

June 7, 2010

A regular meeting of the Board of Trustees of the Incorporated Village of Lynbrook was held on Monday, June 7, 2010 at 7:00 P.M. in the Village Hall. The Mayor opened the meeting with the Pledge of Allegiance to the Flag.

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

PROPOSAL-W.C. Representatives of the State Insurance Fund presented a proposal for the renewal of the Villages Workers Compensation Insurance Policy.

SUMMER BOARD MEETINGS It was moved by Trustee Beach, seconded by Trustee Hawxhurst to set a date for Board Meetings in July, August & September for July 19, August 16 & September 20, 2010. Motion carried, Mayor Curran absent, all others voting "Aye".
RES.# _____

SET DATE-P.H.- SUB-DIVISION-124 EARLE AVE It was moved by Trustee Hawxhurst, seconded by Trustee Beach to set a date for a Public Hearing to consider an application from CRG Building for a 3 lot sub-division of land at 124 Earle Avenue, for June 21, 2010. Motion carried, Mayor Curran absent, Trustee Becker abstained, all others voting "Aye".
RES.# _____

TRANSFER OF FUNDS It was moved by Trustee Hawxhurst, seconded by Trustee Beach to authorize the transfer of \$15,000 from Contingency Account A1990.0444 to A4210.0400 for the 2010 Contract renewal for LINK Counseling Services. Motion carried, Mayor Curran absent, all others voting "Aye".
RES.# _____

DPW SEASONAL HIRES It was moved by Trustee Beach, seconded by Trustee Becker to authorize the hiring and hourly rates for the following seasonal laborers for the Department of Public Works:

James Walter	\$8.25
Joseph Fazzino	\$8.25
Michael Rivera	\$8.25
Ryan Kropas	\$8.25
Sean McCartney	\$8.25
Michael Schinasi	\$8.25
Kory Cunningham	\$8.50
Steven Cribbin	\$8.25
Brian Cribbin	\$8.25

Motion carried, Mayor Curran absent, all others voting "Aye".

P.H. -SIDEWALK VIOLATIONS It was moved by Trustee Becker, 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. It was moved by Trustee Hendrick, seconded by Trustee Hawxhurst to close the Public Hearing and authorize the Village to repair the sidewalks in violation, to assess the properties for such repair costs except for 21 John Street and N/S 190 w/Union/Roosevelt Ave. School, and adopt the attached resolution as written. Motion carried, Mayor Curran abstained, all others voting "Aye".
RES.# _____

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DPW SOLAR
PANEL PROJECT

RES.# _____

The Superintendent of Public Works advised that the Board is required under the NYS SIRT Grant for the solar electric panel project at DPW, to undertake SEQRA review. After a brief discussion, it was moved by Trustee Hendrick, 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, in relation to the installation of solar electric panels on the roof of the DPW facility. Motion carried, Mayor Curran absent, all others voting "Aye".

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

MINUTES-5/17/10

RES.# _____

It was moved by Trustee Becker, seconded by Trustee Hawxhurst to approve the Minutes of May 17, 2010 as submitted and place on file. Motion carried, Mayor Curran absent, all others voting "Aye".

MINUTES-5/24/10

RES.# _____

It was moved by Trustee Becker, seconded by Trustee Hawxhurst to approve the Minutes of May 24, 2010 as submitted and place on file. Motion carried, Mayor Curran absent, all others voting "Aye".

FUNDRAISER-
BELLA TUCKER
ROARTY

Jennie Gibbons discussed a fundraising event to benefit Bella Tucker Roarty a disabled child on June 19th at the VFW Hall and invited all to attend.

OLP BLOOD
DRIVE

Carol Burak of Our Lady of Peace Church invited the Community to their Blood Drive to be held on June 27, 2010.

CHAMBER OF
COMMERCE-
STREET FAIR

RES.# _____

It was moved by Trustee Hendrick, seconded by Trustee Beach to authorize the Chamber of Commerce to hold a Street Fair on Atlantic Avenue, and to close Atlantic Avenue on July 4, 2010 from Stauderman Avenue to Merrick Road. Motion carried, Mayor Curran absent, all others voting "Aye".

MALVERNE
ROTARY-5K RUN

RES.# _____

It was moved by Trustee Beach, seconded by Trustee Hawxhurst to authorize the Malverne Rotary Club to conduct their 6th Annual 5K Run on October 17, 2010, to also take place on the following Village roads: Rolling Street, Driving Park Avenue, Christabel Street, Lawrence Avenue, Buckingham Place, Charles Street, Clifford Street, Ocean Avenue and Lakeview Avenue. Motion carried, Mayor Curran absent, all others voting "Aye".

SWIM ACROSS
AMERICA
FUNDRAISER

RES.# _____

It was moved by Trustee Beach, seconded by Trustee Hawxhurst to authorize the use of the Village swimming pool by "Swim Across America" for a fundraising event to benefit cancer, on a date to be determined by the Park Director, subject to the Village being indemnified. Motion carried, Mayor Curran absent, all others voting "Aye".

PROM NIGHT-
6/24/10

RES.# _____

It was moved by Trustee Beach, seconded by Trustee Hawxhurst to authorize the Chamber of Commerce to utilize Atlantic Avenue to conduct its Annual Prom Night activity on June 24, 2010 at 5:30 P.M. Motion carried, Mayor Curran absent, all others voting "Aye".

CERTIFIED
ELECTRICAL
INSPECTORS, INC.

RES.# _____

It was moved by Trustee Beach, seconded by Trustee Hawxhurst to ratify the Building Departments recommendation for Certified Electrical Inspectors, Inc. as an approved electrical inspector, pursuant to the Village Code. Motion carried, Mayor Curran abstained, all others voting "Aye".

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FEMA F.D.
GRANT-\$225,000.

RES.# _____

It was moved by Trustee Beach, seconded by Trustee Hawxhurst to ratify the Village Administrator filing an application with the 2010 FEMA Assistance to Firefighter Grant Program in the amount of \$225,000. for the replacement of a F.D. Ambulance. Motion carried, Mayor Curran abstained, all others voting "Aye".

INTER-
MUNICIPAL
AGREEMENT-
N.C. CAMERAS

RES.# _____

It was moved by Trustee Hendrick, seconded by Trustee Beach to authorize the Mayor to sign an Inter-Municipal Agreement with the County of Nassau to reimburse the Village \$32,500. for the installation of additional intersection internet cameras. Motion carried, Mayor Curran abstained, all others voting "Aye".

F.D. EVENT

RES.# _____

It was moved by Trustee Beach, seconded by Trustee Becker to ratify the Fire Department attending an event in East Islip on May 23, 2010. Motion carried, Mayor Curran abstained, all others voting "Aye".

PROC.-
MUNICIPAL
CLERKS WEEK &
J.GUERRERA

The Mayor presented a Proclamation in honor of May 2 – 8 as Municipal Clerk's Week, and to Joseph Guerrero on his retirement from working 14 years at the Recreation Department.

P.H.-SPECIAL
USE PERMIT -444
MERRICK ROAD-
ANTENNA

RES.# _____

It was moved by Trustee Hendrick, seconded by Trustee Beach to open a Public Hearing to consider an application from Clear Wireless, LLC to install a rooftop communication antenna on 444 Merrick Road, pursuant to Section 252-116 of the Village Code. Mr. Joseph Buzzell, Esq. presented the application and introduced his expert witnesses:

Mr. Collins indicated that the proposed antenna, collectively with all existing antennas on site emits .1088% of the maximum radio wave limits established by the Federal Communications Commission. Mr. Smith, Esq. commented on the 1997 Telecommunication Act, and advised that 444 Merrick Road was the only available site in the Lynbrook and surrounding area due to the availability of fiber optics. Mr. Smith introduced Jamie Watrel, Planner who testified that the proposed location for the antenna is suitable and has no adverse impact on the environment and community. John Steven, Infinigy Engineer reported that all conduits would conform to all NYS Building & Fire Codes, and the Mayor reported that there is an existing outstanding violation related to rooftop equipment. Michael Lynch of Lynch Appraisal advised that the proposed antenna equipment would not have any affect on surrounding property values. In response to the Mayor, Mr. Smith confirmed that no witness testified to justify need for the site, although the site could provide new 4G service. Larry Zaconi, Consultant for Clear Wireless advised that no other locations were considered in the Village. The Mayor asked if anyone wished to comment. The following individuals commented: Alan Rigano – 133 Lyon Place, Jane Grogan – 33 Green Avenue, Pat Cox – Langdon Place and Kim Coyne – 8 Woodlawn Place. It was moved by Trustee Hendrick, seconded by Trustee Beach to continue the hearing on July 19, 2010 and request the applicant to submit a rendering of the site with antenna installed, and certification that the conduit installation complies with all Building Codes. Motion carried, Mayor Curran abstained, all others voting "Aye".

BILLS

RES.# _____

It was moved by Trustee Becker, seconded by Trustee Beach that Bills listed on Abstract of Audited Voucher #1, General Fund - \$750,671.25, Trust & Agency - \$35,588.86, Capital Fund - \$44,902.14, Electronic Transfer - \$16,014.19, all be paid as soon as same have been duly audited by the majority. Motion carried, Mayor Curran abstained, all others voting "Aye".

It was moved by Trustee Hendrick, seconded by Trustee Beach to continue the meeting in the conference room. Motion carried, Mayor Curran abstained, all others voting "Aye".

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W.C.
INSURANCE-
STATE
INSURANCE
FUND

It was moved by Trustee Hendrick, seconded by Trustee Hawxhurst to approve the State Insurance Fund proposal in the amount of \$621,500 for the period of June 15, 2010 to May 31, 2011 for the expiring Employees Worker's Compensation Policy with Perma. Motion carried, Mayor Curran abstained, all others voting "Aye".

RES.#_____

CHANGE ORDER
LEB
ELECTRONICS

It was moved by Trustee Beach, seconded by Trustee Becker to authorize a change order with LEB Electronics for the installation of a second internet camera in the vicinity of Merrick Road and Taft Avenue subject to determination of need by Trustee Beach. Motion carried, Mayor Curran abstained, all others voting "Aye".

RES.#_____

FIRE DEPT.
PARKING-
VINCENT AVE.

It was moved by Trustee Beach, seconded by Trustee Hendrick to approve the request for "Fire Department Only" parking sign to be posted from the existing Fire Zone north to the existing No Stopping Zone on the east side of Vincent Avenue in the vicinity of Medical Company. Motion carried, Mayor Curran abstained, all others voting "Aye".

RES.#_____

693 SUNRISE
HWY.
ENGINEERING
FEES

It was moved by Trustee Becker, seconded by Trustee Hawxhurst to authorize the Building Department to impose a \$5000. fee for Village Engineering site plan review of plans for a new bank to be constructed at a former restaurant at 693 Sunrise Highway. Motion carried, Mayor Curran abstained, all others voting "Aye".

RES.#_____

ADJOURNMENT

It was moved by Trustee Beach, seconded by Trustee Becker to close the meeting at 11:20 P.M. Motion carried, Mayor Curran abstained, all others voting "Aye".