold their annual Harvest Festival on Sunday, October 1, 2017, from 11AM to 3PM on the Church property at the triangle of Peninsula Blvd. & Merrick Road, and to waive any necessary temporary sign permit fees. Motion carried, all voting "Aye."

BILLS
RES.#220-17

It was moved by Trustee Reardon, seconded by Trustee Becker, that Bills listed on Abstract of Audited Voucher #4, General Fund - \$927,168.69; Capital Fund - \$240,890.46; Electronic Transfer - \$392,012.55; Comm. Dev. - \$29,321.00, all be paid as soon as same have been duly audited by the majority. Motion carried, all voting "Aye."

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P.H.-SUB-DIVISION-38
CONCORD STREET
RES.#221-17

The Mayor opened a Public Hearing to consider the application of TOC Architects, Inc. for property owners Zushen & Abdul Basit pursuant to Village Code Chapter 7 seeking Subdivision approval of the property known as by 38 Concord Street. Mr. Todd O'Connell, Architect for the applicant, advised that the application process to divide his client's existing property, having a two family home, into two parcels and convert the existing a non-conforming two family home into a single family use, and construct a new one family residence on the newly created lot having a lot area of 5137 sq. ft. with 65.81' of frontage. Mr. O'Connell advised that 55' of frontage would remain for the existing house, and a rear yard garage would also be demolished. The Mayor asked if anybody wished to comment. The following individuals spoke:

Theresa Macchia – 53 Concord Street
Jean Ulscheimer – 49 Concord Street
Bruno Arena – 47 Marshall Avenue
Jeff Greenfield – Nassau County Planning Commission

It was noted for the record that it was brought to the attention of the Board that a rear yard detached garage may have been illegally converted to a residence, and that there is a kitchen in the basement of the existing residence. It was moved by Trustee Beach, seconded by Trustee Reardon, to direct the Building Dept. Supt. to investigate the apparent violations, to continue the hearing to October 2, 2017 and require attendance by the property owner and Notice of hearing to those in a 300' radius. Motion carried, all voting "Aye."

DEDICATION-FX
BECKER ROTUNDA

The Board dedicated the Rotunda in honor of former Mayor Francis X. Becker with unveiling the new wall lettering. Many friends and family in attendance spoke of the accomplishments of the former Mayor.

ADJOURNED

It was moved by Trustee Beach, seconded by Trustee Becker to adjourn the meeting at 9:16 PM. Motion carried, all voting "Aye."