

March 18, 2013

A regular meeting of the Board of Trustees of the Incorporated Village of Lynbrook was held on Monday, March 18, 2013 at 7:00 P.M. in the Village Hall.

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

BUDGET  
CALENDAR  
DATES

It was moved by Trustee Beach, seconded by Trustee Atkinson to set a date for a special meeting on March 25, 2013 at 6:00 P.M. Motion carried, Trustee Becker absent, all others voting "Aye".

**RES.#80-13**

SET DATE-P.H.-  
13/14 BUDGET

It was moved by Trustee Beach, seconded by Trustee Atkinson to set the date of April 8, 2013 for a Special Meeting at 6:00 P.M. and Public Hearing on the 2013/2014 Tentative Budget at 8:00 P.M. Motion carried, Trustee Becker absent, all others voting "Aye".

**RES.#81-13**

SET DATE-P.H.-  
SPEC.USE -831-839  
SUNRISE HWY.

It was moved by Trustee Beach, seconded by Trustee Atkinson to set the date of April 15, 2013 at 7:00 P.M. for a Public Hearing to consider an application for a Special Use Permit pursuant to Section 252-52(D) & 252-116 of the Village Code, for underground parking located at 831-839 Sunrise Highway submitted by BMT Holdings, Lynbrook LLC. Motion carried, Trustee Becker absent, all others voting "Aye". It was moved by Trustee Beach, seconded by Trustee Atkinson 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, all voting "Aye". Anthony Filosa, Esq. of Rosenberg, Fortora & Laitman advised that his client "Savers", is a retail store selling used merchandise interested in renting the premises and requested that the Board set a date for a Public Hearing to amend the Village Code to repeal the requirement that Secondhand stores maintain a listing of the origin of acquired merchandise.

**RES.#82-13**

RESIDENTIAL  
DEMOLITION  
PERMIT-  
2.S.WILLIAM ST.

It was moved by Trustee Beach, seconded by Trustee Atkinson to approve an application for a demolition permit to demolish a one family home at 2 S. William Street to accommodate the construction of a new one family home. Motion carried, all voting "Aye".

**RES.#83-13**

PUBLIC HEARING  
-SIDEWALK  
VIOLATIONS

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. Mayor Hendrick 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 "Aye".

**RES.#84-13**

PUBLIC  
HEARING-  
COMMUNITY  
DEVELOPMENT -  
39<sup>TH</sup> YEAR

It was moved by Trustee Beach, seconded by Trustee Atkinson to open a Public Hearing to consider projects to be funded by the Nassau County Office of Housing and Intergovernmental Affairs Community Development Block Grant for the fiscal year beginning September 1, 2013. The Village Administrator indicated that the Village desires to seek funds for the continuation of its Village wide Streetscape Program on Merrick Road from

**RES.#85-13**

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Horton Avenue to Ocean Avenue for a total of \$200,000. The Mayor asked if anyone wished to comment, after no further comments, it was moved by Trustee Beach, seconded by Trustee Atkinson to close the Public Hearing and to approve the application for Streetscapes to be submitted in the amount of \$200,000. Motion carried, all voting "Aye". It was moved by Trustee Beach, seconded by Trustee Atkinson 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, all voting "Aye".

TOW LICENSE  
APPLICATION  
**RES.#86-13**

It was moved by Trustee Beach, seconded by Trustee Atkinson to limit the Village Clerk in issuing no more than five (5) owner Unrestricted Tow Car Licenses per year. Motion carried, all voting "Aye".

AMNESTY  
PROPOSAL  
**RES.#87-13**

It was moved by Trustee Becker, seconded by Trustee Beach to approve an Agreement with Fundamental Business Systems to collect unpaid court fines by providing a 40% discount to unpaid parking tickets over 90 days old and 20% discount on parking judgments, subject to review by the Village Attorney. Motion carried, all voting "Aye".

APPT.-PT  
PARKING METER  
SERVICER  
**RES.#88-13**

It was moved by Trustee Beach, seconded by Trustee Atkinson to appoint Thomas Montuori as a part-time Parking Meter Servicer for 12 hours per week at a rate of \$18.00 an hour effective April 3, 2013. Motion carried, all voting "Aye".

REPLACE PD 2010  
FORD CROWN  
VICTORIA  
**RES.#89-13**

It was moved by Trustee Beach, seconded by Trustee Atkinson to authorize the replacement of a 2010 Ford Crown Victoria Police Car (vin # 2FABP7BV1AX144381) totaled by the insurance company, and provide for a transfer of funds in the amount of \$29,000. From contingency A1990.444 to A3120.202 vehicles to accommodate the purchase of a replacement vehicle. Motion carried, all voting "Aye".

TEMPORARY  
PARKING  
TEMPLE AM  
ECHAD  
**RES.#90-13**

It was moved by Trustee Atkinson, seconded by Trustee Beach to waive parking restrictions on Lyon Place and Ross Plaza between 8AM and 3PM until May 31, 2013 to accommodate construction at Temple Am Echad on Saperstein Plaza. Motion carried, all voting "Aye".

EXECUTIVE  
SESSION

It was moved by Trustee Beach, seconded by Trustee Atkinson to adjourn the meeting to open an executive session to discuss the qualifications of candidates for the position of Police Officer. Motion carried, all voting "Aye". It was moved by Trustee Beach, seconded by Trustee Atkinson to open an executive session to discuss the qualifications of candidates for the position of Police Officer. Motion carried, all voting "Aye". After a lengthy discussion, it was moved by Trustee Beach, seconded by Trustee Atkinson to adjourn the executive session. Motion carried, all voting "Aye". It was moved by Trustee Beach, seconded by Trustee Atkinson to reopen the regular meeting. Motion carried, all voting "Aye".

HIRE SEVEN (7)  
NEW POLICE  
OFFICERS  
**RES.#91-13**

It was moved by Mayor Hendrick, seconded by Trustee Atkinson to authorize the Police Chief to extend offers of employment to seven (7) candidates on the Civil Service list for Police Officer to replace those officers retiring in 2013/2014. Motion carried, all voting "Aye".

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

MINUTES-3/4/13  
**RES.#92-13**

It was moved by Trustee Beach, seconded by Trustee Atkinson to accept the Minutes of March 4, 2013 as submitted and place on file. Motion carried, all voting "Aye".

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CHAMBER OF  
COMMERCE  
REPORT

President of the Chamber of Commerce Denise Rogers gave a report on the Chamber of Commerce activities.

MONTHLY  
REPORTS-  
JANUARY 2013  
RES.#[93-13](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson to accept the following Department Reports for the month of January 2013: Recreation, DPW, Village Justice Court, Library, Fire Department and Police Department. Motion carried, all voting "Aye".

CERTIFICATES-  
LYNBROOK  
TITANS  
WRESTLING

Mayor Hendrick presented Certificates to the Lynbrook Titans Wrestling Tournament Team and their coaches.

PER SEMPRE  
LODGE-ANNUAL  
CHILDRENS  
CHRISTMAS  
PARTY  
RES.#[94-13](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson to grant permission to the Per Sempre Lodge and Per Sempre Ladies Lodge to have their Annual Children's Christmas Party on December 8, 2013 and dinner meeting on March 28, 2013 at the Recreation Center and to waive any necessary permit fees. Motion carried, all voting "Aye".

F.D. PARADE-  
BREWSTER NY-  
7/24/13  
RES.#[95-13](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson to grant permission to the Fire Department to participate in a parade in Brewster, New York on July 24, 2013 and to use vehicles #422 & 426-1. Motion carried, all voting "Aye".

BILLS

RES.#[96-13](#)

It was moved by Trustee Atkinson, seconded by Trustee Hawxhurst that Bills listed on Abstract of Audited Voucher #15, General Fund - \$241,930.39, Trust & Agency - \$6,431.36, Capital Fund - \$39,352.68, Electronic Transfer - \$19,350.80. Motion carried, all voting "Aye".

F.D. USE OF BIS-  
FLOODLIGHT-  
CHINA TOWN-  
3/21/13  
RES.#[97-13](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson to grant permission to members of Floodlight Unit to use the Fire Department Bus (420-B) for their annual trip to China Town, New York City on Thursday, March 21, 2013. Motion carried, all voting "Aye".

EXECUTIVE  
SESSION

It was moved by Trustee Becker, seconded by Trustee Beach to adjourn the meeting to open and an executive session to discuss attorney client matters with Special Counsel Jack Libert. Motion carried, all voting "Aye". It was moved by Trustee Beach, seconded by Trustee Becker to open an executive session to discuss attorney client matters with Special Counsel Jack Libert. Motion carried, all voting "Aye". After a lengthy discussion, 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".

MEMORANDUM  
OF  
UNDERSTANDING  
- LEE BROWNING

RES.#[98-13](#)

It was moved by Trustee Becker, seconded by Trustee Beach to authorize Special Counsel Jack Libert to draft a Memorandum of Understanding to enter into with Lee Browning for the construction on Langdon Place municipal parking lot of a Hotel subject to various terms to include providing 100 additional parking spaces for use by the Village. Motion carried, all voting "Aye".

ADJOURNMENT

It was moved by Trustee Beach, seconded by Trustee Atkinson to adjourn the meeting at 9:25 P.M. Motion carried, all voting "Aye".