

September 18, 2017

A regular meeting of the Board of Trustees of the Incorporated Village of Lynbrook was held on Monday, September 18, 2017 at 7:00 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

Absent: Trustee Ann Marie Reardon

SET DATE – 10/16/17 –  
CHAP. 114 – HEDGES,  
FENCES & FRONT  
LAWNS  
**RES.#222-17**

The Board reviewed a copy of proposed Local Law #5 of 2017, to amend the Village Code Chapter 144 entitled “Hedges and Fences” to require front setback areas in residential zones to be landscaped in lieu of concrete, bricks or asphalt. It was moved by Trustee Beach, seconded by Trustee Hawxhurst, to table setting the date for a Public Hearing to consider proposed Local Law #5 of 2017. Motion carried, Trustee Reardon absent, all others voting “Aye.”

SET BID DATE-10/26/17-  
2018 ANNUAL STREET  
TREE PLANTING  
**RES.#223--17**

It was moved by Trustee Beach, seconded by Trustee Hawxhurst, to table setting the date of Thursday, October 26, 2017 at 11:00 A.M. to receive bids for Street Tree Planting, and direct the Superintendent of Public Works to provide the Board the opportunity to view sample tree species. Motion carried, Trustee Reardon absent, all others voting “Aye.”

SET DATE – P.H.-10/16/17  
– CHAP. 123 – FIREARMS,  
FIREWORKS &  
EXPLOSIVES  
**RES.224-17**

The Board reviewed a copy of proposed Local Law #6 of 2017, to amend the Village Code Chapter 123, Firearms, Fireworks and Explosives, to prohibit the sale of retail or wholesale business of the sale of firearms or firearm products. It was moved by Trustee Becker, seconded by Trustee Beach, to set the date of October 16, 2017 for a Public Hearing to consider proposed Local Law #6 of 2017. Motion carried, Trustee Hawxhurst “Nay”, Trustee Reardon absent, all others voting “Aye.” It was moved by Trustee Becker, seconded by Trustee Beach, 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 Reardon absent, all others voting “Aye.”

PARKING STUDY-REGAL  
THEATRE

Vision Long Island provided a status report on their parking study related to the new Regal Theatre.

LYNBROOK  
HOMECOMING PARADE  
**RES.#225-17**

It was moved by Trustee Becker, seconded by Trustee Hawxhurst, to ratify the request for the Lynbrook Home Coming Parade by School District #20, and to close Union Avenue from Atlantic Avenue to Marion Street on Saturday, September 16, 2017. Motion carried, Trustee Reardon absent, all others voting “Aye.”

NYS MULTI-MODAL  
GRANT-  
RECONSTRUCTION OAK  
ST.  
**RES.#226-17**

It was moved by Trustee Beach, seconded by Trustee Hawxhurst, to file an application for a NYS Multi-Modal Grant in the amount of \$50,000 for the reconstruction of Oak Street from Denton Avenue to Lynbrook Avenue, and authorize the Mayor and Village Administrator to sign all grant documents and contracts. Motion carried, Trustee Reardon absent, all others voting “Aye.” It was moved by Trustee Beach, seconded by Trustee Hawxhurst, to approve a temporary transfer of funds to the Capital Fund and reimbursement to the General Fund, upon receipt of such Grant reimbursement. It was moved by Trustee Beach, seconded by Trustee Hawxhurst, 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 Reardon absent, all others voting “Aye.”

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PURCHASE-F.D.  
MISCELLANEOUS  
EQUIPMENT  
RES.#[227-17](#)

It was moved by Trustee Beach, seconded by Trustee Hawxhurst, to approve the request from the Fire Department to acquire miscellaneous equipment at a cost of not to exceed \$25,000.00 due to no State Grant funding for such acquisition. Motion carried, Trustee Reardon absent, all others voting "Aye."

TEXT MESSAGE ALERTS  
RES.#[228-17](#)

It was moved by Trustee Beach, seconded by Trustee Hawxhurst to accept the proposal from Onsolve to provide Text Message, Email, and Voice emergency alerts to the community. Motion carried, Trustee Reardon absent, all others voting "Aye."

MATTRESS RECYCLING  
RENEWAL  
RES.#[229-17](#)

It was moved by Trustee Beach, seconded by Trustee Hawxhurst, to accept the Letter of Understanding with Renewable Recycling, Inc. regarding the Mattress Recycling Program with a fee increase from \$2.00 to \$5.00 per mattress as recommended by the Superintendent of Public Works. Motion carried, Trustee Reardon absent, all others voting "Aye."

CONTRACT-W.  
MARINACCIO-  
PHOTOGRAPHER  
RES.#[230-17](#)

It was moved by Trustee Beach, seconded by Trustee Hawxhurst, to authorize Mayor Hendrick sign a Contract for Services with William Marinaccio as Assistant Photographer for George McClosky, for a term ending May 31, 2018. Motion carried, all voting "Aye."

BID AWARD – STREET  
LIGHT MAINTENANCE-  
TABLED  
RES.#[231-17](#)

Village Administrator John Giordano advised that of the seven (7) potential bidders, one (1) bid was submitted for Street Light Maintenance on August 31, 2017. It was moved by Trustee Beach, seconded by Trustee Hawxhurst, to table the bid award for the Street Light Maintenance Contract to allow time to reconcile the cost increase with additional lights to be maintained. Motion carried, Trustee Reardon absent, all others voting "Aye."

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

MINUTES-8/14/17  
RES.#[232-17](#)

It was moved by Trustee Becker, seconded by Trustee Hawxhurst, to accept the Minutes of August 14, 2017 as submitted and place on file. Motion carried, Trustee Reardon absent, all others voting "Aye."

CHAMBER OF  
COMMERCE REPORT

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

PROC.-THERESA  
TUNKEL-100TH B.D.

Mayor Hendrick presented a Proclamation to Lynbrook resident Theresa Tonnkel for her 100<sup>th</sup> Birthday.

PUBLIC HEARING-SPEC.  
USE PERMIT-213  
HEMPSTEAD AVE.  
RES.#[233-17](#)

Mayor Hendrick opened a Public Hearing to consider the application of J.D. Realty Consulting, LLC for a Special Use Permit to operate a Home Business pursuant to Village Code Chapter 252, Zoning, Section 252-11 "Permitted Uses in a Dwelling A & B District", under subsection 8 "Home Business" at the property known as 213 Hempstead Avenue, Village Section 55, Block 11, Lot 3. Garrett Grey Esq. representing the applicant advised that the property is currently used for Professional Use non-resident pursuant to a Special Exception that granted approval to a Dentist, Dr. Berg, to operate on the first floor. Mr. Gray indicated that the Dentist is selling the property and his client would like to purchase the property to conduct a Family Counseling subject to the Village again granting authorization to waive the occupancy requirement. Dr. Berg commented. The Mayor asked if anyone would like to speak. After no further comments, it was moved by Trustee Beach, seconded by Trustee Hawxhurst to grant the Special Use permit subject to the conditions set forth in the attached Resolution. (Exhibit A) Motion carried, Trustee Reardon absent, all others voting "Aye."

BILLS  
RES.#[234-17](#)

It was moved by Trustee Beach, seconded by Trustee Hawxhurst, that Bills listed on Abstract of Audited Voucher #5, General Fund -\$737,368.47; Capital Fund - \$61,758.24; Electronic Transfer - \$868,436.16; Trust & Agency - \$297,887.37, all be paid as soon as same have been duly audited by the majority. Motion carried, Trustee Reardon absent, all others voting "Aye."

GOOD & WELFARE

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

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It was moved by Trustee Beach, seconded by Trustee Hawxhurst, to continue the meeting to the conference room. Motion carried, Trustee Reardon absent, all others voting "Aye."

CAPITAL  
PROJECTS/TRANSFER OF  
FUNDS  
RES.#235-17

It was moved by Trustee Beach, seconded by Trustee Hawxhurst, to approve the attached transfer of funds (See Exhibit B) and the following projects and associated Transfer of Funds from A1990.444 Contingency:

- 1) DPW Riding Mower – \$20,000 to A7110.205 – Mechanical Equipment
- 2) Baseball Field "A" Renovation – \$60,000 to A7310.200 Bldg. & Prop. Impr.
- 3) Hockey Rink Parking –\$10,000 to A7310.200 – Bldg. & Prop. Impr.
- 4) F.D. Equipment – \$25,000 to 3410.243 – F.D. Hardware/Tools
- 5) Sports Shed Ext. – \$19,000 to A7310.0200 – Bldg. Imprv.

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

DEMOLITION PERMIT-  
136 BUCKINGHAM  
PLACE  
RES.#236-17

It was moved by Trustee Beach, seconded by Trustee Hawxhurst, to approve an application for Demolition from James Guardino of 136 Buckingham Place to demolish the existing one (1) family residence to construct a new one (1) family 2 ½ story residence. Motion carried, Trustee Reardon and Trustee Becker absent, all others voting "Aye."

TRAFFIC CONTROL-  
SAPERSTIEN  
PLAZA/COLUMBUS DRIVE  
& SPENCER AVE.  
RES.#237-17

It was moved by Trustee Beach, seconded by Trustee Hawxhurst, to approve the following changes to Chapter 240 of the Village Vehicle & Traffic Code as per the Police Chief's recommendation:

1. Saperstein Plaza – north side along the Temple

Amend "No Stopping School Bus Stop 8:45 pm – 9am, 2:30 pm -2:45pm to:

- a. "No Stopping School Bus Stop 8:45 am – 9:15 am , 2:45 pm – 3:15 pm Monday – Friday" and
- b. "No Standing Saturday and Sunday" in the Bus Stop

2. Columbus Drive east side between Langdon Place and the Temple driveway:

Amend "2 Hour Parking" to "2 Hour Parking Monday – Friday"

- 3a. Stella Court west side: Install "No Stopping Here to Corner" 20 feet east of Spencer Avenue
- b. Amend "No Stopping Here to Corner" on the north side of Spencer Avenue 5 feet west of Stella Court, to 20 feet

4. Stop Intersection at Olive Drive and Reyam Road

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

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PURCHASE  
GENERATOR-DPW &  
TRANSFE OF FUNDS  
**RES.#238-17**

It was moved by Trustee Beach, seconded by Trustee Hawxhurst, to approve the engagement of Tom Daly to install the natural gas service pipe for the generator at the Department of Public Works at a cost of \$3100., or the next lowest bidder if it cannot be completed in 10 days and to transfer funds from Contingency 001.1990.0444 to Capital Fund 2 003.00003.9990. Motion carried, Trustee Becker and Trustee Reardon absent, all others voting "Aye."

REC. EMPLOYEE TITLE  
CHANGE  
**RES.239-17**

It was moved by Trustee Beach, seconded by Trustee Hawxhurst, to hire the following Recreation Attendant Seasonal employees as Recreation Attendant Part-time effective on October 1, 2017, with no hourly wage change:

Lauren Aaragona  
Marissa Keller  
Aaron Podgorsky  
Tristan Umowski

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

SEVERANCE PAY – J.  
LENGEL  
**RES.#240-17**

It was moved by Trustee Hawxhurst, seconded by Trustee Beach, to approve severance pay for former Recreation Attendant Jenny Lengel. Motion carried, Trustee Becker and Trustee Reardon, absent, all others voting "Aye."

N.C. CIVIL SVC.  
TITLE-REC. SPECIALIST

Village Administrator John Giordano gave an update on the status of Nassau County Civil Service Commission processing of the Village request to open the Title of Recreation Specialist.

SALE OF 1999 F.D.  
LADDER TRUCK  
**RES.#241-17**

It was moved by Trustee Beach, seconded by Trustee Hawxhurst, to approve the sale of the 1999 F. D. Ladder Truck as a trade-in to Hendrickson Truck Center in the amount of \$55,000. Motion carried, Trustee Becker and Trustee Reardon absent, all others voting "Aye."

ADJOURNMENT

It was moved by Trustee Beach, seconded by Trustee Hawxhurst, to adjourn the meeting at 10:20 P.M. Motion carried, Trustee Becker and Trustee Reardon absent, all others voting "Aye."