

January 13, 2014

A regular meeting of the Board of Trustees of the Incorporated Village of Lynbrook was held on Monday, January 13, 2014 at 7:00 P.M. in the Village Hall.

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

Absent: Trustee Hilary Becker

RATIFY-
EXECUTION-
LIRR LEASE

RES.#1-14

It was moved by Trustee Beach, seconded by Trustee Atkinson to ratify the execution of a License Agreement with the Long Island Railroad (LIRR) dated February 1, 2014 that enables the Village to issue commuter parking permits for 233 parking spaces on LIRR land in the vicinity of and under the LIRR trestle for a 10 year period. Motion carried, Trustee Becker & Trustee Hawxhurst absent, all others voting "Aye". It was moved by Trustee Beach, seconded by Trustee Atkinson that the board declare themselves as Lead Agency and that a Negative Declaration be issued for this action as there is no significant adverse impact on the environment pursuant to the New York State Environmental Quality Review Act. Motion carried, Trustee Becker & Trustee Hawxhurst absent, all others voting "Aye".

JR. F.D. SKIING
TRIP-2-8-14

RES.#2-14

It was moved by Trustee Beach, seconded by Trustee Atkinson to authorize members of the Jr. Fire Department to be transported to Thunder Ridge Mountain in Paterson, NY on Saturday, February 8, 2014 for a skiing outing and to use unit 420-B. Motion carried, Trustee Becker and Trustee Hawxhurst absent, all others voting "Aye".

F.D. GOLF
OUTING-7/12-
7/13/14

RES.#3-14

It was moved by Trustee Beach, seconded by Trustee Atkinson to grant permission to member of Engine Co. #1 to use the Fire Police Vehicle (426-1) to transport members and equipment to Mt. Pocono, PA, for their Annual Golf Outing on June 12 – 13, 2014. Motion carried, Trustee Becker and Trustee Hawxhurst absent, all others voting "Aye".

BID AWARD-
SNOW REMOVAL
SIDEWALKS ON
CALL SERVICE

RES.#4-14

Village Administrator John Giordano advised that bids were received on December 30, 2013 for Snow Removal-Sidewalks on-call Service as follows:

	<u>CIPCO</u>	<u>CASTLE</u>
2,000 linear ft.depth 2-6 in.	\$7,700	\$8,500
2,000 linear ft.depth6-12 in.	\$8,400	\$9,520
3,000 linear ft.depth 12-20 in.	\$13,500	\$15,000
3,000 linear ft. depth 20+ in.	\$14,400	\$16,500
Contractor's bid for linear ft de-icer	\$.90 cts/lf	\$1.25/lf

It was moved by Trustee Beach, seconded by Trustee Atkinson to award the bid to CIPCO. Motion carried, Trustee Becker and Trustee Hawxhurst absent, all others voting "Aye".

TRANSFER OF
FUNDS

RES.#5-14

It was moved by Trustee Beach, seconded by Trustee Atkinson to approve the attached transfer of funds and Budget Amendments. Motion carried, Trustee Becker and Trustee Hawxhurst absent, all others voting "Aye". (See Exhibit A)

January 13, 2014

P.H.-TAXATION-
CHAP.222-L.L.#1
OF 2014

RES.#6-14

Mayor Hendrick opened a Public Hearing to consider the enactment of proposed Local Law #1 of 2014 to amend the Village Code, Chapter 222, entitled "Taxation" with respect to Article VII, Authority for Tax Levy Limit Override to provide that the 2014 real property taxation may exceed the tax levy limit set forth in General Municipal Law Chapter 3-c. Mayor Hendrick read the proposed Local Law and asked if anyone wished to speak. After no further comments, it was moved by Trustee Beach, seconded by Trustee Atkinson to close the hearing and enact Local Law #1 of 2014. Motion carried, Trustee Becker and Trustee Hawxhurst absent, all others voting "Aye".

LYNBROOK
BAPTIST
CHURCH-100TH
ANNIVERSARY

RES.#7-14

It was moved by Trustee Beach, seconded by Trustee Atkinson to table a request from the Lynbrook Baptist Church to use parking fields # 15 & 16 on Saturday, July 26, 2014 to hold a festival in honor of their 100th Year Anniversary. Motion carried, Trustee Becker and Trustee Hawxhurst absent, all others voting "Aye".

EXECUTIVE
SESSION

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

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

MINUTES-
12/16/13

RES.#8-14

It was moved by Trustee Beach, seconded by Trustee Atkinson to accept the Minutes of December 16, 2013 as submitted and place on file. Motion carried, Trustee Becker absent, all others voting "Aye".

CHAMBER OF
COMMERCE
REPORT

Denise Rogers, President of the Chamber of Commerce gave an update of Chamber of Commerce activities.

RATIFY WAIVER
OF OVERNIGHT
PARKING-
12/20/13 - 1/45/14

RES.#9-14

It was moved by Trustee Beach, seconded by Trustee Atkinson to ratify the Mayors waiver of overnight parking regulations throughout the Village Saturday, December 21 thru Sunday, January 5, 2014 pursuant to Section 204-19.B of the Village Code. Motion carried, Trustee Becker, all others voting "Aye".

P.H.-CHAP 59 -
L.L.#2 & CHAP.
252 - L.L. #3 OF
2014

RES.#10-14

Mayor Hendrick opened a Public Hearing to consider the enactment of Local Law #2 & Local Law #3 of 2014 to add a new Chapter 59 entitled "Administrative Search Warrant", and amend Chapter 252 Article XVI Illegal Over-Occupancies to provide for authorization for an application for an Administrative Search Warrant and for Notice to the owner and/or occupant of the premises that such application may be made. Mayor Hendrick read the proposed Local Laws and asked if anyone wished to speak. After no further comments, it was moved by Trustee Beach, seconded by Trustee Atkinson to enact Local Law #2 and Local Law #3 of 2014. Motion carried, Trustee Becker absent, all others voting "Aye".

January 13, 2014

P.H.-CHAP. 78 –
L.L.#4 OF 2014

RES.#11-14

Mayor Hendrick opened a Public Hearing to consider the enactment of Local Law #4 of 2014 to amend the Village Code Chapter 78, Sections 78-10 and 78-11 entitled “Boarding Houses, Rooming Houses and Hotels” to provide regulations concerning standards for licensing of Boarding Houses, Rooming Houses & Hotels, and grounds to revoke or deny a license. Mayor Hendrick read the proposed Local Law and asked if anyone wished to speak. After no further comments, it was moved by Trustee Beach, seconded by Trustee Hawxhurst to enact Local Law #4 of 2014. Motion carried, Trustee Becker absent, all others voting “Aye”.

P.H.-CHAP.25-L.L.
#5 OF 2014

RES.#12-14

Mayor Hendrick opened a Public Hearing to consider the enactment of Local Law #5 of 2014 to amend the Village Code, Chapter 25, Defense and Indemnification of Employees to add a subsection 25-5(B) authorizing the Board to opt to have certain employees or those seeking promotion to be fingerprinted. Mayor Hendrick read the proposed Local Law and asked if anyone wished to speak. After no further comments, it was moved by Trustee Beach, seconded by Trustee Atkinson to enact Local Law #5 of 2014. Motion carried, Trustee Becker absent, all others voting “Aye”.

P.H.-CHAP.203-
L.L.#6

RES.#13-14

Mayor Hendrick opened a Public Hearing to consider the enactment of Local Law #6 of 2014 to amend the Village Code, Chapter 203, Signs, to amend sub-section 203-4C.(3) and 203-4C.(4) to prohibit certain illuminated signs that has electronic messages that change every seven seconds or less. Mayor Hendrick read the proposed Local Law and asked if anyone wished to speak. After no further comments, it was moved by Trustee Beach, seconded by Trustee Atkinson to enact Local Law #6 of 2014. Motion carried, Trustee Becker absent, all others voting “Aye”.

P.H.-REZONING –
733 SUNRISE
EHWY.

RES.#14-14

A Public Hearing was opened at 8:29 PM to consider the application from Simon Healthcare Development, 733 Sunrise Realty LLC for re-zoning of that part of a parcel of land to “Commercial” located at the parking lot for the building known as and by 733 Sunrise Highway and designated on the Nassau County Land and Tax Map as Section 42, Block M01 and Lot 322 and currently zoned “Residential C”, to be consistent with the other land comprising the said parking lot. Mr. David Leno, Esq., representing the applicant advised that the existing lot is zoned “Commercial” to the north, and “Residential C” to the south, and the change of zone would allow the applicant to redevelop the premises for medical offices, as the inconsistent zoning district did not affect the prior use as an office for the Long Island Water Corp. Guy Lieber, Simon Dvelopment and Brian Newman AIA, representing the applicant presented a site plan for the project showing the zoning boundry line, parking for 120 vehicles, proposed landscaping, and extension on the west side of the building. Rebecca Goldberg of Cameron Engineering also representing the applicant, submitted a Traffic Impact Study and discussed impacts to traffic volume. Mr. Leno advised that granting the zoning change would only maintain the existing use, and that there would not be any change or impact to the adjacent properties. Mayor Hendrick asked if anyone wished to speak. After no one wishing to speak, it was moved by Trustee Beach, seconded by Trustee Atkinson that the Board 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 absent, all others voting “Aye”. It was moved by Trustee Beach, seconded Trustee Atkinson to continue the hearing on January 27, 2014 at 8:00 P.M. Motion carried, Trustee Becker absent, all others voting “Aye”.

January 13, 2014

BILS

RES.#15-14

It was moved by Trustee Atkinson, seconded by Trustee Hawxhurst that Bills listed on Abstract of Audited Voucher #11, General Fund - \$342,222.53, Trust & Agency - \$9,791.24, Capital Fund - \$6,250.00 and Electronic Transfer - \$301,935.20, all be paid as soon as same have been duly audited by the majority. Motion carried, Trustee Becker absent, all others voting "Aye".

GOOD &
WELFARE

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

EXECUTIVE
SESSION

It was moved by Trustee Beach, seconded by Trustee Atkinson to adjourn the meeting to executive session to discuss the qualifications of applicants for the position of part-time Recreation Attendant. Motion carried, Trustee Becker absent, all others voting "Aye". It was moved by Trustee Beach, seconded by Trustee Atkinson to open an executive session to discuss the qualifications of applicants for the position of part-time Recreation Attendant. Motion carried, Trustee Becker absent, all others voting "Aye". After a brief discussion, it was moved by Trustee Beach, seconded by Trustee Atkinson to close the executive session. Motion carried, Trustee Becker absent, all others voting "Aye". It was moved by Trustee Beach, seconded by Trustee Atkinson to open the regular meeting. Motion carried, Trustee Becker absent, all others voting "Aye".

HIRE PART-TIME
REC.
ATTENDANTS

RES.#16-14

It was moved by Trustee Hawxhurst, seconded by Trustee Atkinson to hire Melissa McHenry, Julie Steinert and Brian Pavone as part-time Recreation Attendants at a rate of \$8.00 per hour. Motion carried, Trustee Becker absent, all others voting "Aye".

AMENDMENT TO
LIRR LICENSE

RES.#17-14

It was moved by Trustee Beach, seconded by Trustee Atkinson to authorize the Village Attorney to prepare an amendment to the License with the Long Island Railroad dated February 1, 2014 to provide for an amended quarterly payment to coincide with new permit annual rates for different parking zones, and, the ability of the Village to opt to sell up to 30 additional Commercial vehicle permits. Motion carried, Trustee Becker absent, all others voting "Aye".

ADJOURNMENT

It was moved by Trustee Hawxhurst, seconded by Trustee Atkinson to adjourn the meeting at 9:55 P.M. Motion carried, Trustee Becker absent, all others voting "Aye".