

September 15, 2014

A regular meeting of the Board of Trustees of the Incorporated Village of Lynbrook was held on Monday, September 15, 2014 at 7:00 P.M. in the Village Hall.

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

SET DATE – P.H.-
10/6/14-CHAP.113-
E-CIGARETTES-
L.L.#18

RES.#[300-14](#)

The Board reviewed a copy of proposed Local Law #18 of 2014 to amend the Village Code, Chapter 113 entitled “E-Cigarettes,” to allow the smoking of E-cigarettes in E-cigarette retail showrooms. It was moved by Trustee Hawxhurst, seconded by Trustee Beach, not to hold a Public Hearing to consider amending Chapter 113 of the Village Code entitled “E-Cigarettes”. Motion carried, all voting “Aye.”

SET DATE – P.H.-
10/6/14 – CHAP.231-
TOW VEHICLES-
L.L.#19

RES.#[301-14](#)

The Board reviewed a copy of proposed Local Law #19 of 2014 to amend the Village Code, Chapter 231 entitled “Tow Vehicles,” to allow Tow Companies to immobilize vehicles on private property. It was moved by Trustee Atkinson, seconded by Trustee Hawxhurst, to set the date of October 6, 2014 at 7:00 P.M. for a Public Hearing to consider amending Chapter 231 of the Village Code entitled “Tow Vehicles” to allow “immobilizing” of motor vehicles parked on private property under certain circumstances. Motion carried, all voting “Aye.” It was moved by Trustee Atkinson, seconded by Trustee Hawxhurst, 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 Environmental Quality Review Act. Motion carried, all voting “Aye.”

SCHOOL SPEED
ZONE SIGNAGE-
NORTH JR.HIGH

RES.#[302-14](#)

It was moved by Trustee Atkinson, seconded by Trustee Beach, to table a request from the County of Nassau to amend the hours of the 20 mph Speed School Zone restriction to “7AM to 6PM” on Merrick Road, in front of Lynbrook North Jr. High. Motion carried, all voting “Aye.”

SURPLUS
EQUIPMENT

RES.#[303-14](#)

It was moved by Trustee Atkinson, seconded by Trustee Hawxhurst, to declare the following items as surplus and to sell for reasonable value: 98 parking meters; 1985 Chevy pick-up – Vin#:1GCGD34J96F419740, a 1964 Galion Grader, minimum bid \$1500, and a Minolta MS6000 Microfilming machine – Serial #33011332. Motion carried, all voting “Aye.”

B. STANTON-
BLDG. OFFICIALS
CONFERENCE

RES.#[304-14](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson, to ratify Building Superintendent Brian Stanton’s attendance at a Building Officials’ Conference in Mayville, NY on September 10 – 12, 2014. Motion carried, all voting “Aye.”

J. DUBON-COURT
CLERK
CONFERENCE

RES.#[305-14](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson, to approve Court Clerk Jackie DuBon to attend a Court Clerk Conference in Albany, NY on September 28 – October 1, 2014. Motion carried, all voting “Aye.”

TAX LIEN REPORT

RES.#[306-14](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson, to authorize the Village Attorney to institute Foreclosure in Rem Proceedings on the following properties: 37 Wyoming Avenue; 181 Walnut Street; 9 Pearsall Avenue and 170 Stuart Street. Motion carried, all voting “Aye.”

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PUBLIC HEARING
- SIDEWALK
VIOLATIONS

RES.#307-14

It was moved by Trustee Beach, 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 Beach, 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 A)

BID AWARD -
CAMERAS - GREIS
PARK & VILLAGE
HALL

RES.#308-14

Village Administrator John Giordano advised that seven (7) proposals were received on July 31, 2014 in response to our RFP for a new security camera system for the Library, Greis Park and adding three (3) cameras to the Village Hall's existing system:

	<u>Greis Park</u>	<u>Library</u>	<u>Village Hall</u>
Sensible Security Systems -	No Bid	\$14,230.	\$2,875
Tyco	\$77,916	\$27,283	\$9,615
DVSA	\$24,058	\$29,743	\$2,292
World Wide Sec.Group	\$34,955	\$18,000	\$18,155
Burglar Busters	\$26,467	\$19,740	7,605
A+	\$25,359	\$20,605	\$9,687
Knight Nets	\$38,994	\$30,337	\$8,988

Robert Ordan of Knights Nets commented. It was moved by Trustee Beach, seconded by Trustee Atkinson, to engage DVSA Technologies as the lowest responsible bidder for Greis Park in the amount of \$24,058.00 such costs to be paid from the 2014 Bond, and re-bid the Library and Village Hall with necessary clarifications. Motion carried, all voting "Aye."

BID AWARD - TV
STATION
EQUIPMENT

RES.#309-14

Village Administrator John Giordano advised that four (4) bids were received for Video Equipment-Tricaster 860 to be used to upgrade Lynbrook-TV as follows:

Varto Technologies - \$32,490
B & H Photo Video - \$32,990
Video Hi-Tech - \$35,500
AMV - \$30,985

It was moved by Trustee Atkinson, seconded by Trustee Beach, to approve Commissioner of Communications Michael Shindler's recommendation that the lowest bidder AMV, Inc. be awarded the bid in the amount of \$30,985.00. Such costs to be paid from the Reserve for Television Studio Equipment Account. Motion carried, all voting "Aye."

P.H-CHAP.240 -
VEHICLES &
TRAFFIC-L.L.#14
OF 2014

RES.#310-14

It was moved by Trustee Beach, seconded by Trustee Atkinson to open a Public Hearing to consider the enactment of proposed Local Law #14 of 2014 to amend the Village Code Chapter 240 entitled, "Vehicles & Traffic", Section 240-50, to allow placement of parking license stickers any place on rear bumper of the subject automobile. Mayor Hendrick read a copy of the proposed Local Law and asked for public comments. After no further comments, it was moved by Trustee Beach, seconded by Trustee Atkinson to close the hearing. Motion carried, all voting "Aye." It was moved by Trustee Beach, seconded by Trustee Atkinson to enact proposed Local Law #14 of 2014. Motion carried, all voting "Aye."

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P.H.-CHAP.78-
BOARDINGHOUSE,
ROOMING HOUSES
& HOTELS-L.L.#15
OF 2014

RES.#[311-14](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson, to open a Public Hearing to consider the amendment of proposed Local Law #15 of 2014 to amend the Village Code Chapter 78, entitled "Boardinghouse, Rooming Houses and Hotel," to correct (1) a typographical error referring to a specific section number of the NYS Corrections Law; and (2) amend language describing the results of the fingerprinting check, as suggested by the New York State Division of Criminal Justice Service. Mayor Hendrick read a copy of the proposed Local Law and asked for public comments. After no further comments, it was moved by Trustee Beach, seconded by Trustee Atkinson, to close the hearing. Motion carried, all voting "Aye." It was moved by Trustee Beach, seconded by Trustee Atkinson, to enact proposed Local Law #15 of 2014. Motion carried, all voting "Aye."

P.H.-CHAP.25-
DEFENSE &
INDEMNIFICATION
OF EMPLOYEES-
L.L.#16 OF 2014

RES.#[312-14](#)

It was moved by Trustee Atkinson, seconded by Trustee Hawxhurs, to open a Public Hearing to consider the enactment of proposed Local Law #16 of 2014 to amend the Village Code Chapter 25, entitled "Defense and Indemnification of Employees," Section 25-5 (b) Employment of Applicants, to conform to the fingerprint requirements as recommended by the New York State Division of Criminal Justice Services. Mayor Hendrick read a copy of the proposed Local Law and asked for public comments. After no further comments, it was moved by Trustee Beach, seconded by Trustee Atkinson, to close the hearing. Motion carried, all voting "Aye." It was moved by Trustee Beach, seconded by Trustee Atkinson, to enact proposed Local Law #16 of 2014. Motion carried, all voting "Aye."

P.H.-CHAP.195-
DEALERS IN
SECONDHAND
MECHANDISE
L.L.#17 OF 2014

RES.#[313-14](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson, to open a Public Hearing to consider the enactment of proposed Local Law #17 of 2014 to amend the Village Code to add a Chapter 195 entitled "Dealers in Secondhand Merchandise" to regulate dealers in secondhand merchandise. Mayor Hendrick read a copy of the proposed Local Law and advised that it is the intent of the Law to re-adopt Chapter 195 which was inadvertently repealed by Local Law #12 of 2014, and asked for public comments. After no further comments, it was moved by Trustee Beach, seconded by Trustee Atkinson, to close the hearing. Motion carried, all voting "Aye." It was moved by Trustee Beach, seconded by Trustee Atkinson, to enact proposed Local Law #17 of 2014. Motion carried, all voting "Aye."

Mayor Hendrick invited all those present for a continuation of the meeting in the Court Room.

MINUTES-8/15/14

RES.#[314-14](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson, to accept the Minutes of August 15, 2014 as submitted and place on file. Motion carried, all voting "Aye."

CHAMBER OIF
COMMERCE
REPORT

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

WOUNDED
WARRIOR
COMMITTEE
REPORT

Members of the Lynbrook Fire Department were present to give an update on the Wounded Warrior Fundraiser, Block Party and Concert on September 20, 2014 in front of Truck Company's Fire House on Earle Avenue.

HIRING-NEW P.O.
CHRISTOPHER
LOPEZ

RES.#[315-14](#)

It was moved by Trustee Becker, seconded by Trustee Hawxhurst, to ratify the hiring of Christopher Lopez as a Police Officer (in accordance with the terms of the Police Benevolent Association Collective Bargaining Agreement.) Motion carried, all voting "Aye." The Mayor administered a ceremonial Oath of Office.

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REQUEST-
MALVERNE
HOMECOMING
PARADE-10/18/14

RES.#[316-14](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson, to approve a request from the Malverne School District to hold the Malverne Homecoming Parade on October 18, 2014, which will partially march in the Village on the south side of Lakeview Avenue, east of Ocean Avenue. Motion carried, all voting "Aye."

MALVERNE
ROTARY 5K RUN-
TABLED

RES.#[317-14](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson, to table a request until later on the Agenda for a Malverne Rotary 5K Run as requested by the Malverne Education Foundation. Motion carried, all voting "Aye."

BILLS

RES.#[318-14](#)

It was by Trustee Becker, seconded by Trustee Atkinson, that Bills listed on Abstract of Audited Voucher #4, General Fund - \$538,846.40; Trust & Agency - \$19,466.34; Capital Fund - \$46,250.35; Electronic Transfer - \$20,334.49; Community Development - \$116,106.20, 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.

EXECUTIVE
SESSION

It was moved by Trustee Beach, seconded by Trustee Atkinson, to adjourn the meeting to open an Executive Session to discuss applicants for the positions of Temporary Clerk Typist substitutes. Motion carried, all voting "Aye". It was moved by Trustee Beach, seconded by Trustee Atkinson, to open an Executive Session to discuss the positions of Temporary Clerk Typist substitutes. 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 open the regular meeting. Motion carried, all voting "Aye."

A. CARDONE-
FULL-TIME 21
HOURS

RES.#[319-14](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson, to amend Allison Cardone "Recreation Attendant" from part-time (19 ½) to full-time not to exceed a 21 hours weekly. Motion carried, all voting "Aye."

APPT.-L. SWING-
MAINTAINER-DPW

RES.#[320-14](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson to appoint Larry Swing as "Maintainer" in the Department of Public Works to fill Anthony DiCosola's vacancy pursuant to the terms of the CSEA Agreement. Motion carried, all voting "Aye."

D. METZGER-
POLICE
COMMUNICATION
OPERATOR

RES.#[321-24](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson, to appoint Danielle Metzger as "Police Communication Operator" to fill Lisa McIntyre's vacancy, pursuant to the terms of the CSEA Agreement. Motion carried, all voting "Aye."

APPT. J. LENYGEL-
PT-RECREATION
ATTENDANT

RES.#[322-14](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson, to appoint Jenny Lenygel "Recreation Attendant" part-time \$12.00/hr to temporarily replace Ginger Fuentes, out on maternity leave. Motion carried, all voting "Aye."

APPT.-
M.HERNANDEZ

RES.#[323-14](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson, to authorize the Mayor to sign an Agreement with Maureen Hernandez as a "Consultant" for a term ending February 28, 2014. Motion carried, all voting "Aye."

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APPT.-M.HILLMAN

RES.#[324-14](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson, to appoint MaryEllen Hillman as a "Clerk Typist Substitute" at \$20.00/hr up to 19 ½ hours per week. Motion carried, all voting "Aye."

APPT.-D. CROFTS –
TYPIST CLERK

RES.#[325-14](#)

The Village Administrator reported that Building Department Clerk Typist Dana Crofts resigned on August 11, 2014, and is again reachable on the Nassau County Civil Service List. It was moved by Trustee Beach, seconded by Trustee Atkinson, to appoint Dana Crofts as a "Clerk Typist" in the Clerk Treasurers Office, effective October 6, 2014, at a salary of \$39,025. to fill Nancy Bush's 12/31/14 vacancy caused by her opting to retire under the Village's Early Retirement Incentive Plan. Motion carried, all voting "Aye."

SEVERANCE
PAYOUT OUTS

RES.#[326-14](#)

It was moved by Trustee Atkinson, seconded by Trustee Hawxhurst, to approve the severance payouts for the following former employees: Neighborhood Aide Lillian Occhipinti, Police Communication Operator Lisa McIntyre, Librarian Natalie Lapp, Page Brandon Hahl, PO McCarthy and PO Oveis, in accordance with the provisions of their Collection Bargaining Agreements and Policy. Motion carried, all voting "Aye."

MALVERNE
ROTARY 5K RUN

RES.#[327-14](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson, to approve a request from the Malverne Education Foundation to hold a 5K Run on October 19, 2014 on various streets in the Village south of Lakeview Avenue. Motion carried, all voting "Aye."

SANITATION
COLLECTION
RATES-TABLED
RES.#[328-14](#)

It was moved by Trustee Becker, seconded by Trustee Hawxhurst, to table discussion on amending Sanitation Collection Rates. Motion carried, all voting "Aye."

INSPECT LIBRARY
WALL
REPAIRS9/20/14

RES.#[329-14](#)

It was moved by Trustee Beach, seconded by Trustee Hawxhurst, to inspect needed repairs to internal north wall of the Library on Saturday, September 20, 2014 at 9:00 AM. Motion carried, all voting "Aye."

TRANSFER OF
FUNDS

RES.#[330-14](#)

It was moved by Trustee Becker, seconded by Trustee Atkinson, to authorize the following advance and temporary cash transfer from the General Fund to Capital Fund 4 to cover 2014 Highway Bond Project expenses for Allen Industries:

To:	003.0003.0212	Capital Fund 4-Cash	\$500,000.00
Fr:	001.0001.0200	General Fund Cash	(\$500,000.00)

and authorize reimbursement to the General Fund once the 2014 Bond proceeds are available. Motion carried, all voting "Aye."

SPEED LIMIT
ENFORCEMENT-
ATLANTIC AVE
RES.#[331-14](#)

It was moved by Trustee Beach, seconded by Trustee Atkinson, to direct the Police Chief to increase enforcement of the speed limit on Atlantic Avenue north of Sunrise Highway. Motion carried, all voting "Aye."

ADJOURNMENT

It was moved by Trustee Beach, seconded by Trustee Atkinson, to adjourn the meeting at 9:50 P.M. Motion carried, all voting "Aye."