

March 4, 2013

A regular meeting of the Board of Trustees of the Incorporated Village of Lynbrook was held on Monday, March 4, 2013 at 7:00 P.M. in the Village Hall.

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

EXECUTIVE  
SESSION

It was moved by Trustee Beach, seconded by Trustee Becker to adjourn the meeting to open an executive session to discuss attorney client matters with Special Counsel Jack Libert. Motion carried, all voting "Aye". It was moved by Trustee Beach, seconded by Trustee Becker to open an executive session to discuss attorney client matters with Special Counsel Jack Libert. Motion carried, all voting "Aye". After a lengthy discussion, it was moved by Trustee Beach, seconded by Trustee Becker to adjourn the executive session. Motion carried, all voting "Aye". It was moved by Trustee Beach, seconded by Trustee Becker to reopen the regular meeting. Motion carried, all voting "Aye".

PUBLIC HEARING  
- SUB-DIVISION-  
173 EARLE AVE.

**RES.#71-13**

Mayor Hendrick opened a Public Hearing to consider the application of RKG Building, Inc. as contract vendee, for a sub-division of the property known as and by 173 Earle Avenue, Section 11, Block 2, Lot 9 on the Village Land and Tax Map, into three residential lots for the construction of three one-family homes. The Mayor asked if anyone wished to comment. After a brief discussion and no further comments, it was moved by Trustee Beach, 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, Trustee Becker not present, all others voting "Aye". It was moved by Trustee Beach, seconded by Trustee Atkinson to set a date for a Public Hearing on the sub-division application for April 1, 2013 at 7:00 P.M., Trustee Becker not present, all others voting "Aye".

POLICE  
ACCREDITATION

**RES.#72-13**

It was moved by Trustee Beach, seconded by Trustee Becker to approve the inventory software and supplies to apply for Police Accreditation from NYS Division of Criminal Justice Service in the amount of \$12,000.00, such funds to be transferred from the Contingency Account #1990.444 to A3120.432. Motion carried, all voting "Aye".

PD SEAT BELT  
GRANT

**RES.#73-13**

It was moved by Trustee Beach, seconded by Trustee Becker to authorize Mayor Hendrick to sign the Police Department Seat Belt Grant in the amount of \$4,590.00, a STEP Grant in the amount of \$5,800, and STOP DWI Grant in the amount of \$7,800. from the Nassau County Traffic Safety Board. Motion carried, all voting "Aye".

SIX HOUR  
PARKING

**RES.#74-13**

It was moved by Trustee Beach, seconded by Trustee Atkinson to amend Resolution 238-12 of July 16, 2012 and the Village's Vehicle and Traffic Code, Chapter 240, Section 240-22, Schedule XV to prohibit parking for six (6) consecutive hours on any street except Saturdays, Sundays and Holidays unless otherwise posted except for commercial vehicles which are restricted by this Chapter to two (2) hours. Motion carried, all voting "Aye".

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

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MINUTES –  
2/19/13

It was moved by Trustee Becker, seconded by Trustee Beach to accept the Minutes of February 19, 2013 as submitted and place on file. Motion carried, all voting “Aye”.

**RES.#75-13**

PRESENTATION  
MAYOR  
LENAHAN

Mayor Francis Lenahan of East Rockaway made a presentation to the Mayor and Board of Trustees thanking them for the assistance given by the Lynbrook DPW during Hurricane Sandy in 2012.

CHAMBER OF  
COMMERCE  
REPORT

Secretary of the Chamber of Commerce Linda Stevenson gave a report on the Chamber of Commerce activities.

BILLS

It was moved by Trustee Atkinson, seconded by Trustee Becker that Bills listed on Abstract of Audited Voucher #14, General Fund - \$272,090.53, Trust & Agency - \$17,446.40, Electronic Transfer - \$298,316.44, all be paid as soon as same have been duly audited by the majority. Motion carried, all voting “Aye”.

**RES.#76-13**

GOOD &  
WELFARE

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

EXECUTIVE  
SESSION

It was moved by Trustee Beach, seconded by Trustee Becker to adjourn the meeting to open an executive session to review the probationary term of a Clerk in the Building Department. Motion carried, all voting “Aye”. It was moved by Trustee Beach, seconded by Trustee Becker to open an executive session to review the probationary term of a Clerk in the Building Department. Motion carried, all voting “Aye”. After a lengthy discussion, it was moved by Trustee Becker, seconded by Trustee Beach to adjourn the executive session. Motion carried, all voting “Aye”. It was moved by Trustee Beach, seconded by Trustee Becker to reopen the regular meeting. Motion carried, all voting “Aye”.

PROBATIONARY  
BLDG.  
DEPT.PART-  
TIME. CLERK

It was moved by Trustee Beach, seconded by Trustee Atkinson to authorize notification to the Nassau County Civil Service Commission and a probationary part-time clerk in the Building Department that the Village opts not to extend such employment beyond the probationary term. Motion carried, all voting “Aye”.

**RES.#77-13**

2013 TAX  
CERTIORARI  
SETTLEMENTS  
**RES.#78-13**

It was moved by Trustee Beach, seconded by Trustee Hawxhurst to approve the following 13/14 Tax Certiorari Settlements; of which some refunds are to be also paid in 2014/1015 and 2015/2016:

	13/14 <u>AV</u>	13/14 <u>REFUND</u>	14/15 <u>REFUND</u>	15/16 <u>REFUND</u>
293 Sunrise 15-1-1&2	\$75,000	\$16,000	\$16,000	
Florio 7-6-14	\$33,000	\$15,700		
75 Noble St. 60-4-26-31	\$330,000	\$16,000	\$16,000	
DJT Realty 29-5-1-1A-1B	\$165,000	\$12,500	\$12,500	
Greentree #1 41-4-21	\$524,350	\$25,000	\$61,500	\$61,500
Greentree #2 41-4-22A	\$449,000	\$25,000	\$75,000	

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699 Merrick 52-2-16-17	\$122,000	\$12,500	\$12,500	
Galaxy 211 30-3-7-7A	\$158,400	\$ 8,800		
30 Shipherd 15-5-2	\$ 87,900	\$ 8,000		
CSC Holding 13-2-5B	\$44,550	\$16,500		
Dairy Barn 55-6-3	\$18,000	\$ 4,400		
Durso 52—2-8,9	\$49,000	\$11,500	\$11,500	
Matzen 43-1-19	\$18,800	\$6,000		
TLJ Realty 16-1-3-4	\$49,500	\$10,000	\$10,000	
WSRJ, LLC 11-2-1	\$31,000	\$ 9,500	\$ 9,500	
Bresboys Two 41-1-1	\$90,000	\$16,000	\$16,000	
LP Gold 1-4-1,2	\$76,000	\$10,000	\$40,000	
Penbrook 7-4-1&2	\$300,000	\$25,000	\$127,500	\$127,500
Filmir 11-3-2	\$38,500	\$11,000	\$11,000	
So.Shore Storage 21-2-7-14-21A.B.211	\$125,400	\$15,000	\$15,000	
Fina Chang 16-2-2	\$33,000	\$18,800		
Harmony Realty 11-2-2A	\$51,200	\$16,500	\$16,500	
Kapson Lynbrook 30-1-2G	\$848,000	\$40,000	\$60,000	\$50,000
Total Refund		<u>\$349,700</u>	<u>\$510,500</u>	<u>\$239,000</u>

and various residential settlements reducing the Total Assessed Valuation by \$355,764. and refunds totaling \$50,978. Motion carried, Trustee Becker recused himself, all others voting “Aye”.

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35 WILBUR  
STREET  
RES.#79-13

It was moved by Trustee Beach, seconded by Trustee Becker to direct the Village Attorney to cancel negotiations to acquire 35 Wilbur Street, and transfer unexpended Capital Funds for this project to the General Fund. Motion carried, Trustee Atkinson voting "Nay" all others voting "Aye".

ADJOURNMENT

It was moved by Trustee Beach, seconded by Trustee Becker to adjourn the meeting at 9:50 P.M. Motion carried, all voting "Aye".