

May 19, 2014

A regular meeting of the Board of Trustees of the Incorporated Village of Lynbrook was held on Monday, May 19, 2014 at 5:30 P.M. in the Village Hall.

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

ANTENNA SITE  
ADMINISTRATION  
AGREEMENT

It was moved by Trustee Atkinson, seconded by Trustee Becker to approve a contract with the Center for Municipal Solutions to provide various telecommunications consulting services. Motion carried, all voting "Aye".

REFUND VILLAGE  
CAR SERVICE  
PATRIOTS DAY  
CONTRIBUTION  
RES.#[174-14](#)

It was moved by Trustee Becker, seconded by Trustee Hawxhurst to approve a request to refund a \$250. Patriots Day Contribution from Village Car Service. Motion carried, Trustee Beach & Trustee Atkinson abstained, all others voting "Aye".

BOARD MEETING  
DATES  
RES.#[175-14](#)

It was moved by Trustee Atkinson, seconded by Trustee Beach to reschedule the June meetings to June 23, 2014 and to approve the summer schedule of board meetings as follows: July 21<sup>st</sup>, August 18<sup>th</sup>, and September 15, 2014 at 7:00 P.M. Motion carried, all voting "Aye".

SET DATE –  
6/23/14 -P.H.-SUB-  
DIVISION-48  
ENDVIEW AVE.

RES.#[176-14](#)

It was moved by Trustee Becker, seconded by Trustee Hawxhurst to set the date of June 23, 2014 for a public hearing to consider an application from Framework Development Corp. for a sub-division of a lot known as 48 Endview Avenue, Section 30, Block 2, Lot 5, into three (3) lots. Motion carried, Trustee Becker abstained, all others voting "Aye". It was moved by Trustee Atkinson, seconded by Trustee Hawxhurst 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 abstained, all others voting "Aye".

JOB FAIR AT  
LIBRARY  
RES.#[177-14](#)

It was moved by Trustee Hawxhurst, seconded by Trustee Atkinson to authorize the Library to use their meeting room for Assemblyman Curran to hold a Job Fair on Tuesday, October 14, 2014. Motion carried, all voting "Aye".

WARRANT TO  
TAX COLLECTOR  
RES. #[178-14](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson to issue a Warrant to the Village Clerk/Tax Collector for the collection of the 2014/2015 Real Property Taxes. (See Exhibit A) pursuant to the Real Property Tax Law. Motion carried, all voting "Aye".

FILE GRANT  
APPLICATION-  
LIGHTING GREIS  
PARK SOFTBALL  
FIELD &  
BASKETBALL  
COURT

RES.#[179-14](#)

It was moved by Trustee Beach, seconded by Trustee Becker to authorize the Village Administrator to file an application with the NYS Parks, Recreation and Historic Preservation Commission to obtain grant funds from the 2014/2015 Environmental Protection Fund Program to provide for lighting at the Greis Park Softball Field and Basketball Courts at a cost of \$150,000.00. Motion carried, all voting "Aye". It was moved by Trustee Beach, seconded by Trustee Becker 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".

May 19, 2014

GRANT  
APPLICATION-  
\$500,000  
WALKING PATH-  
SUNRISE HWY.

RES.#[180-14](#)

It was moved by Trustee Atkinson, seconded by Trustee Becker to authorize the Village Administrator to file a grant application with the NYS Parks, Recreation, and Historic Preservation Commission to obtain grant funds from the 2014/2015 Environmental Protection Fund Program in the amount of \$500,000 to improve the walk path on the north side of Sunrise Highway from Peninsula Blvd. to Horton Avenue, to provide connection to Greis Park. Motion carried, all voting "Aye". It was moved by Trustee Beach, seconded by Trustee Becker 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".

BOND  
RESOLUTIONS

RES.#[181-14](#)

It was moved by Trustee Atkinson, seconded by Trustee Beach to adopt the following four (4) Bond Resolutions:

\$310,000 – 3 loader trucks & 1 dump truck  
\$656,000 – 3 pick up trucks @ \$35,000 each, 3 PD Cars @ 15K ea., 3 PD Cars @ \$37k ea., Security Cameras @ 150,000, Hydraulic lift - \$60,000, Radios and Pagers @ \$150,000, Park Generator @\$35,000  
\$1,720,000 – Road/Drainage Improvements  
\$1,200,000 Amends June 18, 2012 Resolution increasing Highway Improvement Bond

and engage Liberty Capital as fiscal advisers to prepare an official statement and secure an a Bond Rating. 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". (See Exhibit A)

AMEND PD RULES  
TABLED

RES.#[182-14](#)

It was moved by Trustee Beach, seconded by Trustee Hawxhurst to table the request to amend the Police Department Rules pertaining to "use of force". Motion carried, all voting "Aye".

P.H.-SIDEWALK  
ASSESSMENTS

RES.#[183-14](#)

It was moved by Trustee Becker, seconded by Trustee Atkinson 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 further comments heard, it was moved by Trustee Becker, seconded by Trustee Atkinson 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". (See Exhibit B)

SEASONAL HIRES  
RES.#[184-14](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson to approve the following individuals for summer seasonal employment in the Department of Public Works:

returning Employees:

Robert Steinert - \$8.75  
Kevin Bonomo - \$8.75  
Nicholas Drevnyak - \$8.75  
Ryan Kropas - \$9.25  
Sean McCartney - \$9.25  
Robert Negron - \$9.00  
Ian Reid - \$8.75

May 19, 2014

New Employees - \$8.50 hr.

Courtney Cardone - \$8.75  
Mike Baginski - \$8.75  
Amanda Coughlin - \$8.75  
May 19, 2014

Matthew Gandolfo - \$8.75  
Jack Graffagnino - \$8.75  
Nicholas Needham - \$8.75  
Michael O'Connor - \$8.75  
Brenden Piteo - \$8.75

and authorize a temporary change from "Laborer" to "Equipment Operator" from 6/1/14 to 8/31/14 for Paul DeGiovanni and Robert Steinert.

Motion carried, all voting "Aye".

SET DATE -P.H.-  
REPEAL CHAPTER  
195 DEALERS IN  
SECOND HAND  
MERCHANDISE  
**RES.#185-14**

The Board reviewed a copy of proposed Local Law # 12 of 2014. It was moved by Trustee Beach, seconded by Trustee Becker to set the date of June 23, 2014 for a Public Hearing to consider the enactment of proposed Local Law # 12 of 2014 to repeal Chapter 195, Dealers in Second Hand Merchandise. Motion carried, all voting "Aye". It was moved by Trustee Beach, seconded by Trustee Becker 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".

P.H.-6/23/14 -  
CHAPTER 100 -  
COLLATERAL  
LOAN BROKERS  
**RES.#186-14**

The Board reviewed a copy of the proposed Local Law #13 of 2014. It was moved by Trustee Becker, seconded by Trustee Beach to set the date of June 23, 2014 at 7:00 P.M. for a Public Hearing to add a new Chapter 100 entitled Collateral Loan Brokers. Motion carried, all voting "Aye". It was moved by Trustee Becker, seconded by Trustee Beach 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".

ZACHERY  
BERNSTEIN WAY  
**RES.#187-14**

It was moved by Trustee Atkinson, seconded by Trustee Becker to approve a request from David Bernstein for the installation of a sign on Baylis Place & Union Avenue entitled "Zachary Way" in memory of Mr. Bernsteins deceased child. Motion carried, all voting "Aye".

QUINN WAY  
**RES.#188-14**

It was moved by Trustee Beach, seconded by Trustee Hawxhurst to approve a request from Candace Dellacona for the installation of a sign on Lenox Avenue entitled "Quinns Path" in memory of Quinn Madeleine Linzer recently deceased. Motion carried, all voting "Aye".

ANI-  
DISCRIMINATION  
POLICY  
**RES.#189-14**

It was moved by Trustee Becker, seconded by Trustee Atkinson to adopt an EEOC Anti-Discrimination Policy. Motion carried, all voting "Aye". (Exhibit C Attached)

F.D.  
RECRUITMENT  
BANNER  
**RES.#190-14**

It was moved by Trustee Beach, seconded by Trustee Atkinson to approve a request for the Fire Department for the Department of Public Works to construct and install a banner over Atlantic Avenue to promote the recruitment of volunteer members. Motion carried, all voting "Aye".

EXECUTIVE  
SESSION

It was moved by Trustee Beach, seconded by Trustee Hawxhurst to adjourn the meeting to open an executive session to review the qualifications of a candidate for the position of Building Inspector. Motion carried, all

May 19, 2014

voting “Aye”. It was moved by Trustee Beach, seconded by Trustee Atkinson to open an executive session to review the qualifications of a candidate for the position of Building Inspector. Motion carried, all voting “Aye”. After a lengthy discussion, it was moved by Trustee Beach, seconded by Trustee Hawxhurst to adjourn the executive session. Motion carried, all voting “Aye”. It was moved by Trustee Beach, seconded by Trustee Hawxhurst to open the regular meeting. Motion carried, all voting “Aye”.

MICHAEL  
TROTТА -  
BUILDING  
INSPECTOR

**RES.#191-14**

It was moved by Trustee Becker, seconded by Trustee Atkinson to approve the transfer of Michael Trotta, Building Inspector in the Town of North Hempstead to the Village of Lynbrook as a Building Inspector, to be employed at a rate of \$65,000 per annum, subject to the approval of the Nassau County Civil Service Commission. Motion carried, all voting “Aye”.

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

MINUTES-4/14/14

**RES.#192-14**

It was moved by Trustee Beach, seconded by Trustee Becker to accept the Minutes of April 21, 2014 as submitted and place on file. Motion carried, all voting “Aye”.

CHAMBER OF  
COMMERCE  
REPORT

Denise Rogers, President of the Chamber of Commerce reported on Chamber of Commerce activities.

PROC-MUNICIPAL  
CLERKS WEEK

Mayor Hendrick proclaimed the week of May 4 – May 10<sup>th</sup>, 2014 as Municipal Clerks Week.

PROC-SR. CITIZEN  
MONTH

Mayor Hendrick proclaimed the month of May 2014 as Senior Citizen Month.

CHAMBER OF  
COMMERCE  
PROM NIGHT  
6/25/14  
**RES.#193-14**

It was moved by Trustee Atkinson, seconded by Trustee Beach to approve the request from the Chamber of Commerce to host Prom Night for Lynbrook High School on Wednesday, June 25, 2014 from 5PM to 6:30 PM. At the Atlantic Avenue walk-thru and close Atlantic Avenue, between Stauderman Avenue & Merrick Road from 4:30 PM until after the event. Motion carried, all voting “Aye”.

FLY WITH THE  
OWLS-PROM  
BREAKFAST-  
6/26/14  
**RES.#194-14**

It was moved by Trustee Atkinson, seconded by Trustee Becker to approve the request from Fly with the Owls, Inc. to hold their annual Post-Prom Breakfast at the Lynbrook Pool on Thursday, June 26, 2014 from 3:30 AM – 5:30 AM., subject to naming the Village as an additional insured on their insurance policy. Motion carried, all voting “Aye”.

P.H.-LL. #9 OF  
2014-CHAPTER  
185-CARBON  
MONOXIDE  
DETECTORS  
**RES.#195-14**

It was moved by Trustee Beach, seconded by Trustee Atkinson to open a Public Hearing at 8:40 PM to consider proposed Local Law #9 of 2014 to amend the Village Code Chapter 185 entitled “Property Maintenance” to amend Section 185-2 Definitions and add a new sub-section 185-5(M) “Carbon Monoxide Detectors”. Motion carried, all voting “Aye”. Mayor Hendrick read a copy of the proposed Local Law and advised that the proposed Local Law is intended to require places of public assembly to install carbon monoxide detectors, and asked if anyone wished to comment. After no further comments, it was moved by Trustee Beach, seconded by Trustee Atkinson to close the hearing at 8:45PM. Motion carried, all voting “Aye”. It was moved by Trustee Becker, seconded by Trustee Hawxhurst to enact proposed Local Law #9 of 2014. Motion carried, all voting “Aye”.

May 19, 2014

P.H.-L.L. #10 OF  
2014-CHAPTER  
185-CLOTHING  
BINS  
**RES.#196-+14**

It was moved by Trustee Becker, seconded by Trustee Hawxhurst to open a Public Hearing at 8:46 PM to consider proposed Local Law #10 of 2014 to amend the Village Code Chapter 185 entitled "Property Maintenance" to add a sub-section 185-5(N) to regulate the placement of clothing bins. Motion carried, all voting "Aye". Mayor Hendrick read a copy of the proposed Local Law and asked if anyone wished to comment. After no further comments, it was moved by Trustee Becker, seconded by Trustee Hawxhurst to close the hearing at 8:50 PM. Motion carried, all voting "Aye". It was moved by Trustee Becker, seconded by Trustee Hawxhurst to enact Local Law #10 of 2014. Motion carried, all voting "Aye".

P.H.-L.L.#11 OF  
2014 - CHAPTER  
113-ELECTRONIC  
CIGARETTES  
**RES.#197-14**

It was moved by Trustee Beach, seconded by Trustee Hawxhurst to open a Public Hearing at 8:51 PM to consider proposed Local Law #11 of 2014 to add a new Chapter 113 entitled "Electronic Cigarettes", to prohibit the smoking of electronic cigarettes (e-cigarettes) in public places. Motion carried, all voting "Aye". Mayor Hendrick read a copy of the proposed Local Law and asked if anyone wished to comment. After no further comments, it was moved by Trustee Beach, seconded by Trustee Atkinson to close the hearing at 8:55 PM. Motion carried, all voting "Aye". It was moved by Trustee Becker, seconded by Trustee Atkinson to enact Local Law #11 of 2014. Motion carried, all voting "Aye".

BILLS  
**RES.#198-14**

It was moved by Trustee Atkinson, seconded by Trustee Becker that Bills listed on Abstract of Audited Voucher #18, General Fund - \$174,000.92, Capital Fund - \$36,898.00, Electronic Transfer - \$285,788.57, all be paid as soon as same have been duly audited by the majority. Motion carried, all voting "Aye".

GOOD &  
WELFARE

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

EXTEND  
CONTRACT-  
METROPOLITAN  
RECYCLING

It was moved by Trustee Beach, seconded by Trustee Becker to extend a contract expiring May 31, 2014 with Metropolitan Recycling for a six (6) month period. Motion carried, all voting "Aye".

**RES.#199-14**

EXECUTIVE  
SESSION

It was moved by Trustee Beach, seconded by Trustee Hawxhurst to adjourn the meeting to open an executive session to discuss attorney client matters. Motion carried, all voting "Aye". It was moved by Trustee Beach, seconded by Trustee Atkinson to open an executive session to discuss attorney client matters. Motion carried, all voting "Aye". After a lengthy discussion, it was moved by Trustee Beach, seconded by Trustee Hawxhurst to adjourn the executive session. Motion carried, all voting "Aye". It was moved by Trustee Beach, seconded by Trustee Hawxhurst to open the regular meeting. Motion carried, all voting "Aye".

EARLY  
RETIREMENT  
INCENTIVE  
**RES.#200-14**

It was moved by Trustee Atkinson, seconded by Trustee Becker to not opt to offer an Early Retirement Incentive. Motion carried, all voting "Aye".

UPGRADE  
VILLAGE HALL  
SECURITY  
CAMERAS  
**RES.#201-14**

It was moved by Trustee Becker, seconded by Trustee Atkinson to authorize an upgrade of the Village Hall security camera system including 3 new exterior cameras at a cost not to exceed \$3,500. Motion carried, all voting "Aye".

ST. ANTHONY'S  
FEAST

It was moved by Trustee Beach, seconded by Trustee Atkinson to approve the St. Anthony's Feast on June 22, 2014 at Greis Park, and to waive any necessary permit fees. Motion carried, all voting "Aye".

**RES.#202-14**

May 19, 2014

NCCD  
COOPERATION  
AGREEMENT

RES.#203-14

It was moved by Trustee Becker, seconded by Trustee Atkinson to authorize the Mayor to sign the three (3) year Cooperation Agreement with the Nassau County Office of Housing and Community Development for the period from October 14, 2014 – September 30, 2017. Motion carried, all voting “Aye”.

ADJOURNMENT

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