

April 15, 2013

A regular meeting of the Board of Trustees of the Incorporated Village of Lynbrook was held on Monday, April 15, 2013 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

SET DATE –PH–
881 SUNRISE
HWY.-
AMENDING
COVENANTS &
RESTRICTIONS

It was moved by Trustee Beach, seconded by Trustee Atkinson to set the date of May 6, 2013 at 7:00 P.M. for a Public Hearing to consider a request from 881 Sunrise Highway, LLC to consider amending the covenants and restrictions imposed on November 12, 1986 on 881 Sunrise Highway to convert a retail furniture store to office use. Motion carried, all voting “Aye”.

RES.#[129-13](#)

OVERNIGHT
PARKING
PERMITS-
PF#17,18,19

It was moved by Trustee Beach, seconded by Trustee Atkinson to table a proposal to require Overnight Parking Permits for those who park in Fields 17, 18, & 19 on Peninsula Blvd. between Remsen Street and Vincent Avenue. Motion carried, all voting “Aye”.

RES.#[130-13](#)

MTA LEASE

It was moved by Trustee Beach, seconded by Trustee Becker to authorize the Village Attorney to continue negotiating with the Metropolitan Transportation Authority (MTA) to finalize the draft LIRR Commuter Parking License Agreement with the Village of Lynbrook, to allow the Village to administer commuter parking spaces on MTA property. Motion carried, all voting “Aye”.

RES.#[131-13](#)

REQUEST TO
ENGAGE
CARMAN-
DUNNE-NYS
LSSTCP GRANT

It was moved by Trustee Beach, seconded by Trustee Becker to engage Cameron Engineering, PC as per retainer as required by the NYS Department of Transportation (NYS DOT) to design and file plans with the NYS DOT on behalf of the Village in relation to its Local Safe Streets and Traffic Calming Program grant project. Motion carried, all voting “Aye”.

RES.#[132-13](#)

2013 CHIP
PROJECT

It was moved by Trustee Beach, seconded by Trustee Becker to amend Resolution #223-11 dated June 6, 2011 to authorize the filing of the 2012/2013 CHIP reimbursement from “Street Lights” to “Miscellaneous Highway Repairs”, and authorize the use of the 2013/2014 CHIP Funds for lighting on the north side of Sunrise Highway between Peninsula Blvd. and Horton Avenue. Motion carried, all voting “Aye”.

RES.#[133-13](#)

2013/2014
TENTATIVE
BUDGET
AMENDMENTS &
TAX CAP

It was moved by Trustee Beach, seconded by Trustee Becker to amend the 13/14 Tentative Budget by adopting the attached (Exhibit A) schedule of amendments to various revenue & expenses line items as per Section 5.508.1b of Village Law. Motion carried, all voting “Aye”. It was moved by Trustee Becker, seconded by Trustee Hawxhurst to opt to levy taxes in an amount of \$28,605,228. in 2013/2014, 1.6% over the General Municipal Law 3-C limit of 2%, as provided by Local Law #9 of 2012. Motion carried, all voting “Aye”.

RES.#[134-13](#)

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EXECUTIVE
SESSION

It was moved by Trustee Beach, seconded by Trustee Becker to adjourn the meeting to open an executive session to discuss the qualifications of applicants for various temporary seasonal positions. Motion carried, all voting "Aye". It was moved by Trustee Beach, seconded by Trustee Becker to open an executive session to discuss the qualifications for various temporary seasonal positions. After a brief discussion, it was moved by Trustee Beach, seconded by Trustee Becker to close the executive session. Motion carried, all voting "Aye". It was moved Trustee Becker, seconded by Trustee Beach to reopen the regular meeting. Motion carried, all voting Aye

APPT.-
SEASONAL
WORKERS

It was moved by Trustee Beach, seconded by Trustee Becker to appoint the following seasonal workers and designated hourly wages for 2013 for the Department of Public Works; unless otherwise noted as follows:

RES.#135-13

Scott Henrich	\$9.00
James Walter	\$9.00
Robert Steinert	\$8.50
Robert Negron	\$8.75
Brian Cribbin	\$9.00
Steven Cribbin	\$9.00
Dylan Bien	\$8.75
Nicholas Drevnyak	\$8.50
Matthew Lynch	\$8.50
Kenneth Gilloon	\$9.00
Daniel Grossi	\$8.75
Michael Calderone	\$8.75
Sean McCartney	\$9.00
Jospeh Rafaniczus	\$8.50
Ryan Palminteri	\$8.50
Michael Bayer	\$8.50
Ian Reid	\$8.50
Kevin Bonomo	\$8.50
John Rotondi	\$8.50
Melissa Biazzo	\$8.50
Matthew O'Connor	\$8.50
Patrick Herring	\$9.50 (Clerk Bldg. Dept.)
Nicole Chase	\$8.25 (Village Clerk)

Motion carried, all voting "Aye".

TERMINAL
LEAVE-P.O.
VALENTINO

RES.#136-13

It was moved by Trustee Beach, seconded by Trustee Atkinson to authorize the settlement and payment of pro-rata Termination Pay for retiring Police Officer Valentino as per terms of Agreement. Motion carried, all voting "Aye".

BID AWARD-
SIDEWALK
CONTRACT

RES.#137-13

Superintendent of the Building Department Brian Stanton reported that the following bids were opened on March 13, 2013 for Sidewalk Repairs:

Castle Industries - \$155,300.00
Concrete Plus - \$150,400.00
Ora Construction - \$168,080.00

and recommended that the bid be awarded to Castle Ind., the lowest responsible bidder. It was moved by Trustee Beach, seconded by Trustee Becker to award the bid to Castle Industries as the lowest responsible bidder. Motion carried, all voting "Aye".

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

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MOMENT OF
SILENCE

The Mayor asked for a moment of silence in respect to the victims of today's terrorist bombing in Boston.

MINUTES-4/1/13

RES.#[138-13](#)

It was moved by Trustee Beach, seconded by Trustee Becker to approve the Minutes of April 1, 2013 as submitted and place on file. Motion carried, all voting "Aye".

CHAMBER
REPORT

President of the Chamber of Commerce Denise Rogers gave an update of Chamber of Commerce activities, and the Mayor's Golf Outing to be held on May 13, 2013.

APPT.C.WILLIAM
GAYLOR-
COMM.CHEST

RES.#[139-13](#)

It was by Trustee Beach, seconded by Trustee Atkinson to appoint C. William Gaylor to the Mayor's Community Chest Committee. Motion carried, all voting "Aye".

DEPARTMENT
REPORTS-2/13

RES.#[140-13](#)

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

Chief DeCarlo thanked the Board for their support over the past year and introduced new Chief's: Chief Michael Hynes; 1st Asst. Chief Michael Anderson, 2nd Asst. James McDermott; 3rd Asst. Chief John Chavatte.

PROC.-
HOLOCAUST
REMEMBRANCE
DAY
ARBOR DAY

Mayor Hendrick presented a Proclamation for Holocaust Remembrance Day to Rabbi Diamond.

Mayor Hendrick Proclaimed Friday, April 26, 2012 as Arbor Day.

RECESS

It was moved by Trustee Beach, seconded by Trustee Becker to take a three (3) minute recess. Motion carried, all voting "Aye".

DECISION-SUB-
DIVISION-173
EARLE AVE.

RES.#[141-13](#)

The Mayor opened a Public Hearing continued from the April 1, 2013 meeting to consider an application from RKG Builders for a three (3) lot sub-division at 173 Earle Avenue, Section 11, Block 2, Lot 9. William Florio, Agent presented a site plan and rendering depicting new one family homes to be built on each of the three (3) new parcels. The Village Attorney reported that if this sub-division is approved, the applicant must file an application with the Architectural Board of Review and the Board of Zoning Appeals for certain area and front yard width variances. The Mayor asked if anyone would like to comment. The following individuals commented: Janice Germain – 183 Earle Avenue and Capt. John Donald – 189 Earle Avenue, Hook & Ladder. After no one else wishing to comment, it was moved by Trustee Beach, seconded by Trustee Atkinson to approve the application for a sub-division for three (3) parcels as per certain conditions (Exhibit A). Motion carried, Trustee Becker absent, all others voting "Aye".

SPECIAL USE
PERMIT-831-839
SUNRISE HWY.

RES.#[142-13](#)

Mayor Hendrick opened a Public Hearing to consider the application of BMT Holdings LLC for a Special Use Permit pursuant to Village Code 252-52(D) and 252-116 to allow underground parking below the building known as and by 831-839 Sunrise Highway. Christian Brown, Esq. representing the applicant advised that his application maintains the structure of the existing buildings and eventually apply to enlarge the footprint of the westerly building. Mr. Brown added that his application requested to construct below grade parking spaces in the easterly building, accessible by existing entrances on the west. The Mayor asked if anyone wished to speak. After no one wishing to speak, it was moved by Trustee Beach, seconded by Trustee Becker to close the Public Hearing. Motion carried, all voting "Aye". It

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was moved by Trustee Beach, seconded by Trustee Atkinson to approve the Special Use Permit. Motion carried, all voting "Aye".

VFW SELL
POPPIES &
MEMORIAL DAY
PARADE

RES.#143-13

At the request of the Vice Commander of the VFW, it was moved by Trustee Beach, seconded by Trustee Becker to approve the VFW to sell poppies and conduct the Memorial Day Parade on May 27, 2013. Motion carried, all voting "Aye".

ADOPTION OF
2013/2014
TENTATIVE
BUDGET

RES.#144-13

Village Budget Officer, John Giordano summarized the 2013/2014 Tentative Budget. After a brief discussion, it was moved by Trustee Beach, seconded by Trustee Becker, to adopt the 2013/2014 Budget with a total expenditure of \$37,018,032 and Tax Rate of \$17.97 per \$100.00 of assessed valuation. Motion carried, all voting "Aye".

2013 PATRIOTS
WEEKEND

RES.#145-13

It was moved by Mayor Hendrick, seconded by Trustee Beach to approve conducting Patriots Weekend events, May 25 – 27, 2013 to include fireworks and use of Greis Park Picnic and Pool. Motion carried, all voting "Aye".

BILLS

RES.#146-13

It was moved by Trustee Atkinson, seconded by Trustee Becker that Bills listed on Abstract of Audited Voucher #17, General Fund - \$259,246.96, Capital Fund - \$1,776.55, all be paid as soon as same have been duly audited by the majority. Motion carried, all voting "Aye".

ADJOURNMENT

It was moved by Trustee Beach, seconded by Trustee Becker to adjourn the meeting at 9:40 P.M. Motion carried, all voting "Aye".