

February 17, 2015

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 17, 2015 at 5:00 P.M. in the Village Hall.

Present: Mayor William Hendrick  
Trustee Alan Beach  
Trustee Hilary Becker  
Trustee Michael Hawxhurst  
Village Administrator John Giordano  
Village Attorney Peter Ledwith  
Village Assessor, Lisa Kenny

Absent: Trustee Thomas Atkinson

SNOW STORM

RES.#[20-15](#)

The Mayor thanked the Department of Public Works for their snow plowing efforts during the February 2, 2015, storm which resulted in the cancellation of the Board Meeting and emergency declaration. It was moved by Trustee Hawxhurst, seconded by Trustee Becker, to ratify the granting of a paid day off for certain employees for February 3, 2015. Motion carried, Trustee Atkinson absent, all others voting "Aye."

GRIEVANCE FILINGS

Village Assessor Lisa Kenny presented 864 Grievance filings against the 2015 Tentative Assessment Roll.

MINUTES-1/12/15

RES.#[21-15](#)

It was moved by Trustee Beach, seconded by Trustee Hawxhurst to accept the Minutes of January 12, 2015 as submitted and place on file. Motion carried, Trustee Atkinson absent, all others voting "Aye."

BILLS

RES.#[22-15](#)

It was moved by Mayor Hendrick, seconded by Trustee Becker, that Bills listed on Abstract of Audited Voucher #11, General Fund - \$433,023.26; Trust & Agency - \$26,388.07; Capital Fund - \$392,577.46; Electronic Transfer - \$327,227.25; Community Development - \$91,477.39, Abstract of Audited Voucher #12, General - \$440,418.82; Trust & Agency - \$20,583.80; Capital Fund - \$67,708.18; Electronic Transfer - \$19,891.36; Community Development, all be paid as soon as same have been duly audited by the majority. Motion carried, Trustee Atkinson absent, all others voting "Aye."

DEPARTMENT  
REPORTS 1/2015

RES.#[23-15](#)

It was moved by Trustee Beach, seconded by Trustee Becker, to approve the Department Reports for the month of January 2015. Motion carried, Trustee Atkinson absent, all others voting "Aye."

F.D. PARADE & DRILL-  
3/17/15

RES.#[24-15](#)

It was moved by Trustee Becker, seconded by Trustee Beach to grant permission to members of the Fire Department to participate in the St. Patrick's Day Parade in Rockaway Beach on Saturday, March 7, 2015 and to use the following apparatus: 423, 428, 426-1 and 420-B. Motion carried, Trustee Atkinson absent, all others voting "Aye."

F.D. PARADE & DRILL-  
6/26 & 6/27/15

RES.#[25-15](#)

It was moved by Trustee Beach, seconded by Trustee Becker, to grant permission to the Lynbrook Fire Department to host a drill and parade on Friday and Saturday, June 26th and June 27, 2015, in Gries Park. Motion carried, Trustee Atkinson absent, all others voting "Aye."

TEMPLE AM ECHAD-  
STREET FAIR-9/27/15

RES.#[26-15](#)

It was moved by Trustee Beach, seconded by Trustee Becker, to grant permission to Temple Am Echad to reschedule their Community Street Fair to Sunday, September 27, 2015, as authorized by Resolution #373-14. Motion carried, Trustee Atkinson absent, all others voting "Aye."

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REQUEST TO WAIVE  
PARKING KINGDOM  
AMBASSADORS  
GLOBAL MINISTRIES

**RES.#27-15**

It was moved by Trustee Becker, seconded by Trustee Hawxhurst, to ratify the Mayor's approval of a request from Kingdom Ambassadors Global Ministries, at 188 Vincent Avenue, to waive parking in the vicinity of Municipal Parking Fields #14, 17, 18 & 19, parking meters on both sides of Merrick Road from Remsen to Earle; and a waiver for all on street and field overtime parking in the area, as they will be hosting their Annual International Conference on February 12 -15, 2015. Motion carried, Trustee Atkinson absent, all others voting "Aye."

REPEAL LOADING  
ZONE-393A SUNRISE  
HWY.

**RES.#28-15**

It was moved by Trustee Beach, seconded by Trustee Hawxhurst, to amend Schedule XVI of Section 240-24 of the Village Vehicle and Traffic Code by approving the Police Chief's recommendation that the current loading zone in front of 393A on the south side of Sunrise Highway be changed to 15 minute parking, 8AM to 7PM, as requested by abutting businesses. Motion carried, Trustee Atkinson absent, all others voting "Aye."

SET DATE-P.H.-3/16/15-  
CHAP.25 DEFENSE &  
INDEMNIFICATION OF  
EMPLOYEES

**RES.#29-15**

The Board reviewed a copy of proposed Local Law #2 of 2015 to amend the Village Code, Chapter 25, entitled "Defense and Indemnification of Employees", Section 25-5, to require the fingerprinting of certain employees or applicants for employment, as suggested by the State of New York Division of Criminal Justice Services. It was moved by Trustee Beach, seconded by Trustee Becker, to set the date of March 16, 2015 at 7:00 P.M. for a Public Hearing to consider the enactment of Local Law #2 of 2015 to amend Chapter 25 of the Village Code, entitled "Defense and Indemnification of Employees". Motion carried, all voting "Aye." It was moved by Trustee Beach, seconded by Trustee Becker, 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 NYS Environmental Quality Review Act. Motion carried, all voting "Aye."

SET DATE-P.H.-  
3/16/2015-CHAP.78—  
BOARDINGHOUSES,  
ROOMING HOUSES &  
HOTELS

**RES.#30-15**

The Board reviewed a copy of proposed Local Law #3 of 2015 to amend the Village Code, Chapter 78, entitled "Boardinghouses, Rooming Houses and Hotels"; Section 78-4.2 to provide fingerprinting of applicants for Boardinghouse, Rooming House or Hotel Licenses, as recommended by the State of New York Division of Criminal Justice Services. It was moved by Trustee Beach, seconded by Trustee Becker, to set the date of March 16, 2015 at 7:00 P.M. for a Public Hearing to consider the enactment of proposed Local Law No. 3 of 2015 to amend Chapter 78 of the Village Code entitled "Boardinghouses, Rooming Houses and Hotels". Motion carried, Trustee Atkinson absent, all others voting "Aye." It was moved by Trustee Beach, seconded by Trustee Becker, 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 NYS Environmental Quality Review Act. Motion carried, Trustee Atkinson absent, all others voting "Aye."

SET DATE-P.H.-3/16/15-  
CHAP.233-UTLILITY  
POLES, REMOVAL OF  
DOUBLE

**RES.#31-15**

The Board reviewed proposed Local Law #5 of 2015 to amend Chapter 222, Article VII of the Village Code entitled "Taxation." It was moved by Trustee Beach, seconded by Trustee Becker, to set the date of March 16, 2015 for a Public Hearing to consider the enactment of proposed Local Law #5 of 2015, at 7:00 PM, to amend Chapter 222 entitled "Taxation" with respect to Article VII "Authority for Tax Levy Limit Override" to provide that the 2015/2016 Real Property taxation may exceed the tax levy limit set forth in General Municipal Law 3-c. Motion carried, Trustee Atkinson absent, all others voting "Aye".

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SET DATE-3/16/15-P.H.-  
CHAP.222-TAXATION

**RES.#33-15**

The Board reviewed proposed Local Law #5 of 2015 to amend Chapter 222, Article VII of the Village Code entitled "Taxation." It was moved by Trustee Beach, seconded by Trustee Becker, to set the date of March 16, 2015 for a Public Hearing to consider the enactment of proposed Local Law #5 of 2015, at 7:00 PM, to amend Chapter 222 entitled "Taxation" with respect to Article VII "Authority for Tax Levy Limit Override" to provide that the 2015/2016 Real Property taxation may exceed the tax levy limit set forth in General Municipal Law 3-c. Motion carried, Trustee Atkinson absent, all others voting "Aye".

SET DATE – P.H.-3/16/14  
COMMUNITY  
DEVELOPMENT 41<sup>ST</sup>  
YEAR

**RES.#34-15**

It was moved by Trustee Beach, seconded by Trustee Hawxhurst to set the date of March 16, 2015 at 7:00 PM for a Public Hearing to consider projects to be funded by the Nassau County Office of Housing & Intergovernmental Affairs Community Development Block Grant Program for the fiscal year beginning September 1, 2015. Motion carried, Trustee Becker and Trustee Atkinson absent, all others voting "Aye".

VEHICLE  
TRANSITION

**RES.#35-15**

It was moved by Trustee Beach, seconded by Trustee Hawxhurst, to approve vehicle dispositions as follows:

- a) Fire Chief's 2005 Ford Expedition (Vin#1FMPU16505LA78226 to replace Bldg. Dept. 1997 Ford Taurus (Vin#1FALP52U8VG207634)
- b) 1997 Ford Taurus Bldg. Dept. to replace DPW 1999 Ford Crown Vic. Vin#2FAFP71W1XXX16154
- c) 1999 Ford Crown Vic-DPW – For Sale-Vin#2FAFP71W1XXX16154
- d) 1988 Ford 8000 – F.D. Extrication –For Sale - Vin#1FDYD80U9JVA02354

Motion carried, Trustee Becker and Trustee Atkinson absent, all others voting "Aye."

SURPLUS EQUIPMENT

**RES.#36-15**

It was moved by Trustee Beach, seconded by Trustee Hawxhurst, to approve the following Library equipment as surplus and for disposal.

Dell Computer Monitor – MY-058VYR-47605-12G-4D7C  
Dell Computer – 58FN01  
Computer Minuet  
HP Office Jet Printer – 6110 all-in-one  
HD Desk Jet Printer – MY37LZB1MK

Motion carried, Trustee Becker and Trustee Atkinson absent, all others voting "Aye."

DISPOSITION OF  
RECORDS

**RES.#37-15**

It was by Trustee Beach, seconded by Trustee Hawxhurst, to dispose of the attached list of records in accordance with the NY State Archive and Record Administration. Motion carried, all voting "Aye." (see Exhibit A)

PRO-RATE COMMUTER  
& EMPLOYEE PARKING  
PERMITS

**RES.#38-15**

It was moved by Trustee Beach, seconded by Trustee Hawxhurst, to prorate the annual Commuter, Overnight and Employee Parking Permit fee to park in Village fields beginning after six (6) months, and at nine (9) months. Motion carried, Trustee Becker and Trustee Atkinson absent, all others voting "Aye."

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JUSTICE COURT  
FINANCIAL REPORT

RES.#[39-15](#)

It was moved by Trustee Beach, seconded by Trustee Hawxhurst to acknowledge receipt of the 2013/2014 Financial Report of the Village Justice pursuant to the Uniform Justice Court Act, and authorize the Village Administrator to send a Response Letter to the Village Auditor in respect to the 2013/2014 Financial Report. Motion carried, Trustee Becker and Trustee Atkinson absent, all others voting "Aye."

RECREATION OFFICE  
IMPROVEMENTS

RES.#[40-15](#)

It was moved by Trustee Beach, seconded by Trustee Hawxhurst, to authorize an expenditure of not to exceed \$4,900. for the improvements of the offices in the Recreation Department at Greis Park, subject to final review by Trustee Beach. Motion carried, Trustee Becker and Trustee Atkinson absent, all others voting "Aye."

N.C. SPECIAL HOLIDAY  
DWI GRANT

RES.#[41-15](#)

It was moved by Trustee Beach, seconded by Trustee Hawxhurst, to authorize Mayor Hendrick to sign the Special Holiday Enforcement "STOP DWI" Grant Agreement with Nassau County in the amount of \$8,000.00. Motion carried, Trustee Becker and Trustee Atkinson absent, all others voting "Aye."

N.C. POLICE TRAFFIC  
SERVICE GRANT

RES.#[42-15](#)

It was moved by Trustee Beach, seconded by Trustee Hawxhurst, to authorize Mayor Hendrick to sign the "Police Traffic Service" Grant Agreement with Nassau County in the amount of \$11,700.00. Motion carried, Trustee Atkinson and Trustee Becker absent, all others voting "Aye."

N.C. STOP DWI GRANT

RES.#[43-15](#)

It was moved by Trustee Beach, seconded by Trustee Hawxhurst, to authorize Mayor Hendrick to sign the "STOP-DWI" Grant Agreement with Nassau County in the amount of \$4,500.00. Motion carried, Trustee Becker and Trustee Atkinson absent, all others voting "Aye."

GRIEVANCE  
APPLICATION-18  
CENTRE STREET

Mrs. Kramer of 18 Centre Street presented a Grievance application against her Tentative 2015 Village Assessment.

GRIEVANCE  
APPLICATION-44  
THOMPSON PL

Mrs. Coleman of 44 Thompson Place presented a Grievance application against her Tentative 2015 Village Assessment.

BID AWARD-SECURITY  
CAMERAS-VILLAGE  
HALL & LIBRARY

RES.#[44-15](#)

Village Administrator John Giordano advised that of the thirteen (13) prospective bidders for Security Cameras for the Village Hall and Library, seven (7) bids were received as follows:

	<u>Village Hall</u>	<u>Library</u>
Tyco Integrated Security -	\$31,500	\$40,500
LPC, Inc.	\$31,964.	\$44,919
Knight Nets, Inc.	\$34,426.20	\$43,178.17
Tomex Electronics	\$36,633.60	\$45,710.09
DVSA Technologies, Inc.	\$45,924.	\$57,714
Palace Electrical Cont.	\$42,500	\$64,500
Sensible Security	No Bid	

It was moved by Trustee Beach, seconded by Trustee Hawxhurst, to award the bid to Tyco Integrated Security as the low bidder, such costs to be expended from 2015 Bond Funds, and partially by NYS Library Improvement Grant Funds. Motion carried, Trustee Becker and Trustee Atkinson absent, all others voting "Aye."

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SET BID DATE-3/26/15  
HVAC  
MAINT.SVC.CONTRACT

**RES.#45-15**

It was moved by Trustee Beach, seconded by Trustee Hawxhurst, to set the date of March 26, 2015 at 11AM, to receive bids for a three (3) year HVAC Maintenance Service Contract. Motion carried, Trustee Becker and Trustee Atkinson absent, all others voting "Aye."

SET BID DATE-3/26/15-  
DISPOSABLE OF  
RECYCLABLES

**RES.#46-15**

It was moved by Trustee Hawxhurst, seconded by Trustee Beach, to set the date of March 26, 2015 at 11:00 AM to receive bids for the Disposal of Recyclables. Motion carried, Trustee Atkinson and Trustee Becker absent, all others voting "Aye."

DPW SEASONAL HIRE-  
2015

**RES.#47-15**

It was moved by Trustee Beach, seconded by Trustee Hawxhurst, to approve the attached list, see Exhibit "B", of seasonal employees and hourly rates for the DPW for the 2015 season. Motion carried, Trustee Becker and Trustee Atkinson absent, all others voting "Aye."

GRIEVANCE  
APPLICATION-14  
DUNNE PL

Mr. John Zapson of 14 Dunne Place presented a Grievance application against his 2015 Tentative Village Assessment.

APPOINTMENT -  
COURT CLERK

**RES.#48-15**

It was moved by Trustee Hawxhurst, seconded by Trustee Beach, to appoint Linda Keane as a Court Clerk at a rate of \$39,025.00 per annum subject to the approval of the Nassau County Civil Service Commission. Motion carried, Trustee Becker and Trustee Atkinson absent, all others voting "Aye."

RECREATION  
SEASONAL  
EMPLOYEES-POOL

**RES.#49-15**

It was moved by Trustee Beach, seconded by Trustee Hawxhurst, to approve the attached list, see Exhibit "C", of seasonal employees and hourly rates for the Pool for the 2015 season. Motion carried, Trustee Becker and Trustee Atkinson absent, all others voting "Aye", Trustee Hawxhurst disclosed that seasonal employee Sara Hawxhurst is a family member.

PETITION-REGAL  
CINEMAS-SET DATE-  
P.H.-4/20/15

**RES.#50-15**

Special Counsel Jack Libert reported that the Parking Development Agreement with Regal Cinemas for the redevelopment of their Theatre at 321 Merrick Road has been executed by the Village and Regal, and that Regal Cinemas submitted a Petition to rezone 321 Merrick Road to a "Arts & Cultural Overlay District" to accommodate a new Theatre. It was moved by Trustee Beach, seconded by Trustee Hawxhurst, to declare themselves as Tentative Lead Agency, pursuant to the State Environmental Quality Review Act, such designation to become final after thirty (30) days pending no objections. Motion carried, Trustee Becker and Trustee Atkinson absent, all others voting "Aye." It was moved by Trustee Beach, seconded by Trustee Hawxhurst, to continue review of the Petition until the March 30, 2015 meeting, at which time it is intended to set a date for a Public Hearing to consider for April 20, 2015. Motion carried, Trustee Becker and Trustee Atkinson absent, all others voting "Aye."

EXTEND TOW  
FRANCHISE

**RES.#51-15**

It was moved by Trustee Beach, seconded by Trustee Hawxhurst, to Amend Resolution #453-14 by extending the Tow Franchise period to April 30, 2015. Motion carried, Trustee Becker and Trustee Atkinson absent, all others voting "Aye."

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BOARD OF  
ASSESSMENT REVIEW

RES#52-15

The Village Assessor continued discussion on Grievance filings against the 2015 Tentative Assessment Roll. It was moved by Trustee Beach, seconded by Trustee Hawxhurst to authorize Village Special Counsel Ben Truncal of Spellman Rice to review said Grievances and settle prior to the finalization of the 2015 Assessment Roll. Motion carried, Trustee Becker and Trustee Atkinson absent, all others voting "Aye." Trustee Beach and Trustee Hawxhurst disclosed that, although their residences are included in said petitions and would refrain from voting, their voting is of necessity due to a resulting lack of quorum.

ADJOURNMENT

It was moved by Trustee Beach, seconded by Trustee Hawxhurst, to adjourn the meeting at 9:20 PM. Motion carried, Trustee Becker and Trustee Atkinson absent, all others voting "Aye."