

December 3, 2012

A regular meeting of the Board of Trustees of the Incorporated Village of Lynbrook was held on Monday, December 3, 2012 at 7:00 PM in the Village Hall. The Mayor opened the meeting with the Pledge of Allegiance.

Present: Mayor William Hendrick  
Trustee Alan Beach  
Trustee Hilary Becker  
Trustee Thomas Atkinson  
Trustee Michael Hawxhurst  
Deputy Village Clerk Helen Lanza  
Village Attorney Peter Ledwith

Absent: Village Administrator John Giordano

P.H.-SIDEWALK  
VIOLATIONS

RES.#[370-12](#)

It was moved by Trustee Atkinson, seconded by Trustee Beach to open a Public Hearing to consider the repair and construction of the attached list of sidewalk violations in the Village pursuant to Section 212.1 of the Village Code. The Mayor asked if anyone wished to comment, after no comments heard, it was moved by Trustee Atkinson, seconded by Trustee Beach to close the Public Hearing and to authorize the Village to repair the sidewalks in violation, to assess the properties for such repair costs, and adopt the attached resolution as written. Motion carried, all voting *o*Aye*o*. (Exhibit attached)

P.H.-CSEA-LOCAL  
882 (POLICE  
CIVILIAN UNIT)

RES.#[371-12](#)

The Mayor opened a Public Legislative Hearing to consider and determine the terms and conditions of employment for the Civil Service Employees Association Local 882 (Police Civilian Unit) in regard to the Collective Bargaining Agreement that expired on May 31, 2009 and for the term of June 1, 2009 through May 31, 2010. Mr. Ken Gray, Esq. representing the Village and Mr. Stanley Freer representing the CSEA commented. It was moved by Trustee Beach, seconded by Trustee Atkinson to close the Hearing and reserve decision. Motion carried, all voting *o*Aye*o*. (See Transcript attached)

P.H.-CHAP.252-30  
SECONDHAND  
MERCHANDISE

RES.#[372-12](#)

The Mayor opened a Public Hearing to consider the enactment of a proposed local law to amend of the Village Code Chapter 252 entitled *o*Zoning*o*, Section 252-30 to provide for a prohibition of secondhand merchandise retail stores. The Mayor read the proposed Local Law and asked if anyone wished to speak. Mr. Anthony Filosa, Esq., from Rosenberg Fortuna & Laitman, LLP spoke and submitted exhibits which were placed on file. It was moved by Trustee Beach, seconded by Trustee Atkinson to continue the Public Hearing on January 14, 2013 at 7:00 PM. Motion carried, all voting *o*Aye*o*.

REQUEST-  
LADDER TRUCK  
COMMITTEE

RES.#[373-12](#)

The Board met with representatives of Fire Department Ladder Co. to discuss their intentions on replacing the 1998 Ladder Truck. It was moved by Trustee Beach, seconded by Trustee Atkinson to authorize Ladder Co. to form a committee. Motion carried, all voting *o*Aye*o*.

P.H.-CHAP.185-  
BAMBOO-  
TABLED

RES.#[374-12](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson to adjourn a Public Hearing to consider the enactment of a proposed local law to amend the Village Code, Chapter 185, entitled *o*Property Maintenance*o*, to add a subsection 185-7.1 to prohibit the planting of Bamboo, to January 14, 2013. Motion carried, all voting *o*Aye*o*.

P.H.-CHAP.240  
COMMUTING

RES.#[375-12](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson to adjourn the Public Hearing to consider the enactment of a proposed local law to amend the Village Code, Chapter 240, Article VII Municipal Parking Fields entitled *o*Vehicles & Traffic*o*, Section 240-49 Definitions to redefine *o*Commute/Commuting*o* to January 14, 2013. Motion carried, all voting *o*Aye*o*.

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SET DATE 6  
BD.MTGS.-JAN. &  
FEB.

RES.#[376-12](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson to consolidate the January 7<sup>th</sup> and January 21, 2013 Board Meetings to January 14, 2013 at 7:00 PM, and reschedule the February 18, 2013 meeting to Tuesday, February 19, 2013 to be held in conjunction with Grievance Day at 5:00 PM. Motion carried, all voting ðAyeö.

RATIFY  
HURRICANE  
SANDY RES.-  
NON-  
CONTRACTUALS-  
TABLED

RES.#[377-12](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson to table the request to ratify the Mayors granting of October 29 and October 30, 2012 as two (2) paid leave days for ðnon-contractualö employees due to Hurricane Sandy, to the December 17, 2012 meeting. Motion carried, all voting ðAyeö.

CONSTRUCTION-  
REGAL  
CINEMAS-  
TABLED

RES.#[378-12](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson to table discussion on Regal Cinemas continued possible interest in rehabilitating its existing theatre at 321 Merrick Road. Motion carried, all voting ðAyeö.

EXTEND WAIVER  
OF OVERNIGHT  
PARKING-12/17/12

RES.#[379-12](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson to extend the waiver of the overnight parking law adopted on November 6, 2012 for those displaced by Hurricane Sandy, until December 17, 2012. Motion carried, all voting ðAyeö.

VILLAGE HALL  
REPAIRS

RES.#[380-12](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson to approve the estimate from Guardian Gate Company in the amount of \$3,000.00 for the installation of a roll down gate to replace the wood veneer partition entering the Village Clerk's Office. Motion carried, all voting ðAyeö.

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

MINUTES 6  
11/19/12

RES.#[381-12](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson to approve the Minutes of November 19, 2012 as submitted and place on file. Motion carried, all voting ðAyeö.

CHAMBER OF  
COMMERCE  
REPORT

President of the Chamber of Commerce William Gaylor gave a report on Chamber of Commerce activities.

FD WOUNDED  
WARRIOR TRIP

RES.#[382-12](#)

It was moved by Trustee Atkinson, seconded by Trustee Beach to grant permission to the Fire Department to use Fire Department Vehicles, number 4212 & 429-3 (Chief's vehicles and 4261, Fire Police Van to transport members and gifts to the Walter Reed Medical Center, located in Washington, CD on December 7<sup>th</sup> and returning December 8, 2012. Motion carried, all voting ðAyeö.

EMINENT  
DOMAIN  
PROCEEDINGS-47  
BROADWAY

RES.#[383-12](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson to table the discussion concerning the proposed taking by Eminent Domain of 47 Broadway. Motion carried, all voting ðAyeö.

BILLS

RES.#[384-12](#)

It was moved by Trustee Atkinson, seconded by Trustee Becker that Bills listed on Abstract of Audited Voucher #9, General Fund -- \$160,802.57, Capital fund - \$220,854.74; Electronic Transfer - \$434.04, Community Development - \$14,275.00, all be paid as soon as same have been duly audited by the majority. Motion carried, all voting ðAyeö.

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GOOD &  
WELFARE

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

ADJOURNMENT

It was moved by Trustee Beach, seconded by Trustee Atkinson to adjourn the meeting at 8:45 PM. Motion carried, all voting "Aye".