

November 15, 2010

A regular meeting of the Board of Trustees of the Incorporated Village of Lynbrook was held on Monday, November 15, 2010 at 7:00 P.M. in the Village Hall. The Deputy Mayor opened the meeting with the Pledge of Allegiance to the Flag.

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

EMPLOYEE PARKING
RES.# _____ It was moved by Trustee Hawxhurst, seconded by Trustee Beach to deny the request from CPA Realty to waive the permit fee for 5 new employees at 275 Merrick Road. Motion carried, Mayor Curran absent, all others voting "Aye".

FIRE HYDRANT
LESTER AVE.
RES.# _____ It was moved by Trustee Hendrick, seconded by Trustee Beach to table accepting an offer from L.I. Water to install a new fire hydrant on Lester Avenue, to the December 6, 2010 meeting. Motion carried, Mayor Curran absent, all others voting "Aye".

REPORT – WORKER'S
COMP.
CLAIMS
Insurance Consultant Jeff Greenfield and broker Nicholas Salerno reported on the status of worker's compensation claims filed June 1, 2010 to date. It was moved by Trustee Hawxhurst, seconded by Trustee Becker to authorize the Insurance Broker to establish departmental safety committees with all Village Departments. Motion carried, Mayor Curran absent, all others voting "Aye".

PRE-SCHOOL
REGULATIONS
RES.# _____ It was moved by Trustee Hendrick, seconded by Trustee Beach to direct the Village Attorney to draft rules for the Recreation Commission that would require immunization records from parents of children registering for the pre-school program. Motion carried, Mayor Curran absent, all others voting "Aye".

TRANSFER OF FUNDS
RES.# _____ It was moved by Trustee Hawxhurst, seconded by Trustee Beach to approve the following transfer of funds and temporary transfers:

To: 001.1910.0490 General Insurance	\$11,000.00
Fr: 001.1910.0491 Reimbursed Gen. Ins.	(11,000.00)

To: 001.7310.0455 Youth Programs-Maint.&Repair Equip.	\$1,000.00
Fr: 001.7310.0458 Youth Programs-Maint.&Repair Bldg.Prop	(1,000.00)

To: 001.3320.0423 Parking Fields-Parking Meter Supplies	\$2,600.00
Fr: 001.1990.0444 Contingent	(2,600.00)

Temporary Cash Transfer – for Broadway Streetscape Program

To: 003.0003.0200 Capital Fund – Cash 1	\$100,000.00
Fr: 001.0001.0200 General Fund Cash	(100,000.00)

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Temporary Cash Transfer – for Sunrise Hwy. Streetscape Project

To: 003.0003.0200 Capital Fund – Cash 1	\$100,000.00
Fr: 001.0001.0200 General Fund Cash	(100,000.00)

Motion carried, Mayor Curran absent, all others voting “Aye”.

PUBLIC HEARING-
SIDEWALK
VIOLATIONS

RES.# _____

It was moved by Trustee Becker 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. It was moved by Trustee Becker, 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, Mayor Curran absent, all others voting “Aye”.

SIDEWALK DAMAGE
-95 LYON PLACE-
TABLED

It was moved by Trustee Beach, seconded by Trustee Hawxhurst to table a request from 95 Lyon Place for reimbursement for sidewalk damage allegedly due to Village vehicles, to the December 6, 2010 meeting. Motion carried, Mayor Curran absent, all others voting “Aye”.

BID AWARD-
BROADWAY/UNION
AVE.-STREETScape

RES.# _____

The Village Administrator reported that the Superintendent of Public Works Phil Healey received two (2) bids on September 30, 2010 for the Broadway/Union Avenue Streetscape Project as follows:

Stasi Brothers Asphalt - \$98,600.
Frank Robustello & Son - \$99,620.

It was moved by Trustee Hawxhurst, seconded by Trustee Becker to award the bid for the Broadway/Union Avenue Streetscape Project to the low bidder Stasi Contracting in the amount of \$98,600, subject to their ability to timely start work by November 30, 2010, and to furthermore grant authority to the Superintendent to award the bid to Robustello if Stasi Brothers Asphalt does not perform on time. Motion carried, Mayor Curran absent, all others voting “Aye”.

BID AWARD-
LIBRARY ROOF

RES.# _____

The Village Administrator advised that the Superintendent of Public Works Phil Healey received seven (7) bids on September 30, 2010 for the Library Roof Replacement as follows:

More Contracting & Consulting - \$118,785.00
Long Island Roofing & Repairs - \$142,590.00
NJK Contractors, Inc. - \$259,960.00
DBA Roof Service - \$150,407.00
Statewide Roofing - \$179,000.00
Mar Pat Const. Corp. - \$187,686.00
Vezandio Contracting Corp. - \$153,500.00

It was moved by Trustee Beach, seconded by Trustee Hendrick to award the bid for Re-roofing the addition to the Lynbrook Public Library to More Contracting & Construction as the low bidder in the amount of \$118,785.00, and to authorize Epoxy Corp. to install the top membrane in conjunction with a grant from the NY Power Authority. Motion carried, Mayor Curran absent, Trustee Becker abstained, all others voting “Aye”.

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BID AWARD-DEBRIS
REMOVAL

RES.# _____

It was moved by Trustee Becker, seconded by Trustee Hawxhurst to re-bid the bid for Debris Removal on December 16, 2010 at 11:00 A.M. and to reject all bids received on September 16, 2010. Motion carried, Mayor Curran absent, all others voting "Aye".

P.H.-ACQUISITION OF
323 MERRICK RD-
TABLED-1/25/11

It was moved by Trustee Beach, seconded by Trustee Hawxhurst to table the Public Hearing scheduled tonight to consider the acquisition of 323 Merrick Road pursuant to Section 201-204 of the Eminent Domain Procedure Law to a date to be determined when the Mayor arrives. Motion carried, Mayor Curran absent, all others voting "Aye".

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

MINUTES-10/18/10

RES.# _____

It was moved by Trustee Hawxhurst, seconded by Trustee Becker to accept the Minutes of October 18, 2010 as submitted and place on file. Motion carried, Mayor Curran absent, all others voting "Aye".

DEPARTMENT
REPORTS-9/10

RES.# _____

It was moved by Trustee Beach, seconded by Trustee Hawxhurst to accept the following Department Reports for the month of September 2010 as submitted: Building Dept., DPW, Village Justice Court, Fire Dept., Library, and Recreation. Motion carried, Mayor Curran absent, all others voting "Aye".

USE OF F.D. BUS

RES.# _____

It was moved by Trustee Hendrick, seconded by Trustee Beach to grant permission for the members of Engine Company No. 1 to use the Department bus designated as Unit 420B to transport members to Oyster Bay on December 18th, 2010. Motion carried, Mayor Curran abstained, all others voting "Aye".

HOLIDAY TREE
SALE-VULCAN CO.

RES.# _____

It was moved by Trustee Hendrick, seconded by Trustee Beach to grant permission to Vulcan Chemical & Hose Company to hold their annual Christmas Tree Fundraiser on the corner of Festa Way (Denton Avenue) and Merrick Road, starting the last week in November and continuing until Christmas, and to waive any necessary permit fees. Motion carried, Mayor Curran abstained, all others voting "Aye".

2010/2011 NASSAU
COUNTY COMM.
DEVELOPMENT
GRANT

RES.# _____

It was moved by Trustee Beach, seconded by Trustee Becker to authorize the Mayor to sign the 2010/2011 Nassau County Community Development Grant in the amount of \$110,000. Motion carried, Mayor Curran abstained, all others voting "Aye".

2010 JUSTICE COURT
GRANT

RES.# _____

It was moved by Trustee Beach, seconded by Trustee Hawxhurst to authorize the Mayor to sign the application for the 2010 Justice Court Grant in the amount of \$30,000. Motion carried, Mayor Curran abstained, all others voting "Aye".

NYS COMMUNITY
PROJECTS
CONTRACT

RES.# _____

It was moved by Trustee Becker, seconded by Trustee Beach to authorize the Mayor to sign the NYS Community Projects Appropriation Contract in the amount of \$55,000.00. Motion carried, Mayor Curran abstained, all others voting "Aye".

PROC-FRED
FUSSWINKEL

Mayor Curran presented Police Officer Fred Fusswinkel with a Proclamation upon his retirement after twenty-eight years of service.

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PROC.-MCGINITYS
PUB

Mayor Curran presented a Proclamation to the representatives of "McGinitys Pub" for their 10 years of charitable activities.

BILLS

It was moved by Trustee Becker, seconded by Trustee Hawxhurst that Bills listed on Abstract of Audited Voucher #8, General Fund - \$650,778.45, Trust & Agency - \$34,868.17, Capital Fund - \$197,400.75, Electronic Transfer - \$227,423.11 and Community Development - \$24,700.00, all be paid as soon as same have been duly audited by the majority. Motion carried, Mayor Curran abstained, all others voting "Aye".

GOOD & WELFARE

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

ADJ. TO
EXEC.SESSION

It was moved by Trustee Hendrick, seconded by Trustee Beach to adjourn the regular meeting to open an executive session to discuss the promotion of 2 Police Officers to Sergeant. Motion carried, Mayor Curran abstained, all others voting "Aye".

EXEC.SESSION

It was moved by Trustee Hendrick, seconded by Trustee Beach to open an executive session to discuss the employment history of two (2) Police Officers and their possible promotion to Sergeant. Motion carried, Mayor Curran abstained, all others voting "Aye". It was moved by Trustee Hendrick, seconded by Trustee Beach to close the executive session. Motion carried, Mayor Curran abstained, all others voting "Aye".

OPEN REGULAR
MEETING

It was moved by Trustee Hawxhurst, seconded by Trustee Becker to open the regular meeting. Motion carried, Mayor Curran abstained, all others voting "Aye".

NYS RETIREMENT
SYSTEM-PREMIUM
AUTHORIZATION

It was moved by Trustee Hendrick, seconded by Trustee Beach to opt to pay the Annual NYS Retirement System Premium under their amortization program. Motion carried, Mayor Curran abstained, all others voting "Aye".

RES.#____

PROMOTION-P.O.
DILLON-SERGEANT

It was moved by Trustee Beach, seconded by Trustee Becker to appoint Police Officer Daniel Dillon to Sergeant subject to medical certification that he is able to return to work from his recent illness and further approval by the Board. Motion carried, Mayor Curran abstained, all others voting "Aye".

RES.#____

PROMOTION-P.O.
CUNNINGHAM-
SERGEANT

It was moved by Trustee Beach, seconded by Trustee Becker to appoint Police Officer Brian Cunningham as Sergeant. Motion carried, Mayor Curran abstained, all others voting "Aye".

RES.#____

SPEC.BD.MTG.11/26/10

It was moved by Trustee Hendrick, seconded by Trustee Beach to set the date of Friday, November 26, 2010 at 8:00 A.M. for a Special Meeting. Motion carried, Mayor Curran abstained, all others voting "Aye".

RES.#____

TERMINATION-
ANTHONY DICOSOLA

It was moved by Trustee Hawxhurst, seconded by Trustee Hendrick to authorize Labor Counsel to terminate DPW employee Anthony DiCosola for violation of certain work rules. Motion carried, Mayor Curran abstained, all others voting "Aye".

RES.#____

TERMINATE-ROBERT
CALDERONE

It was moved by Trustee Hawxhurst, seconded by Trustee Hendrick to authorize Labor Counsel to terminate DPW employee Robert Calderone for violations of certain work rules. Motion carried, Mayor Curran abstained, all others voting "Aye".

RES.#____

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MOTORISTS' SIGNS

RES.#_____

It was moved by Trustee Beach, seconded by Trustee Becker to authorize the Department of Public Works to install six (6) motorists' directional signs provided by Temple Emanu-El. Motion carried, Mayor Curran abstained, all others voting "Aye".

HIRE –D.LUCKERT –
PT & T.KEANE-FT –
RECREATION DEPT.

RES.#_____

It was moved by Trustee Becker, seconded by Trustee Beach to authorize the Parks and Recreation Department to hire Denise Luckert at a rate of \$11.00 per hour as a part-time Recreation Attendant to instruct Mommy & Me classes, and appoint part-time Thomas Keane as a full-time Laborer at his existing rate of \$16.22 per hour, maximum of 29.5 hours per week, without health insurance/buy back benefits. Motion carried, Mayor Curran abstained, all others voting "Aye".

P.H.-323 MERRICK RD.
EMINENT DOMAIN
PROCEDURE LAW-
RESCHEDULED TO
1/31/11

RES.#_____

A discussion ensued concerning the Public Hearing cancelled this evening to consider the acquisition of 323 Merrick Road pursuant to Section 201-204 of the Eminent Domain Procedure Law, and to clarify a rescheduled date. It was moved by Trustee Hawxhurst, seconded by Trustee Becker to schedule a Special Board Meeting on January 31, 2011 and reschedule said Public Hearing for that evening at 7:00 P.M. Motion carried, all voting "Aye".

ADJOURNMENT

After no further business, it was moved by Trustee Hendrick, seconded by Trustee Hawxhurst to close the meeting at 11:46 P.M. Motion carried, Mayor Curran abstained, all others voting "Aye".