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VILLAGE OF LYNBROOK

BOARD OF TRUSTEES MEETING

1 COLUMBUS DRIVE

LYNBROOK, NEW YORK

JUNE 15, 2020

7:00 P.M.

BEFORE: ALAN C. BEACH

MAYOR

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APPEARANCES :

MICHAEL N. HAWXHURST, DEPUTY MAYOR

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ROBERT BOCCIO, TRUSTEE

ANN MARIE REARDON, TRUSTEE

HILARY H. BECKER, TRUSTEE

JOHN GIORDANO, VILLAGE ADMINISTRATOR

THOMAS ATKINSON, VILLAGE PROSECUTOR

1 MAYOR BEACH: Good Evening, everyone and
2 welcome to the Board Meeting of June 15th.

3 I will ask Police Chief Paladino to lead us
4 in the Pledge of Allegiance. Page | 3

5 (Whereupon, Police Chief Paladino lead the
6 Assembly in the Pledge of Allegiance. After, the
7 following ensued.)

8 MAYOR BEACH: Thank you, Chief.

9 Welcome, everyone. I hope everyone is
10 healthy and remaining optimistic.

11 As you can see, we are moving along. We
12 have had a nice week on the Avenue, where the
13 restaurants were able to start serving outside
14 which was good.

15 Just real quick, I want to bring to your
16 attention. This is from Phil Healey, he has a
17 hundred of these trees.

18 I have in the past - - he distributes to
19 anyone in the Village that would want them.

20 I have one from a couple of years ago and,
21 obviously, it is growing. It is much taller than
22 this one.

23 At this time, if anyone is interested,
24 contact the DPW. He has a hundred of them and he
25 likes to see you have them.

1 Thank you.

2 All right, first on the agenda is the
3 Minutes of May 18th, is there any changes?

4 (Whereupon, "no" was heard. After, the Page | 4
5 following ensued.)

6 MAYOR BEACH: I will ask the Board to
7 approve the Minutes of May 18th.

8 May I have a Motion.

9 TRUSTEE BOCCIO: So moved.

10 TRUSTEE REARDON: Second.

11 MAYOR BEACH: All in favor?

12 (Whereupon, a vote of "Aye" was heard by
13 all. After, the following ensued.)

14 MAYOR BEACH: Thank you.

15 And, I will jump around the agenda a little
16 bit.

17 I like to have Police Chief Paladino come
18 to the mic and tell us, I guess, the things that
19 are going on in our Village in reference to the
20 police.

21 POLICE CHIEF PALADINO: Good Evening,
22 Mayor. Good Evening Board.

23 MAYOR BEACH: Good Evening.

24 TRUSTEE BECKER: Good Evening.

25 TRUSTEE REARDON: Good Evening.

1 TRUSTEE BOCCIO: Good Evening.

2 POLICE CHIEF PALADINO: Thank you for
3 having me, tonight.

4 It is actually a meeting, some we have
5 missed with the COVID 19 problem that we have had,
6 so, it's nice to get back, here, to have
7 communication with you guys and communicate with
8 the Village and keep people abreast of what is
9 going on.

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10 We are at an odd time in our history. This
11 is the first time I am going through this as a
12 Police Officer, really and, you know, some of our
13 older members, the T.V. audience, I remember times
14 in the '60's, you know, civil unrest.

15 We really haven't had a lot during my
16 twenty-three (23) years of that and I am proud of
17 that.

18 But, as time goes by, things happen and,
19 um, what I am proud to report is and sort of just
20 wanted to clear up the air with people and they
21 see what is going on and everything and having a
22 hard time with it or having a hard time
23 understanding why we are doing what we are doing,
24 the way we are going.

25 Um, Nassau County, just like us, hasn't

1 really dealt with civil unrest in quite a long
2 time and, um, the present, social media, it is a
3 very different variable in this process.

4 It use to be that people had to post signs ^{Page | 6}
5 and make it very public, a lot of things start to
6 come about and it is an underground system and
7 Nassau County intelligence which have Detectives
8 and other Police Officers all throughout the
9 County, have to, basically, go underground and get
10 into chat groups and get into the different social
11 pages and in doing so, they will, um, the
12 infiltrate basically what is going to happen with
13 some of these protests.

14 Thank God 99.9 percent of the protesting
15 and civil unrest that has occurred has been - - it
16 has been peaceful.

17 It has been overwhelming. There have been
18 nights where you really don't know who is going to
19 show up or how many people are going to show up.

20 And, for instance, Rockville Centre had a
21 protest last Sunday that expected about fifty
22 people and about twenty-five hundred people showed
23 up and it is a different ballgame.

24 And, for the most part has been peaceful,
25 which has been great and as long as it is peaceful

1 Nassau County and all the Police Departments,
2 basically, are onboard with allowing the people to
3 express themselves.

4 Maybe you don't agree with the messages Page | 7
5 that they are sending, but, as long as it is
6 peaceful, it is not obstructing any property, no
7 people are getting hurt, um, we are allowing them
8 more or less to navigate where they like.

9 And, we are trying to control traffic
10 around them.

11 Um, there have been a couple of instances
12 where there have been some problems and they have
13 been addressing, so, you know, the promise of the
14 Police Department is that we are going to protect
15 your property.

16 We are going to protect your lives and your
17 wellbeing.

18 Um, Lynbrook to date has had three protests
19 that have either come through the Village or been
20 on the outskirts of it and touched the Village a
21 little bit and, again, Nassau County actually
22 called us about one of them and said that we did a
23 great job.

24 They said we got the protesters to cross at
25 the light.

1 I take traffic safety very seriously and I
2 want to keep it orderly.

3 I am a big constitutional guy. I think
4 people - - there are people that have a point
5 about what they are angry ab out and they have the
6 right to free speech.

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7 I mean to put them down or say they don't
8 know what they are talking about, you know that
9 goes against the American way, as well, so, having
10 them allowed to express themselves in a peaceful
11 manner is what the Police Department and the
12 Village is going to stand for.

13 The Mayor has been by my side at every one
14 of these protests and I couldn't thank you enough.

15 I mean it is really great support.

16 Um, moving on a little more, it saddens me
17 how politics, they really do - - Albany and Nassau
18 County, you know, they are quick to kneejerk
19 against Police Departments and I will be quite
20 honest with you, I am not that threatened for the
21 fact that a lot of what people who are protesting
22 against residents' rights, now, they don't
23 understand what we do and they don't understand
24 most of the policies they wish to have are already
25 instituted.

1 And, again, it is an infinitesimal amount
2 of times that the Police Department (A) that you
3 take deadly physical force on someone and(B) that
4 it is done wrong. Page | 9

5 Um, and I am proud of that.

6 I am proud of cops throughout the Nation.

7 It disgusts me what happened in Minnesota.

8 It disgusts me what happens at certain
9 times there are problems but every walk of life
10 there are bad people and, um, we get lumped into
11 that and that is part of the cross we bear as
12 police officers.

13 Um, I just want to assure the public we are
14 going to protect everyone's rights whether you
15 disagree with them or not, we are going to protect
16 rights.

17 We are going to protect property. We are
18 definitely going to protect your families and
19 yourselves.

20 We are going to continue to bring great
21 service and, um, we just hope you back us and any
22 influence and any communication with us is great.

23 If we are not doing something, we are not
24 fitting your needs, I like to hear about it.

25 And, we can discuss it.

1 It doesn't have to be an argument. It
2 doesn't have to be shut down right away.

3 It doesn't have to be cast that we are
4 police which doesn't listen.

5 I like back and forth dialogue.

6 With that being said, as a first outreach
7 and sort of a surprise, most of you guys, it came
8 up really quickly, I was contacted by a concerned
9 parent, um, a bout children in the community that
10 might be losing faith in the police department.

11 And, we kicked it around real quick, the
12 parents and I happen to know personally. We are
13 going to do a small interaction tomorrow night,
14 really just as a kickoff and it is - - the first
15 point, we are going to be at the jogging path at
16 Greis Park.

17 And, we have asked for children eleven and
18 up, you know, basically, eleven years old to
19 juniors in High School, if they are coming out, if
20 they have questions, if they have concerns, if
21 they really have something on their minds, they
22 want to talk about , it is going to be informal.

23 It is more or less like a walk depending on
24 how many people come.

25 We will break up into groups of ten or so

1 and discuss any problems, anything you might want
2 to and anything that might be on your mind.

3 I might not have all the answers.

4 Officer Meyer (as heard) is going to do it ^{Page | 11}
5 with me.

6 If we have a lot more people than that, it
7 might be one other officer, as well.

8 And, um, we want to hear any concerns.

9 We don't want to lose the children in this
10 Village.

11 They are a big value to us and we want you
12 on our side because we care and love all of you
13 and that is what is happening.

14 So, tomorrow at 5:00 p.m., we will do that
15 down at the jogging path, a quick walkthrough, be
16 about an hour if anybody wants to come down.

17 MAYOR BEACH: Great, thank you, Brian.

18 POLICE CHIEF PALADINO Thank you very much.

19 MAYOR BEACH: I just want to say being with
20 you through all of these protests, you are a true
21 professional and we are so happy that we have you
22 as our Chief.

23 Thank you very much.

24 POLICE CHIEF PALADINO: I really appreciate
25 that, Mayor, thank you very much and thanks

1 for having me. Again, good night.

2 TRUSTEE REARDON: Thank you.

3 MAYOR BEACH: Next on our Village agenda,
4 we have the Village pool, um, we are going to open^s Page | 12
5 the Village pool.

6 The exact date hasn't been discussed, yet.

7 You can understand that. There are a few
8 things that we have to organize, but, we are going
9 to start hiring our lifeguards and as soon as we
10 get things going, there is a good possibility that
11 it will be done by the end of this week.

12 And, everyone will be notified via the
13 Village website or robocall or some sort of a
14 contact we will get out to you, that you will know
15 exactly what is going on with the pool.

16 Um, we haven't decided exactly how we are
17 going to do it, possibly it might be done in
18 shifts, you know, go to the pool for a couple
19 hours because they ae telling us that we can only
20 allow a certain amount of people in the pool at
21 certain times.

22 We will work that out.

23 But, just to let you know, we have all
24 intentions of opening up the pool and by the end
25 of the week we hope we can come and tell you the

1 times that the pool will be available to you.

2 Are we all in agreement with that?

3 TRUSTEE REARDON: Yes, Mayor.

4 MAYOR BEACH: Next one, set the date for Page | 13

5 the Board Meetings, um, during the Summer the
6 Board Meetings are going to be set and the dates
7 for Board Meetings are July 20th, August 17th and
8 September 14th.

9 Do I have a second.

10 DEPUTY MAYOR HAWXHURST: So moved.

11 TRUSTEE REARDON: Second.

12 MAYOR BEACH: All in favor?

13 (Whereupon, a vote of "aye" was heard.

14 After, the following ensued.)

15 MAYOR BEACH: We also have the Greis Park,
16 right, now, the Village is working with Baseline
17 Health and they are doing the testing for the
18 COVID 19, um, rapid antibody testing.

19 This is an agreement we have gone into with
20 Baseline and it is available for any Village
21 resident that would like to go down there and be
22 tested, you know, it tests whether you are
23 negative and it also tests if you are positive for
24 antibodies.

25 This is an agreement between the Village

1 and Baseline, so, I would like to make a Motion to
2 approve.

3 TRUSTEE REARDON: So moved.

4 DEPUTY MAYOR HAWXHURST: Second.

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5 MAYOR BEACH: All in favor?

6 (Whereupon, a vote of "Aye" was heard by
7 all. After, the following ensued.)

8 MAYOR BEACH: Thank you.

9 Also, we have from New York State, it has
10 been mandated that each business must develop a
11 written safety plan outlining how the workplace
12 can prevent the spread of COVID 19.

13 This plan must be retained on the premises
14 of each Village Department and made available to
15 the New York State Department of Health in the
16 event that they come for an inspection.

17 This plan is intended as a guideline only,
18 so, each department head will adjust it to his
19 needs throughout the different department heads.

20 Has everyone read the safety plan?

21 (Whereupon, "yes" was heard. After, the
22 following ensued.)

23 MAYOR BEACH: Is everyone in agreement with
24 the safety plan?

25 (Whereupon, "yes" was heard. After, the

1 Following ensued.)

2 MAYOR BEACH: Do I hear a Motion?

3 TRUSTEE BOCCIO: So moved.

4 DEPUTY MAYOR HAWXHURST: Second.

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5 MAYOR BEACH: All in favor?

6 (Whereupon, a vote of "Aye" was heard by
7 all. After, the following ensued.)

8 MAYOR BEACH: Thank you.

9 Next on the agenda Item 5 A is the
10 extension for Covanta.

11 Our contract ran out with Covanta, so, we
12 are going with a one-year extension on the
13 contact.

14 So, I would need approval to move forward
15 with the existing contract to extend for one more
16 year.

17 TRUSTEE REARDON: So moved.

18 TRUSTEE BOCCIO: Second.

19 MAYOR BEACH: All in favor?

20 (Whereupon, a vote of "Aye" was heard.

21 After, the following ensued.)

22 MAYOR BEACH: With that being said, since
23 we are going to be running out by next year for
24 our future garbage disposal, I am requesting a
25 Motion to approve to send out an RFP for the

1 future garbage disposal.

2 TRUSTEE BOCCIO: So moved.

3 TRUSTEE REARDON: Second.

4 (Whereupon, a vote of "Aye" was heard.

5 After, the following ensued.)

6 MAYOR BEACH: Thank you.

7 And, let me see, this is 5B, also the road
8 rebid.

9 We have sent out a Road 2020 Road
10 Requirement Bid.

11 And, um, we have not received
12 correspondence from the person that won the bid.

13 So, I am asking to possibly send this out
14 for a rebid.

15 Mr. Atkinson is our Attorney. Is that okay
16 to do at this time?

17 VILLAGE ATTORNEY ATKINSON: Yes, no
18 problem.

19 MAYOR BEACH: Since we did not hear from
20 the contractor, I am asking to send this out for a
21 rebid.

22 VILLAGE ADMINISTRATOR GIORDANO: Mr. Mayor,
23 one quick question.

24 MAYOR BEACH: Sure.

25 VILLAGE ADMIN. GIORDANO: The

1 Contractor that we did not hear back from, he
2 submitted a bid and he was the lowest bid?

3 MAYOR BEACH: He was the one that was
4 awarded the bid and his correspondence with Mr. Page | 17
5 Healy did not continue when Mr. Healy asked him a
6 few questions about how the monies would be spent.

7 VILLAGE ADMINISTRATOR GIORDANO: So, he did
8 hear from him?

9 MAYOR BEACH: He heard from him originally
10 and, then, it stopped and there was no
11 correspondence at all after Mr. Healy tried to
12 contact him multiple times.

13 DEPUTY MAYOR HAWXHURST: So moved.

14 TRUSTEE REARDON: Second.

15 MAYOR BEACH: All in favor?

16 (Whereupon, a vote of "Aye" was heard.
17 After, the following ensued.)

18 MAYOR BEACH: And, the garage we received -
19 - we are going to replace the garage down at the
20 DPW.

21 It is the salt shed. It is in need of
22 repair.

23 As you can see, if you have ever seen it,
24 it is actually going to fall down soon.

25 I like to send out an RFP for a

1 Bid on the new garage.

2 TRUSTEE REARDON: So moved.

3 DEPUTY MAYOR HAWXHURST: Second.

4 MAYOR BEACH: All in favor?

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5 (Whereupon, a vote of "Aye" was heard.

6 After, the following ensued.)

7 MAYOR BEACH: And, we have the ratification
8 for the budget, 2020, um, I believe it has to be
9 ratified as of June 1st and I will ask for a
10 Motion.

11 DEPUTY MAYOR HAWXHURST: So moved.

12 TRUSTEE BOCCIO: Second.

13 MAYOR BEACH: All in favor?

14 (Whereupon, a vote of "Aye" was heard.

15 After, the following ensued.)

16 VILLAGE ADMINISTRATOR GIORDANO: If it has
17 to be ratified by June 1st, I guess it will have to
18 be a retroactive ratification.

19 MAYOR BEACH: Mr. Atkinson?

20 VILLAGE ATTORNEY ATKINSON: The budget was
21 ratified.

22 MAYOR BEACH: The amendment, I am sorry?

23 VILLAGE ATTORNEY ATKINSON: The amendment.

24 DEPUTY MAYOR HAWXHURST: June 1st or not
25 necessarily.

1 VILLAGE ATTORNEY ATKINSON: Any point
2 during the fiscal year.

3 MAYOR BEACH: After June 1st, correct.

4 VILLAGE ATTORNEY ATKINSON: Right.

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5 DEPUTY MAYOR HAWXHURST: So moved.

6 TRUSTEE BOCCIO: Second.

7 MAYOR BEACH: All in favor?

8 (Whereupon, a vote of "Aye" was heard.

9 Trustee Becker voted Nay. After, the following
10 ensued.)

11 MAYOR BEACH: And, this is the Bond
12 Resolution.

13 A Motion is requested to authorize Bond
14 Counsel to prepare the Bond Resolution for the
15 following items:

16 Roadway improvements; one million seven
17 hundred and fifty thousand.

18 Garage repair; three hundred and fifty
19 thousand.

20 Street sweeper; two hundred and sixty-four
21 thousand.

22 Fire Truck Engine Company 1; seven hundred
23 and forty-six thousand.

24 Fire Truck for Tallyhoe; hundred and forty-
25 two thousand.

1 Termination payout of six hundred and fifty
2 Thousand.

3 Carpenter Avenue; three hundred and thirty-
4 four thousand. Page | 20

5 And Turf Field; six hundred and fifteen
6 thousand.

7 TRUSTEE BOCCIO: So moved.

8 TRUSTEE REARDON: Second.

9 (Whereupon, a vote of "Aye" was heard by
10 all except Trustee Becker voted nay. After, the
11 following ensued.)

12 TRUSTEE BECKER: Mr. Mayor, can I ask a
13 question about the Turf Field, I think we
14 discussed this the last time.

15 The Turf Field is going to cost,
16 approximately, 1.6 million.

17 MAYOR BEACH: Correct.

18 TRUSTEE BECKER: And, so, the amount that
19 we are allotting right, now, 615, we are still
20 going to have to come up with another million?

21 MAYOR BEACH: No, this is additional to,
22 that was the price - -

23 TRUSTEE BECKER: Right, total cost.

24 MAYOR BEACH: In the calculations, there
25 was an adjustment that brought it up to that,

1 that is why we brought it to the bid.

2 TRUSTEE REARDON: It was already approved,
3 correct, Mayor?

4 MAYOR BEACH: Excuse me?

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5 TRUSTEE REARDON: It was already approved,
6 so, this is just an addition.

7 TRUSTEE REARDON: We approved one million
8 and, now, we are upping it six hundred thousand?

9 MAYOR BEACH: It is additional on the bid.

10 TRUSTEE BECKER: The additional bond
11 approval was for one million.

12 MAYOR BEACH: The bond including the other,
13 as I read, other things, roadway, the garage and
14 additional costs to the turf.

15 TRUSTEE BOCCIO: So moved.

16 TRUSTEE REARDON: Second.

17 MAYOR BEACH: All in favor?

18 (Whereupon, a vote of aye was heard by all
19 except Trustee Becker voted nay. After, the
20 following ensued.)

21 MAYOR BEACH: Okay, a request for the fire
22 department training.

23 This has already been done. I will ask for
24 approval.

25 We did have the fire department utilize

1 5 Freer Street for training.

2 Um, they did have the insurance to go in
3 there before anything happened, so, just a
4 formality, at this point, to say it was okay. Page | 22

5 DEPUTY MAYOR HAWXHURST: So moved.

6 TRUSTEE BOCCIO: Second.

7 MAYOR BEACH: All in favor?

8 (Whereupon, a vote of aye was heard by all.

9 After, the following ensued.)

10 MAYOR BEACH: Next on the agenda is 152

11 Davison Avenue.

12 They want to have chickens.

13 They have two young children there.

14 They are requesting to be permitted to have
15 chickens in their backyard.

16 They are looking to have four hens this
17 year with possible expansion to six next year.

18 The coop that we have been looking at is
19 five feet by seven, measures included the house
20 and a run pen enclosure.

21 I will ask does anyone have concerns, here.

22 TRUSTEE BECKER: I guess the question,
23 Mayor, you don't mind if I jump in, it would be
24 like permitted by Code to have chickens and a
25 chicken coop and stuff like that?

1 VILLAGE ATTORNEY ATKINSON: Good question. I
2 haven't stood at the podium - - who are you - -
3 for a long time.

4 You never get use to the rotunda.

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5 Good question, Hil.

6 The Section 69-3 of the Village Code
7 requires Board approval for certain types of
8 animals to be kept either as pets or, um, I
9 don't want to say, livestock.

10 It was enacted in 1976, I believe, chickens
11 are included in that.

12 The majority of the items listed in Section
13 69-3 are fowl, so, in other words, geese,
14 chickens and other types of birds.

15 So, this decision is - - this decision is,
16 although it is permitted under the Code, it is
17 entirely at the Village's discretion.

18 We did have an application two years ago, I
19 think it was perhaps the first or second day as
20 Village Attorney and a request came in for a
21 similar request came in to hold chickens, I
22 believe on Hollywood Avenue and I know the Board
23 did decline it.

24 At this time, this is a new application for
25 a similar thing and it is entirely at the

1 Board's discretion.

2 TRUSTEE BECKER: Does it have to be at the
3 Public Hearing or anything like that?

4 DEPUTY MAYOR HAWXHURST: No, it is just a ^{Page | 24}
5 simple application process.

6 The Board just votes on it, not a special
7 use permit.

8 VILLAGE ATTORNEY ATKINSON: No, it is a
9 simple application under Section 69 of the Code.
10 They made the application in their writeup.

11 The requirements were met for the
12 application where they were provided a drawing
13 for the coop, in which they would keep it and,
14 um, it is really straight forward for the Board
15 to say yes or no.

16 TRUSTEE BECKER: This might be off the
17 point, here, these chickens, they crow?

18 It may sound like a stupid question, but,
19 are they going to make noises?

20 That is the question. I know there was a
21 time - -

22 VILLAGE ATTORNEY ATKINSON: I mean this in
23 a very dry sense of humor, I am not a chicken
24 expert.

25 I do believe it is a rooster that crows.

1 MAYOR BEACH: I believe that is correct,
2 Tom, roosters that wake you up in the morning.

3 VILLAGE ATTORNEY ATKINSON: They said, hens,
4 actually, they wouldn't - - Page | 25

5 DEPUTY MAYOR HAWXHURST: I remember the
6 once on Hollywood Avenue, when we looked it up,
7 hens will actually crow, as well.

8 TRUSTEE REARDON: They can potentially be
9 noisy, also.

10 VILLAGE ATTORNEY ATKINSON: That is
11 something that you would ask the applicant, most
12 respectfully, I was being a little tongue and
13 cheek.

14 TRUSTEE BOCCIO: I don't know if you know
15 the answer to this, now, but, if hypothetically
16 somebody like this was approached and with
17 limitations on it and that limitation is
18 subsequently not adhered to, what rights do the
19 Village have to enforce that?

20 You know what I am getting at, as far as,
21 that is something I want to know.

22 VILLAGE ATTORNEY ATKINSON: Well, I would
23 say two things, a lawyer will always say, let me
24 do a little more research on that.

25 I know chickens is only mentioned in two

1 spots in the Village Code, um, initially, right
2 off the bat having sat on the bench, I am sure
3 there are a number of provisions of the Code
4 which immediately come to mind regarding houses, ^{Page | 26}
5 sanitary, those types of things which I am sure
6 would be apart of, um, some kind of review of
7 the home there.

8 From a legal point of view, my concern, for
9 the Board, to adopt the chickens in the home
10 would be - - it is a slippery slope, you know, a
11 one off.

12 It might not be a significant thing. I
13 don't know if you want one hundred- and fifty-
14 people keeping chickens in Town.

15 Um, a lot of times the Code is a real
16 interesting thing and it was originally adopted
17 - - we have been an incorporated Village since
18 1911 and the Code has had a number of rewrites
19 over the years.

20 But, as a lot of lawyers deal with it, you
21 always start with what you have and then you can
22 expand and contract and improve over time.

23 Some of the provisions can be more
24 antiquated in the Code dating back to when there
25 were still farms.

1 The last farm left in Lynbrook in the
2 '40's.

3 This provision, I did look, specifically,
4 today, um, was modified in the '70's, so, um, ^{Page | 27}
5 don't know what was going on at that point.

6 There would be some research to indicate
7 that when it does say it was modified in the
8 '70's, it could be any one of a number 69, 60-3,
9 all the way down.

10 You guys aren't expected to know this.

11 This is why I am, here.

12 This is 69-3, we are under, so, it would be
13 interesting to see that.

14 There are a number of animals that are
15 listed, you know, gees, reptiles - -

16 TRUSTEE BOCCIO: So, I am primarily
17 concerned with enforcement, if anything is
18 granted, that is what I would like to see, some
19 research what would be the powers of the Village
20 to enforce it legal, um, should the granting of
21 same be approved.

22 VILLAGE ATTORNEY ATKINSON: I would think
23 you would want to review if you were to grant
24 it, you would want to review and amend the Code
25 for that type of thing, perhaps adopt some

1 Guidelines from the State on the keeping of fowl,
2 um, meaning chickens and geese, those type of
3 things.

4 It is in the statue, that is why it still Page | 28
5 keeps coming up.

6 TRUSTEE BECKER: Follow up to Rob's
7 question, the enforcement, what if we
8 subsequently get complaints about regarding
9 smells and noises from the neighbors, um, do we
10 have the ability to rescind the approval or does
11 the approval run with the land?

12 VILLAGE ATTORNEY ATKINSON: You can have a
13 contingency in the permission, um, it is the
14 type of thing, once the chickens are there, it
15 is probably hard - -

16 MAYOR BEACH: Wouldn't this be something
17 similar to somebody having a dog that possibly
18 barks all day.

19 VILLAGE ATTORNEY ATKINSON: Right.

20 MAYOR BEACH: So, they would have to quiet
21 the chicken down.

22 VILLAGE ATTORNEY ATKINSON: That is
23 correct.

24 MAYOR BEACH: Okay.

25 TRUSTEE BECKER: There was a problem,

1 I think a hen and a rooster at one point and I
2 think Mayor Bill somehow resolved that and there
3 was also an issue with a beehive. I guess it is
4 a similar thing where we had to go in there and ^{Page | 29}
5 we had complaints from the neighbors and go in
6 there and remove the beehive.

7 VILLAGE ATTORNEY ATKINSON: Well, this is
8 different because there is actually a provision,
9 specifically for chickens written into it which
10 is the 69-3.

11 MAYOR BEACH: Excuse me, Tom, the matter is
12 pending.

13 VILLAGE ATTORNEY ATKINSON: Yeah, I gotcha.
14 I will just leave it at that where I stop.

15 That is an entirely, literally a different
16 matter.

17 TRUSTEE BOCCIO: That is not something we
18 discuss with pending litigation.

19 TRUSTEE BECKER: Wasn't it similar?

20 TRUSTEE BOCCIO: No.

21 TRUSTEE BECKER: My apologies.

22 MAYOR BEACH: You know, I think it is best
23 we do a little more research on this, all of us
24 and find out exactly.

25 I know Crawford has some chickens that

1 runaround every once in awhile on Merrick Road,
2 so, I would like to do my own research as far as
3 the location, this home and things like that.

4 And, I would make a Motion to table this Page | 30
5 for the next meeting.

6 TRUSTEE BECKER: One last question, Mr.
7 Mayor, one last question, in the application,
8 does the application require some sort of a
9 consent or approval or acknowledgement from the
10 neighbors or does it just they have to notify
11 the neighbors in terms - -

12 MAYOR BEACH: Tom, I will answer that, it
13 is in the application, if you read it, they said
14 they talked to the neighbors.

15 VILLAGE ATTORNEY ATKINSON: The way the
16 statute is written, it is a very simple written
17 statute which is often times very good and it is
18 entirely at the Board's discretion.

19 I didn't anticipate so many chicken
20 questions but I do thank you.

21 (Whereupon, laughter was heard. After, the
22 following ensued.)

23 TRUSTEE BOCCIO: So moved.

24 TRUSTEE REARDON: Second.

25 MAYOR BEACH: All in favor?

1 (Whereupon, a vote of aye was heard.

2 After, the following ensued.)

3 MAYOR BEACH: So, it is tabled until, well,
4 I won't say exactly, but, I anticipate next Page | 31
5 meeting.

6 All right, the fire department, a lot of
7 the volunteer firemen, they get length of
8 service points and because of the coronavirus,
9 they were not able to respond to as many alarms
10 as they might have wanted to, so, the lose the
11 opportunity to get those points.

12 So, the State Legislature passed - - both
13 houses passed to give them the added points up
14 to five points per month for the months during
15 the COVID 19 pandemic.

16 So, I would need a Motion. I think we
17 should do this to give them the opportunity to
18 get those five points that they could put into
19 their lowest points.

20 TRUSTEE REARDON: So moved.

21 TRUSTEE BOCCIO: Second.

22 MAYOR BEACH: All in favor?

23 (Whereupon, a vote of aye was heard by all.

24 After, the following ensued.)

25 MAYOR BEACH: Thank you. And, the bills.

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TRUSTEE BOCCIO: I move that the bills listed in the abstract, recorded vouchers be paid as soon as they have been duly audited by the majority.

MAYOR BEACH: Is there a second.

TRUSTEE REARDON: Second.

MAYOR BEACH: All in favor?

(Whereupon, a vote of aye was heard by all. After, the following ensued.)

MAYOR BEACH: And, then, I will make a Motion to go into Executive Session.

DEPUTY MAYOR HAWXHURST: Second.

TRUSTEE REARDON: Second.

(Whereupon, a vote of aye was heard by all. Time noted: 7:55 p.m.)

CERTIFICATE BY COURT REPORTER

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I, do hereby certify that the foregoing
testimony in the matter of the Village of Lynbrook
Board of Trustees Board Meeting held on June 15, ^{Page | 33}
2020, consisting of pages 1 through 33 inclusive
is an accurate transcription of my cryptic notes.

IN WITNESS WHEREOF, I SET MY HAND THIS DAY.



CFM

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