

June 20, 2011

A meeting of the Board of Trustees of the Inc. Village of Lynbrook was held on Monday, June 20, 2011 at 6:30 P.M. in the Village Hall.

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

Absent: Mayor William Hendrick

ADJOURN TO
EXEC.SESSIOIN

It was moved by Trustee Becker, seconded by Trustee Atkinson to adjourn the meeting to open an executive session to discuss the CSEA Dispatcher Impasse, PBA Grievance Settlement and Saturday Overtime Grievance filed by DPW Sanitation workers. Motion carried, all voting "Aye". It was moved by Trustee Atkinson, seconded by Trustee Hawxhurst to open executive session to discuss the CSEA Dispatcher Impasse, PBA Unused sick leave Grievance settlement and Saturday overtime grievance filed by DPW Sanitation workers. Motion carried, all voting "Aye". A lengthy discussion ensued with Labor Counsel Ken Grey, it was moved by Trustee Atkinson, seconded by Trustee Hawxhurst to adjourn the executive session. Motion carried, all voting "Aye". It was moved by Trustee Atkinson, seconded by Trustee Hawxhurst to reopen the regular meeting. Motion carried, all voting "Aye".

CSEA
DISPATCHERS
RES.# 232-11

It was moved by Trustee Becker, seconded by Trustee Atkinson not to accept an offer from the CSEA Police Dispatchers bargaining unit and direct Labor Counsel to negotiate a settlement for a 3 year agreement and 15 year retiree health insurance vesting period desired for all employees. Motion carried, all voting "Aye".

PBA GRIEVANCE
SETTLEMENT
RES.# 233-11

It was moved by Trustee Atkinson, seconded by Trustee Hawxhurst to settle the Grievance from the Police Benevolent Association on behalf of three (3) new Police Officers hired May 23, 2011, to grant them payment for seven (7) days unused sick-time in lieu of ten (10) days and direct Labor Counsel to draft a Stipulation of Settlement. Motion carried, all voting "Aye".

GRIEVANCE-CSEA
DPW SANITATION

Labor Counsel Ken Gray advised the Board on the status of an arbitration hearing held on this date to address the Grievance filed by the CSEA DPW Sanitation members concerning the reduction of Saturday over-time.

LANGDON PLACE
REDEVELOPMENT
TABLED

It was moved by Trustee Hawxhurst, seconded by Trustee Becker to table a discussion on Langdon Place Redevelopment. Motion carried, all voting "Aye".

ENERGY
CONSERVATION
CONTRACT
TABLED

It was moved by Trustee Hawxhurst, seconded by Trustee Becker to table a discussion on the proposed Energy Conservation Contract with Johnson Controls. Motion carried, all voting "Aye".

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

PROC. - LI
MARATHON
WINNERS

Deputy Mayor Beach presented Shaun McGrath a Proclamation for being the winner of the 2011 Long Island Marathon with a finishing time of 2:39:43; and brother Dan McGrath for being the winner of the 2008 & 2010 Long Island Marathon finishing times of 2:25:38 & 2:29:44.

June 20, 2011

CITATION – A.
SHENKMAN – 100
YRS OLD

Deputy Mayor Beach presented Abraham Shenkman with a Citation on the occasion of his 100th birthday on June 23, 2011.

SWIM ACROSS
AMERICA
RES.# 234-11

It was moved by Trustee Atkinson, seconded by Trustee Hawxhurst to grant the request to use the Lynbrook Pool on August 13 or 20th as determined by the Recreation Commission to host a Swim Across American event to raise money to fight cancer. Motion carried, all voting “Aye”.

ANNUAL
MAYOR’S RUN

Lauren McQuade reminded those the Annual Mayor’s Run will be held on July 16, 2011 from 11AM to 4PM beginning in Village Parking Field #13.

EAST ROCKAWAY
SCHOOL FUEL
SHARING
RES.# 235-11

It was moved by Trustee Atkinson, seconded by Trustee Becker to enter into an Inter-municipal Agreement with the East Rockaway School District to allow the Village to dispense fuel to the District vehicles. Motion carried, all voting “Aye”.

RETAIN-
D.DUTHIE,ESQ.
RATE INCREASE-
LIAW
RES.# 236-11

It was moved by Trustee Becker, seconded by Trustee Atkinson to retain Daniel Duthie, Esq. to represent the Village before the New York State Public Service Commission to oppose a recent 19.5 percent water rate increase request filed by Long Island American Water. Motion carried, all voting “Aye”.

It was moved by Trustee Atkinson, seconded by Trustee Becker to authorize use of the Village Hall as a Polling Place on August 1, 2011 for a Referendum Special Election, as requested by Nassau County. Motion carried, all voting “Aye”.

DECISION –T-
MOBILE-875
SUNRISE HWY.
RES.# 237-11

The Deputy Mayor reported that the hearing on the Special Use Permit request filed by T-Mobile to install rooftop antennas at 875 Sunrise Highway was closed on February 7, 2011. It was moved by Trustee Atkinson, seconded by Trustee Becker to deny the request from T-Mobile, to place a cell antenna at 875 Sunrise Highway based on certain findings (See Exhibit A) and to direct the Village Attorney to prepare a formal decision, to be adopted at the July 18, 2011 Board Meeting. Motion carried, all voting “Aye”.

SET DATE-P.H.-93
HEMPSTEAD AVE.
TABLED

It was moved by Trustee Atkinson, seconded by Trustee Becker to table setting of a set a date for a Pubic Hearing for a Special Use Permit to operate a child day care center a 93 Hempstead Avenue, as the prospective applicant did not file any required applications. Motion carried, all voting “Aye”.

SET BID DATE –
DPW UNIFORMS
7/21/11 @ 11AM
RES.# 238-11

It was moved by Trustee Atkinson, seconded by Trustee Becker to set the date of July 21, 2011 at 11:00 AM to receive bids for Department of Public Works Uniforms. Motion carried, all voting “Aye”.

SET BID DATE-
SNOW REMOVAL-
SIDEWALKS
7/21/11 @ 11AM
RES.# 239-11

It was moved by Trustee Atkinson, seconded by Trustee Hawxhurst to set the date of July 21, 2011 at 11:00 AM to receive bids for Snow Removal – Sidewalks – On Call Services. Motion carried, all voting “Aye”.

SET BID DATE-
SALE OF
SURPLUS POLICE
CARS-
7-21-11 @ 11AM
RES.# 240-11

It was moved by Trustee Atkinson, seconded by Trustee Hawxhurst to set the date of July 21, 2011 at 11:00 AM to receive bids for the Sale of (3) Surplus Police Cars. Motion carried, all voting “Aye”.

June 20, 2011

SET BID DATE-
DPW EQUIPMENT
RES.# 241-11

It was moved by Trustee Atkinson, seconded by Trustee Hawxhurst to set the date of July 21, 2011 at 11:00 AM to receive bids for the purchase of DPW Equipment – (1) Roller-Vibratory Compactor; (1) Snow Plow & (1) Road Deicing Material Spreader. Motion carried, all voting “Aye”.

BEAUTIFICATION
AWARDS

Deputy Mayor Beach presented Beautification Citations to the following: Southwest Quadrant - The Lunati Family – 95 Olive Drive; Southeast Quadrant – Mike & Liz McVeigh – 24 Fenton Place; Northwest Quadrant – The Sandorfi Family – 21 Smith Street; Northeast Quadrant – Maxwell Manor – 265 Vincent Avenue; Commercial – Flowers by Freyhammer – 220 Hempstead Avenue & CPA Realty, CPA Building Management & Warren Hirsch CPA – 273 Merrick Road.

CITATIONS-
YOUTH OF THE
YEAR, WOMAN
OF THE YEAR &
MAN OF THE
YEAR

Deputy Mayor Beach presented Citations to Frankie Gaetani as 2011 Youth of the Year; Carol Burak as the 2011 Woman of the Year and Robert Gordon as the 2011 Man of the Year.

BILLS

RES.# 242-11

It was moved by Trustee Atkinson, seconded by Trustee Becker that Bills listed on Abstract of Audited Voucher #2, General Fund - \$1,162,167.44, Trust & Agency - \$18,632.77, Capital Fund - \$118,816.98, Electronic Transfer - \$17,262.45, all be paid as soon as same have been duly audited by the majority. Motion carried, all voting “Aye”.

AMENDING
BOARD
OPERATING
PROCEDURES

RES.# 243-11

It was moved by Trustee Hawxhurst, seconded by Trustee Becker to amend the Board Operating Procedures to request those wishing to speak under Good & Welfare to submit such questions to the Village prior to the Board Meeting as practicable, and to limit speaker questions to five minutes. Motion carried, all voting “Aye”.

ADJOURNMENT

It was moved by Trustee Hawxhurst, seconded by Trustee Becker to recess the meeting and invite everyone in attendance to join the Board for refreshments in honor of all award recipients. Motion carried, all voting “Aye”.

LOSAP ANNUITY

Vincent Marmorale of Hometown Insurance updated the Board on the status of the Length of Service Award (LOSAP) Fund. It was moved by Trustee Hawxhurst, seconded by Trustee Becker to authorize the 2011 premiums to be used to finance the 2011 monthly benefit payments in lieu of purchasing an annuity for certain FD LOSAP members. Motion carried, all voting “Aye”.

FIRE DEPT.
CONVENTION

RES.# 244-11

It was moved by Trustee Hawxhurst, seconded by Trustee Atkinson to grant permission to Assistant Chiefs Anthony DeCarlo, Chief Edward Hynes and Chief Michael Hynes to attend the Fire House Expo Convention to be held in Baltimore Maryland from July 19th through July 25, 2011, and to take unit 42-12 for transportation of other members. Motion carried, all voting “Aye”.

DISC-RENTAL
REGISTRATION
LAW-TABLED

It was moved by Trustee Atkinson, seconded by Trustee Hawxhurst to table the discussion on a proposed Rental Registration Law. Motion carried, all voting “Aye”.

RON CRAIG
CONTRACT

RES.# 245-11

It was moved by Trustee Atkinson, seconded by Trustee Becker to authorize the Mayor to sign a contract with Ron Craig as an Illegal Housing Investigator for up to 120 hours per month at \$30.00 an hour. Motion carried, all voting “Aye”.

June 20, 2011

POLICE DEPT.
PART-TIME
EMPLOYEES-3%
RAISES

RES.# 246-11

It was moved by Trustee Atkinson, seconded by Trustee Becker to authorize the attached hourly wage for part-time Crossing Guards, Traffic Control and Neighborhood Aides (See Exhibit B) effective June 1, 2011. Motion carried, all voting "Aye"

CONTRACT
COMMITTEE-PBA-
TABLED

It was moved by Trustee Atkinson, seconded by Trustee Becker to table the discussion on appointing a Village PBA Contract Committee for pre negotiations of the expiring contract with the Police Benevolent Association. Motion carried, all voting "Aye".

2010/2011 YEAR
END TRANSFERS

RES.# 247-11

It was moved by Trustee Atkinson, seconded by Trustee Becker to approve the attached 2010/2011 Year End Transfer of Funds (See Exhibit C). Motion carried, all voting "Aye".

USE OF GRIES
PARK-SEPT. 11TH
MOTORCYCLE
RUN PICNIC

RES.# 248-11

It was moved by Trustee Atkinson, seconded by Trustee Hawxhurst to approve the use of Gries Park on October 16, 2011 by Dolphin Fitness Center, Cavaliere & Assoc. Law Office, and US Veterans Motorcycle Club to hold a September 11th Motorcycle Run Picnic and live entertainment. Motion carried, all voting "Aye".

FBS COURT
AGREEMENT

RES.# 249-11

It was moved by Trustee Atkinson, seconded by Trustee Becker to enter into an Agreement with FBS Service, expiring May 31, 2012, for the processing of Justice Court Parking Tickets. Motion carried, all voting "Aye".

AMEND PARKING
FINES

RES.# 250-11

It was moved by Trustee Atkinson, seconded by Trustee Becker to ratify the 2011 parking fines (See Exhibit D) effective March 28, 2011, and to amend the fines for Expired Meters to \$35.00, and No Parking 3AM to 5AM to \$40.00 effective September 1, 2011. Motion carried, all voting "Aye".

VILLAGE HALL
SECURITY-
TABLED

RES.# 251-11

It was moved by Trustee Becker, seconded by Trustee Hawxhurst to table the discussion on installing a security window at the service counter in the Building Department and Village Clerks Office. Motion carried, all voting "Aye".

HIGHWAY
PROJECT
CLOSEOUT-ALAC

RES.# 252-11

It was moved by Trustee Becker, seconded by Trustee Hawxhurst to approve the Highway Project final payment to ALAC with a \$26,053.75 reduction in such the final payment to offset additional inspection fees of the Village due to ALAC's completion delays. Motion carried, all voting "Aye".

PUBLIC HEARING-
SIDEWALK
VIOLATIONS

RES.# 253-11

It was moved by Trustee Atkinson, seconded by Trustee Hawxhurst 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. The Deputy Mayor asked if anyone would like to comment, after no comments heard, it was moved by Trustee Atkinson, seconded by Trustee Hawxhurst 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".

June 20, 2011

PUBLIC HEARING-
CHAPTER 14-
ETHICS-L.L.#6

RES.# 254-11

It was moved by Trustee Atkinson, seconded by Trustee Hawxhurst to open a Public Hearing to consider the amendment of the Village Code, Chapter 14, Section 14-7 – Avoiding conflicts of interest and appearances of conflict as those delineated in Chapter 14. The Village Attorney read the proposed Local Law. After a brief discussion, the Deputy Mayor asked if anyone would like to comment. After no further comments, it was moved by Trustee Atkinson, seconded by Trustee Hawxhurst to close the Public Hearing and to adopt Local Law #6 of 2011. It was moved by Trustee Hawxhurst, 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 NYS Environmental Quality Review Act. Motion carried, all voting “Aye”.

PUBLIC HEARING-
CHAPTER 14-
ETHICS – L.L.#7

RES.# 255-11

It was moved by Trustee Atkinson, seconded by Trustee Hawxhurst to open a Public Hearing to consider the amendment of the Village Code Chapter 14, Section 14-14 – to enunciate that, pursuant to the authority of the Home Rule Law, Lynbrook’s Board of Ethics will have no members who are either elected officials or who are Village employees or who are otherwise recipients of financial compensation from the Village. The Village Attorney read the proposed Local Law. After a brief discussion, the Deputy Mayor asked if anyone would like to comment. After no further comments, it was moved by Trustee Atkinson, seconded by Trustee Hawxhurst to adopt Local Law #7 of 2011. Motion carried, all 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 NYS Environmental Quality Review Act. Motion carried, all voting “Aye”.

CONTRACT-
L.ROTHCHILD

RES.# 256-11

It was moved by Trustee Becker, seconded by Trustee Atkinson to authorize the Mayor to sign an amended Contract with Leslie Rothchild as Media Consultant to now read “Media & Public Relations Officer”, at a rate of \$8,400.00. Motion carried, all voting “Aye”.

ADJOURNMENT

It was moved by Trustee Becker, seconded by Trustee Atkinson to adjourn the meeting at 11:35 PM. Motion carried, all voting “Aye”.