

February 15, 2011

A regular meeting of the Board of Trustees also acting as the Board of Assessment Review of the Incorporated Village of Lynbrook was held on Tuesday, February 15, 2011 at 5:00 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

MINUTES -2/7/11

RES.# ____

It was moved by Trustee Hawxhurst, seconded by Trustee Beach to approve the Minutes of February 7, 2011 as submitted and place on file. Motion carried, Mayor Hendrick and Trustee Becker absent, all others voting "Aye".

BILLS

RES.# ____

It was moved by Trustee Atkinson, seconded by Trustee Beach that Bills listed on Abstract of Audited Voucher #13, General Fund - \$308,577.86, Capital Fund - \$1,900.00, all be paid as soon as same have been duly audited by the majority. Motion carried, Mayor Hendrick and Trustee Becker absent, all others voting "Aye".

RESCHEDULE
BID OPENING-
DISPOSAL OF
RECYCLABLES-
4/14/11

RES.# ____

It was moved by Trustee Atkinson, seconded by Trustee Beach to reschedule the bid opening for Disposal of Recyclables to April 14, 2011. Motion carried, Mayor Hendrick and Trustee Becker absent, all others voting "Aye".

SIDEWALK
REPAIR-95
LYON PLACE

RES.# ____

It was moved by Trustee Atkinson, seconded by Trustee Beach to share the cost of the replacement of sidewalk damage by a Village vehicle at 95 Lyon Place with the property owner at a cost not to exceed \$970. to be paid by the Village. Motion carried, Mayor Hendrick and Trustee Becker absent, all others voting "Aye".

2011 TAX
GRIEVANCES

Assessor Liz Hoffman presented Grievance filings against the 2011 Tentative Assessment Roll.

VINCENT AVE.
PARKING

RES.# ____

It was moved by Trustee Atkinson, seconded by Trustee Beach, to amend Schedule XII, of Section 240-18 of the Village Vehicle and Traffic Code by posting "No Parking Zones" on east side of Vincent Avenue running south from Merrick Road for a distance of 55 feet from the southerly curb line of Merrick Road, and to remove the existing "No Stopping" parking regulations in front of Temple Beth David. Motion carried, Mayor Hendrick and Trustee Becker absent, all others voting "Aye".

VOTING
MACHINE
RENTAL

RES.# ____

It was moved by Trustee Atkinson, seconded by Trustee Hawxhurst to authorize the use of paper ballots if the State does not authorize the use of the lever machines, for the 2011 Village Election. Motion carried, Mayor Hendrick and Trustee Becker absent, all others voting "Aye".

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At this point, Mayor Hendrick and Trustee Becker attended the meeting.

85/93
HEMPSTEAD
AVE.

RES.# ____

A discussion ensued with Varvaris, owner of 85/93 Hempstead Avenue, his counsel, Arthur Nastre, Esq. and William McLaughlin, representing St. Mary's Knights of Columbus – Hempstead Avenue concerning Mr. Varvaris non-compliance with the parking conditions of his Special Use Permit. After a brief discussion, it was moved by Trustee Hawxhurst, seconded by Trustee Beach to rescind the Resolution dated October 14, 2010 revoking the CO for 85/93 Hempstead Avenue as the property owner has satisfied unpaid rent amounts due St. Mary's Knights of Columbus for rental of their on-site parking, and to reinstate such Resolution without the need for a Public Hearing if in the event the property owner defaults in the future rent payments necessary for them to comply with the Villages on site parking requirements as specified in their Special Use Permit approval. (Exhibit A) Motion carried, all others voting "Aye".

GRIEVANCE
FILING

David Bernstein of 25 Baylis Place discussed his grievance filing.

VILLAGE HALL
SECURITY

RES.# ____

It was moved by Trustee Hawxhurst, seconded by Trustee Beach to direct Supt. of the Department of Public Works Phil Healey to obtain cost estimates to install new door locks in the Village Hall lobby. Motion carried, all voting "Aye".

AMNESTY
PROGRAM

RES.# ____

It was moved by Trustee Hawxhurst, seconded by Trustee Atkinson to approve the contract with Fundamental Business Service to administer a Parking Ticket Amnesty Program at a cost of \$15,000. Motion carried, all voting "Aye".

AGREEMENT-
ENERGY
CONSERVATION
IMPROVEMENTS

RES.# ____

It was moved by Trustee Beach, seconded by Trustee Atkinson to authorize the Mayor to sign an Agreement with Johnson Controls regarding Energy Conservation Improvements, subject to the review of the Village Attorney. Motion carried, all voting "Aye".

LYNBROOK
MUSIC & ARTS
SHOW-TABLED

It was moved by Trustee Beach, seconded by Trustee Atkinson to table the discussion on the proposed Lynbrook Music & Arts Show. Motion carried, all voting "Aye".

INCREASE-
OVERNIGHT
PARKING
PERMITS &
V.H.OPEN
SATURDAY-
3/26/11

RES.# ____

It was moved by Trustee Beach, seconded by Trustee Atkinson to raise the fee for Overnight parking permits in the Village from \$150.00 to \$200.00 per year, and to set the date of Saturday, March 26, 2011 from 9AM to 12PM to open the Village Hall for the sole purpose of issuing parking permits. Motion carried, all voting "Aye".

TRANSFER OF
FUNDS

RES.# ____

It was moved by Trustee Beach, seconded by Trustee Atkinson to approve the following budget amendments for fiscal year 2010/2011:

Expense:	001.1460.0400	Records Manag.-Contract Svc	\$23,058.00
Revenue:	001.0001.3817	State Archives Grant	\$23,058.00
Expense:	001.7110.0458	Parks-Maint. of Bldg. & Prop.	\$600.00
Revenue:	001.0001.2680	Insurance Recoveries	\$600.00

Motion carried, all voting "Aye".

PAY PAL
ACCOUNT

RES.# ____

It was moved by Trustee Beach, seconded by Trustee Atkinson to authorize the Village to link a Pay Pal Account with its General Fund Checking Account. Motion carried, all voting "Aye".

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DPW STAFFING

RES.# ____

It was moved by Trustee Beach, seconded by Trustee Atkinson to hire Andrew Thompson and Joe Fazzino as Laborers pursuant to the CSEA Agreement, effective March 7, 2011. Motion carried, all voting "Aye".

RON CRAIG – 30 HOURS

RES.# ____

It was moved by Trustee Atkinson, seconded by Trustee Beach to enter into a Contract with Ronald Craig to work up to 120 hours per month, as a Illegal Over-Occupancy Inspector to a term expiring May 31, 2011 at a rate of \$24.00 per hour. Motion carried, all voting "Aye".

F.DORE-
EXTENSION-
REPAY
OVERPAID
WAGES

RES.# ____

It was moved by Trustee Beach, seconded by Trustee Atkinson to approve the extension for DPW employee Frank Dore to repay his overpaid wages, to August 31, 2011. Motion carried, all voting "Aye".

TAX
CERTIORARI-
L.I.AMERICAN
WATER

RES.# ____

Village Tax Certiorari Counsel Ben Truncala reported on the status of the Certiorari filed by Long Island American Water Company. It was moved by Trustee Beach, seconded by Trustee Atkinson to approve a settlement proposal to be paid over a five year period, and an optional one year period for the Boards consideration. Motion carried, all others voting "Aye".

PUBLIC
HEARING – TAX
LIENS

RES.# ____

It was moved by Trustee Hawxhurst, seconded by Trustee Beach to open a Public Hearing to consider enacting a proposed Local Law to amend Village Code Chapter 222-27 to include a provision to authorize the Village to purchase Village real property tax liens. The Mayor read the proposed Local Law. After no one wishing to speak on the matter, it was moved by Trustee Beach, seconded by Trustee Hawxhurst to close the public hearing and enact Local Law #3 of 2011. Motion carried, all voting "Aye". It was moved by Trustee Hawxhurst, seconded by Trustee Beach to 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, absent, all voting "Aye".

NEW FIRE
CHIEFS

RES.# ____

It was moved by Trustee Atkinson, seconded by Trustee Beach to ratify the acquisition of a new Fire Chief's vehicle, and to transfer funds of \$50,000. from A1990.0444 to A3410.0202 for its expense and to assign the former vehicle a 2001 For Expedition for use by the Police Department. Motion carried, all voting "Aye".

FINANCIAL
REPORT

RES.# ____

It was moved by Trustee Atkinson, seconded by Trustee Beach to ratify the issuance of a Management Letter Response for the 2009/2010 Audit. Motion carried, Trustee Hawxhurst absent, all others voting "Aye".

PARK
SUPERVISOR
TITLE

RES.# ____

It was moved by Trustee Beach, seconded by Trustee Atkinson to authorize the Village Attorney to request a second title of "Park Supervisor" from the Nassau County Civil Service Commissioner, and open a new title for a full time employee for the Recreation Department. Motion carried, Trustee Hawxhurst absent, all others voting "Aye".

GRIEVANCES
DENIED

RES.# ____

It was moved by Trustee Beach, seconded by Trustee Atkinson to deny all grievances and forward same to Ben Trucala, Esq. for settlement. Motion carried, Trustee Hawxhurst absent, all others voting "Aye".

ADJOURNMENT

It was moved by Trustee Beach, seconded by Trustee Becker to adjourn the meeting at 10:25 P.M. Motion carried, Trustee Hawxhurst absent, all others voting "Aye".