

A regular meeting of the Board of Trustees was held on Monday, November 16, 2020 at 7:00 P.M. in the Village Hall:

Present: Mayor Alan C. Beach  
Deputy Mayor Michael Hawxhurst  
Trustee Ann Marie Reardon  
Trustee Robert Boccio  
Trustee Hilary Becker  
Village Administrator John Giordano  
Village Attorney Thomas Atkinson

It is noted for the record that tonight's Public Meeting complies with the Governor's Executive Order No. 202.1 and 202.15 enacted April 8, 2020 as it relates to the COVID-19 Pandemic and suspension of the Open Meetings Law, as tonight's session is actually open to the public and is broadcast live on Lynbrook TV and the internet on YouTube. A transcript of all Board Meetings held since the Executive Order have been prepared.

Deputy Mayor Hawxhurst reported that Susan Dominguez and Marie Cacciatore have joined as new members of Emergency Medical Company of the Lynbrook Fire Department, and conveyed the status of the Fire Department food drive.

MINUTES – 10/19/2020  
**RES.#200-2020**

It was moved by Trustee Becker, seconded by Trustee Reardon, to accept the Minutes of October 19, 2020 as amended and place on file. Motion carried, all voting "Aye".

SET DATE – DECEMBER  
BOARD MEETING –  
12/14/20  
**RES.#201-2020**

It was moved by Trustee Hawxhurst, seconded by Trustee Reardon, to reschedule the December 7<sup>th</sup> & 21<sup>st</sup> Board of Trustees Meetings to December 14, 2020 at 7:00 PM. Motion carried, all voting "Aye".

COMMUNITY CHEST  
REPORT

Laura Ryder, Chairperson of the Community Chest Committee and Lynbrook Cares Committee gave an update on Committee activities.

BALLFIELD USE POLICY  
**RES.#202-2020**

It was moved by Mayor Beach, seconded by Trustee Reardon to table the adoption of a Ballfield Use Policy. Motion carried, all voting "Aye".

The Mayor announced that there are (3) Public Hearings scheduled for tonight's Meeting and the public can participate at all three Public Hearings tonight by also phoning 516-599-2828.

P.H.- CHAP 24-  
COMMUNITY CHOICE  
AGGREGATION ENERGY  
PROGRAM - L.L. #2 OF  
2020  
**RES.#203-2020**

Mayor Beach opened a Public Hearing at 7:09 PM to consider the enactment of Proposed Local Law #2 of 2020 to enact a new Chapter 24, entitled "Community Choice Aggregation Energy Program", to allow the Village to procure natural gas and electric energy supply for residential and commercial customers while leaving maintenance, transmission and distribution service with the existing distribution utility. The Mayor again indicated that the public can also participate by phoning 516-599-2828. The Village Attorney read the Proposed Local Law and introduced Ed Carey of Good Energy who discussed the N.Y.

Community Choice Aggregation Energy Program. The Mayor asked for comment. Those commenting included:

Jeff Greenfield, 112 Merrick Road

After no further comment, the Mayor closed the Public Hearing at 7:31 PM. It was moved by Trustee Boccio, seconded by Trustee Hawxhurst, to authorize Good Energy to file with the NYS Public Service Commission on behalf of the Village. Motion carried, all voting "Aye". It was moved by Trustee Boccio, seconded by Trustee, to enact Local Law #2 of 2020. Motion carried, all voting "Aye". It was moved by Trustee Reardon, seconded by Trustee Boccio, that the Board of Trustees declares itself 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".

At 7:32 PM the Mayor opened 2 Public Hearings that were combined to enhance COVID-19 social distancing, and again indicated that the public can also participate by phoning 516-599-2828, such Public Hearings held to consider applications from Jason Genna, L.I. Building Corp to:

P.H. – SPECIAL USE  
PERMIT – 161 UNION  
AVE  
RES.#[204-2020](#)

- 1) Change of Zoning pursuant to Section 252-109 of the Village Code, for the portion of the parcel at 161 Union Avenue, Sec. 42, Blk 4, Lot 6, currently in the Commercial zone to all Residential "C" district, which permits multiple dwellings, to accommodate the construction of a 18 unit multiple dwelling, and,
- 2) Obtain a Special Use Permit, pursuant to Section 252-21 of the Village Code to construct eighteen (18) multiple dwelling units.

William Bonesso, Esq. of Forchelli, Deegan, Terrana LLP, representing the applicant, advised that the applicant is in contract to purchase the site, presently a Restaurant, for the construction of (2) 2 story multifamily buildings of which one building would have 14 units and the other would have 4 units, all to be sold as condominiums. Mr. Bonesso indicated the project is supported by the Lynbrook Chamber of Commerce, received Local Determination status from the Nassau County Planning Commission, is harmonious with the surrounding community, but needs parking and rear yard setback variances. Mr. Bonesso added that the site will have 38 onsite parking spaces, and more landscaping than the existing Restaurant use. Mr. Bonesso introduced Barry Nelson, Appraiser, who reported that the site presently has curb cuts on both Union and Scranton Avenues, is compatible with the existing 2 ½ story multifamily use across the street at 151 Union Avenue, discussed other surrounding uses, market values, and potential increased tax revenue to the Village, Town and School District. Wayne Muller of R & M Engineering presented a Parking and Traffic report and indicated that the change of use to 18 units would generate less traffic than the existing Restaurant, is in good walkable proximity to the LIRR, Bus and Downtown, has (1) dedicated parking space for each unit and summarized that the total of 38 proposed on-site parking spaces is more than adequate for the project. The Mayor asked if anyone would like to speak on these (2) Public Hearings. Those who commented included:

Dan Weisner, 1367 Kew Ave, Hewlett NY, as a translator on behalf of Mr. Wank, proprietor/lessor of the existing restaurant and himself as a restaurant patron.

Jeff Greenfield, 112 Merrick Rd

John Gioia, 573 Scranton Ave

P.H. – SPECIAL USE  
PERMIT – 161 UNION  
AVE - CONT” D

Mr. Bonesso summarized the benefits of granting the Special Use Permit and Zoning change by advising that the project would yield additional tax revenue, not impact traffic and parking, and be harmonious with the Community. After no further comment, it was moved by Trustee Boccio, seconded by Trustee Hawxhurst, to close the Public Hearing on the petition to zone the Commercial portion of the site to Residence “C” and Reserve Decision. Motion carried, all voting “Aye”. It was moved by Trustee Hawxhurst, seconded by Trustee Reardon, to also close the Hearing on the application for a Special Use Permit to construct 18 multi-family units and Reserve Decision. Motion carried, all voting “Aye”. Mayor Beach stated for the record that the Public Hearings are closed at 8:46 PM.

It was moved by Trustee Hawxhurst, seconded by Trustee Reardon, to open a Public Hearing to consider the repair and construction of the attached list (see exhibit “A”) of sidewalk violations in the Village pursuant to Section 212.1 of the Village Code. Mayor Beach asked if anyone wished to comment. After no further comments were heard, it was moved by Trustee Hawxhurst, seconded by Trustee Boccio 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”.

P.H. – SIDEWALK  
ASSESSMENTS  
RES.#[205-2020](#)

It was moved by Mayor Beach, seconded by Trustee Boccio, to ratify authorization for Chief of Police Paladino to attend the NYSACOP Leadership Conference, October 28-29, 2020 in Lake George, NY. Motion carried, all voting “Aye”.

REQUEST – PD –  
TRAINING  
RES.#[206-2020](#)

It was moved by Trustee Boccio, seconded by Trustee Reardon, to table the request from Lakhuinder and Virender Singh to maintain 8 pigeons and pen at 14 Roxy Pl pursuant to Chapter 69 of the Village Code. Motion carried, all voting “Aye”.

PIGEONS – 14 ROXY PL  
RES.#[207-2020](#)

It was moved by Trustee Reardon, seconded by Trustee Boccio, to approve a severance payout for Julia Comunale, Page P/T Library, due to her resignation effective September 3, 2020. Motion carried, all voting “Aye”.

SEVERANCE PAYOUT –  
JULIA COMUNALE  
RES.#[208-2020](#)

It was moved by Trustee Boccio, seconded by Trustee Reardon, to approve a severance payout for Michael McDonald, Cleaner P/T Library, due to his resignation on September 1, 2020. Motion carried, all voting “Aye”.

SEVERANCE PAYOUT –  
MICHAEL MCDONALD  
RES.#[209-2020](#)

AUTHORIZATION – NYS  
GRANT APPLICATION –  
WALKWAY  
IMPROVEMENTS  
RES.#[210-2020](#)

It was moved Trustee Reardon, seconded by Trustee Boccio, to authorize the Mayor and Village Administrator to file an application for a 2021 SAM DASNY Grant for “Walkway Improvements” in the amount of \$300,000 and sign all associated grant documents and contracts. Motion carried, all voting “Aye”. It was moved by Trustee Boccio, seconded by Trustee Reardon, that the Board of Trustees declares itself 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”.

AUTHORIZATION – STOP  
DWI – \$6,000  
RES.#[211-2020](#)

It was moved by Trustee Boccio, seconded by Trustee Reardon, to authorize the Police Chief to file a grant application with Nassau County in the amount of \$6,000 to reimburse the Village part of its STOP-DWI expenses. Motion carried, all voting “Aye”.

ELECTION RESOLUTION  
3-16-2021 ELECTION  
RES.#[212-2020](#)

It was moved by Trustee Hawxhurst, seconded by Trustee Reardon, to adopt the following Election Resolution:  
RESOLVED, that the Village of Lynbrook will hold a Village Election on Tuesday, the 16<sup>th</sup> day of March 2021, for two (2) Trustees and one (1) Judge for a term of Four (4) years.  
RESOLVED, that the Polling Place shall be the Recreation Center at Greis Park, 55 Wilbur Street, Lynbrook and the hours during which the polls shall be open shall be from 7:00 o’clock A.M. until 9:00 o’clock P.M.  
RESOLVED, that the Village of Lynbrook be one (1) Election District for the Village Election and for all future general and special Village Elections, until this resolution is modified, amended, revoked, or rescinded.  
RESOLVED, that the boundaries of the aforementioned designated Village Election District are coterminous with the corporate limits of the Incorporated Village of Lynbrook.  
RESOLVED, that the Village Clerk shall cause proper notice of the foregoing resolution to be published and posted as required by law.  
Motion carried, all voting “Aye”.

TRANSFER OF FUNDS  
RES.#[213-2020](#)

It was moved by Trustee Boccio, seconded by Trustee Reardon, to authorize an interbudgetary transfer of funds as follows:

To:	001.1110.0413	Village Justice - Office Supplies	\$ 1,200.00
From:	001.1110.0410	Village Justice – Education	(1,200.00)
To:	001.3120.0432	Police – Computer	27,000.00
From:	001.3120.0230	Police – Uniforms & Equipment	(20,000.00)
	001.3120.0425	Police – Gas & Oil	(7,000.00)
To:	001.3410.0432	Fire – Computer	22,000.00
From:	001.3410.0201	Fire – Office Equipment	(22,000.00)
To:	001.7550.0475	Celebrations – Program Expenses	1,647.00
From:	001.7550.0482	Celebrations – Holiday Expenses	(1,647.00)

Motion carried, all voting “Aye”.

BILLS  
RES.#[214-2020](#)

It was moved by Trustee Reardon, seconded by Trustee Boccio, that the bills listed on the Abstract # Voucher #5, General Fund - \$3,591,342.28, Capital Fund - \$1,361,764.09, Trust and Agency - \$6,654.22, Electronic Transfer - \$25,150.33, all be paid as soon as same have been duly audited by the majority. Motion carried, all voting “Aye”.

The Village Administrator reported that Terwilliger & Bartone did not exercise their option granted at the May 18, 2020 Board Meeting to exchange their real property at 14 St James Place, Sec. 11, Blk 4, Lot 2, for the Village’s discontinued portion of Roxy Place in association with their Special Use Permit to construct a multi-family residence at the former Capri Hotel site at 5 Freer Street, and therefore remitted payment to the Village for such abandoned portion of Roxy Place in the amount of \$500,000, as originally approved by resolution of November 19, 2019. It was moved by Trustee Reardon, seconded by Trustee Boccio, to therefore authorize the Mayor to execute a contract of sale for the Village purchase of 14 St James Place from Terwilliger & Bartone for a reduced amount of \$480,000, per Village appraisal. Motion carried, Trustee Becker “Nay”, all others voting “Aye”.

ADJOURNMENT

It was moved by Trustee Boccio, seconded by Trustee Reardon, to adjourn the meeting at 9:01 PM. Motion carried, all voting “Aye”.