

November 7, 2011

A regular meeting of the Board of Trustees of the Incorporated Village of Lynbrook was held on Monday, November 7, 2011 at 7:00 P.M. 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 Michael Hawxhurst
Trustee Thomas Atkinson
Village Administrator John Giordano
Village Attorney Peter Ledwith

DEMOLITION
PERMIT-219
EARLE AVE-
TABLED 11-21-11
RES.# _____

It was moved by Trustee Beach, seconded by Trustee Becker to table a request from the Lynbrook Baptist Church for a demolition permit for 219 Earle Avenue, to the November 21, 2011 Board Meeting. Motion carried, all voting "Aye".

TRANSFER OF
FUNDS
RES.# _____

It was moved by Trustee Beach, seconded by Trustee Becker to authorize the following budget transfers, temporary advances and budget adjustments for fiscal year 2011/2012:

To:	001.9550.0910	Capital Fund	\$ 2,393.00
Fr:	001.1990.0444	Contingent	(2,393.00)
To:	003.0003.0209	Capital Fund-Cash III	\$2,000,000.00
Fr:	001.0001.0200	General Fund Cash	(2,000,000.00)
To:	006.0006.0230	Debt Service	\$ 70.67
Fr:	003.0003.0203	Capital Fund-Cash II	(70.67)
To:	006.0006.0230	Debt Service	\$ 386,034.00
	001.0001.0200	General Fund	16,000.00
Fr:	003.0003.0203	Capital Fund-Cash II	(402,034.00)

Budget Amendments;

Inc. Expense:	001.5110.0209	Road Construction	\$ 16,000.00
Inc. Revenue:	001.0001.0503	Interfund Transfer	\$ 16,000.00

To:	001.0001.0200	General Fund-Cash	\$ 11,450.00
Fr:	003.0003.0203	Capital Fund-Cash II	(11,450.00)

Motion carried, all voting "Aye".

CLAIM -
KASULKE-
TABLED
RES.# _____

It was moved by Trustee Hawxhurst, seconded by Trustee Becker to table the settlement of a claim from Lynn Kasulke for reimbursement of damages to her vehicle by a Village Garbage Truck. Motion carried, all voting "Aye".

CLAIM-KLEIN-
DENIED
RES.# _____

It was moved by Trustee Hawxhurst, seconded by Trustee Becker to reconfirm the denial of the claim submitted by Brandon Klein for damage to his vehicle by a fallen tree branch. Motion carried, all voting "Aye".

AMEND
INVESTMENT
POLICY-THIRD
PARTY
COLLATERAL
RES.# _____

It was moved by Trustee Beach, seconded by Trustee Becker to amend the Investment Policy by allowing a letter of credit provided by the Federal Home Loan Administration to be used as Third Party Collateral. Motion carried, all voting "Aye".

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SMITH STREET
DRAINAGE
REPAIRS

RES.# ____

It was moved by Trustee Beach, seconded by Trustee Becker to authorize an expenditure of up to \$16,000 for drainage repairs on Smith Street as requested by the Superintendent of Public Works from Account A5110.0209. Motion carried, all voting "Aye".

REPAIR OF
VULCAN TRUCK

RES.# ____

It was moved by Trustee Beach, seconded by Trustee Becker to amend its resolution of October 17, 2011 to authorize the repair of Fire Pumper Truck #422 by replacing the pump housing in lieu of welding, at a cost of \$27,000. Motion carried, all voting "Aye".

EXECUTIVE
SESSION - UPSE

It was moved by Trustee Beach, seconded by Trustee Becker to adjourn the meeting to open an executive session to discuss a request by the United Public Service Employees Union to represent certain non-contractual employees. Motion carried, all voting "Aye". It was moved by Trustee Beach, seconded by Trustee Becker to open the executive session to discuss a request by the United Public Service Employees Union to represent certain non-contractual employees. Motion carried, all voting "Aye". Labor Attorney Ken Gray discussed the request by United Public Service Employees Union to represent certain employees of the Village. 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". It was moved by Trustee Beach, seconded by Trustee Becker not to respond to a request from United Public Service Employees Union to represent certain non-contractual employees of the Village as per advice of Legal Counsel Ken Gray. Motion carried, all voting "Aye".

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

MINUTES-
10/17/11

RES.# ____

It was moved by Trustee Beach, seconded by Trustee Becker to accept the Minutes of October 17, 2011 as submitted and place on file. Motion carried, all voting "Aye".

VULCAN CO. -
SELL
CHRISTMAS
TREES

RES.# ____

It was moved by Trustee Beach, seconded by Becker to approve the request from Vulcan Co. to sell Christmas trees at their firehouse from November 25 - December 25, 2011 and to waive any necessary permit fees. Motion carried, all voting "Aye".

CHAMBER
REPORT

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

FARMERS
MARKET-
TABLED

It was moved by Trustee Beach, seconded by Trustee Becker to table a request from the Chamber of Commerce to have the Farmers Market return to the Village of Lynbrook on Thursdays in 2012. Motion carried, all voting "Aye".

PROC-WORLD
TRADE CENTER
STEEL BEAMS
MEMORIAL

The Mayor presented Proclamations to several volunteers and contributors that were involved in the installation of World Trade Center Steel Beams at Memorial Park at Village Hall.

AMBULANCE
CALLS

Fire Chief Hynes reported that there has been over 1000 ambulance calls to date this year.

REQUEST-F.D.
USE OF F.D.
APPARATUS

RES.# ____

It was moved by Trustee Beach, seconded by Trustee Becker to grant permission to the Fire Department to use the Fire Department bus 420-B and Chief's vehicles to transport members of Tally-Ho Chemical & Engine Company No. 3 to Hamburg, New Jersey on September 22 & 23, 2012. Motion carried, all voting "Aye".

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F.D. CHRISTMAS
RIDES-12/17/11

RES.# ____

It was moved by Trustee Beach, seconded by Trustee Becker to grant permission to the Fire Department to offer rides for children in the Village on fire apparatus on Saturday, December 17, 2011 from 12 noon to 3:00 P.M. Motion carried, all voting "Aye".

F.D. REQUEST

It was moved by Trustee Beach, seconded by Trustee Becker to grant permission to the Fire Department to transport members to Bethesda, Maryland on December 9, 2011 for firematic activities. Motion carried, all voting "Aye".

2011 JUSTICE
COURT GRANT

RES.# ____

It was moved by Trustee Beach, seconded by Trustee Becker to authorize the Mayor to sign the 2011 NYS Justice Court Grant. Motion carried, all voting "Aye".

MOU - 47
BROADWAY

RES.# ____

It was moved by Trustee Beach, seconded by Trustee Becker to authorize the Mayor to sign a 90 day Memorandum of Understanding with Mr. Lee Browning that outlines his proposal to construct a Marriot Hotel at 47 Broadway. Motion carried, all voting "Aye".

The Mayor advised that a Public Hearing will be conducted this evening to consider the enactment of a proposed Local Law to override the 2% NYS Tax Cap.

BILLS

RES.# ____

It was moved by Trustee Atkinson, seconded by Trustee Becker that Bills listed on Abstract of Audited Voucher #8, General Fund - \$370,111.93, Trust & Agency - \$36,144.45, Capital Fund - \$3,756.75, Electronic Transfer - \$237,498.49, all be paid as soon as same have been duly audited by the majority. Motion carried, all voting "Aye".

GOOD &
WELFARE
WAIVED

It was moved by Trustee Atkinson, seconded by Trustee Becker to waive Good & Welfare. Motion carried, all voting "Aye".

It was moved by Trustee Becker, seconded by Trustee Beach to recess for refreshments at 9:37 PM and continue the meeting in the conference room. Motion carried, all voting "Aye".

VINCENT
AVENUE
PARKING-
TABLED

RES.# ____

It was moved by Trustee Beach, seconded by Trustee Becker to table a request to adopt alternate side of the street parking on Vincent Avenue, between Merrick Road and Sunrise Highway. Motion carried, all voting "Aye".

PUBLIC
HEARING-
CHAPTER 222-
TAXATION

RES.# ____

The Mayor opened a Public Hearing to consider the enactment of a proposed Local Law to amend the Village Code Chapter 222 entitled "Taxation". The Village Attorney advised that the proposed local law will add a new Article VIII entitled "Authority for Tax Levy Limit Override" to provide that the 2012 real property taxation may exceed the tax levy limit set forth in General Municipal Law 3-c. The Mayor asked if anyone wished to speak. Mr. Tom Garrett of 55 Smith Street spoke. After no further comments, it was moved by Trustee Becker, seconded by Trustee Atkinson to close the Public Hearing, and enact Local Law #13 of 2011. Motion carried, all voting "Aye".

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EXECUTIVE
SESSION –
BUILDING
DEPARTMENT

It was moved by Trustee Becker, seconded by Trustee Atkinson to adjourn the meeting and to open an executive session to discuss the discipline of an employee of the Building Department. Motion carried, all voting “Aye”. It was moved by Trustee Becker, seconded by Trustee Atkinson to open an executive session to discuss the discipline of an employee of the Building Department. A brief discussion ensued with Labor Counsel Ken Gray who reported that he is in the process of interviewing various individuals to determine facts and he will report to the Mayor by the November 21, 2011 Meeting. It was moved by Trustee Becker, seconded by Trustee Atkinson to adjourn the executive session. Motion carried, all voting “Aye”. It was moved by Trustee Becker, seconded by Trustee Atkinson to reopen the regular meeting. Motion carried, all voting “Aye”.

ADJOURNMENT

It was moved by Trustee Becker, seconded by Trustee Atkinson to adjourn the meeting at 10:45 PM. Motion carried, all voting “Aye”.