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VILLAGE OF LYNBROOK

ONE COLUMBUS DRIVE

LYNBROOK, NEW YORK

BOARD OF TRUSTEE MEETING

DECEMBER 21, 2020

7:00 P.M.

BEFORE: ALAN C. BEACH

MAYOR

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APPEARANCES :

DEPUTY MAYOR MICHAEL HAWXHURST

TRUSTEE ANN MARIE REARDON

TRUSTEE ROBERT BOCCIO

TRUSTEE HILARY BECKER

VILLAGE ADMINISTRATOR JOHN GIORDANO

VILLAGE ATTORNEY THOMAS ATKINSON

1 MAYOR BEACH: Good Evening, everyone and
2 welcome to the December 21st Board Meeting.

3 I will ask Robbie Cribbin to lead us in the
4 Pledge of Allegiance.

5 ROBBIE CRIBBIN: Hand over your heart.

6 (Whereupon, Robbie Cribbin lead the
7 Assembly in the Pledge of Allegiance. After, the
8 following ensued.)

9 MAYOR BEACH: Once, again, welcome,
10 everybody and I think to just get us in the season
11 and to get going, I ask Toniann (Butler) to come
12 up and she has a little surprise for us.

13 (Whereupon, Toniann Butler sang a Christmas
14 song. After, the following ensued.)

15 (Whereupon, applause was heard. "Encore"
16 was heard calling out. After, the following
17 ensued.)

18 MAYOR BEACH: Very nice, Toniann. Thank
19 you, looking forward to the season to be jolly.
20 Unfortunately, there are some things that happen
21 in our Village that are upsetting that, thank you
22 very much for that, that kind of lifted us up a
23 little bit.

24 And, just before we start our

1 Meeting, I would like to mention Bill Gaylor
2 passed away. He owned and operated Lyn Gift Shop
3 in Lynbrook for thirty-five years, Past President
4 of the Chamber of Commerce, many of the Village
5 Committees and organizations, past Officer of the
6 Elks Lodge, Associated Member of the Lynbrook Fire
7 Department, the Hose Company, Past District Deputy
8 of the First Nassau Masonic District and Past
9 Master and Trustee of the Lynbrook/Massapequa
10 Lodge 822.

11 I ask all to say some prayers for Bill's
12 family. Bill was a good friend of mine and many
13 times Bill and I, as many people have spoken to
14 Bill sitting in this chair in the Hallmark Store
15 talking about Village politics and other things
16 that were on the agenda in our Village.

17 He will be greatly missed.

18 I would like to give him a few minutes of
19 silence for his passing.

20 (Whereupon, a moment of silence was
21 observed. After, the following ensued.)

22 MAYOR BEACH: Thank you very much. With
23 that, we will start with our agenda.

24 Toniann, once, again, thank you,
25 kind of pumped us up a little bit. Thank you.

1 November 16, 2020, have the members read
2 the Minutes?

3 (Whereupon, "yes" was heard. After, the
4 following ensued.)

5 MAYOR BEACH: Any changes?

6 TRUSTEE BECKER: Yes, Mr. Mayor, there are
7 a couple of changes on a couple of situations; on
8 Page 3 of 5, the sidewalk assessment, it says it
9 was moved by Trustee Hawxhurst, I believe I made
10 that Motion.

11 And, then, also the payout to Julia
12 Caminali (phonetic spelling), I had seconded that,
13 as well.

14 So, I don't know if those can be changed.

15 MAYOR BEACH: Julia Caminali. John, you
16 will check into that.

17 TRUSTEE BECKER: Look at the video, maybe
18 look at the videotape.

19 MAYOR BEACH: Yes, I will instruct him.
20 What else? Anything else?

21 TRUSTEE BECKER: On 5 of 5, Mr. Mayor, it
22 says the Village Administrator reported that
23 Terwilliger and Bartone did not exercise their
24 option, granted May 18, 2020 Board Meeting.

25 MAYOR BEACH: Okay.

1 TRUSTEE BECKER: To exchange their real
2 property at 14 St. James Place, Section 11, Block
3 4, Lot 2 for the Village's discontinued portion of
4 the Roxy Place in association with their special
5 use permit.

6 MAYOR BEACH: Okay.

7 TRUSTEE BECKER: To construct a multi-
8 family residence at the former Capri Hotel site at
9 5 Freer Street and therefore remitted payment to
10 the Village for such abandoned portion of Roxy
11 Place in the amount of five hundred thousand
12 dollars as originally approved by Resolution of
13 November 19 of 2019.

14 TRUSTEE REARDON: Mayor, these corrections
15 were sent to us today.

16 MAYOR BEACH: They were.

17 TRUSTEE REARDON: Page 5 corrections were
18 sent to us and we did get updated minutes.

19 MAYOR BEACH: What are the corrections that
20 you were looking for?

21 TRUSTEE BECKER: If I could just continue,
22 I was moved by Trustee Reardon, seconded by
23 Trustee Boccio to therefore authorize the Mayor to
24 execute a contract of sale for the Village
25 purchase of 14 St. James Place from Terwilliger

1 And Bartone for a reduced amount of the four
2 hundred and eighty thousand per Village appraisal,
3 Motion carried and all voting "Aye."

4 Normally we do the bills at the end so, um,
5 somehow this was done after the Meeting and after
6 I had left, so, I didn't get an opportunity to
7 vote on that and I am not sure - -

8 TRUSTEE REARDON: You were here, Hilary.

9 MAYOR BEACH: Please.

10 This was not on the agenda. Did you just
11 say you were not in the room when this vote was
12 taken?

13 TRUSTEE BECKER: I believe so.

14 MAYOR BEACH: You were here. We can go to
15 the video, also, and check on that.

16 TRUSTEE BECKER: I don't think it was on the
17 agenda.

18 Normally bills is the last thing that we
19 do, so, it would be unusual to have something on
20 the agenda after the fact.

21 MAYOR BEACH: Anything can be presented to
22 this Board at any time.

23 TRUSTEE BECKER: Right.

24 MAYOR BEACH: So, it doesn't have to be on
25 the agenda.

1 TRUSTEE BECKER: The only question I would
2 have, in addition to whether or not these are
3 reflective, a true reflection of that Meeting and
4 the Minutes, my question would be did we - - is
5 there a, um, a, um, I guess a study or analysis
6 done by an Attorney just to confer and make sure
7 the legality of these transactions are in place.

8 MAYOR BEACH: Do you think we did this
9 without an Attorney?

10 TRUSTEE BECKER: No, I just didn't see the
11 report, so, if there was an Attorney, who did
12 this? Who - -

13 MAYOR BEACH: You are aware Ben Truncale
14 took care of this?

15 TRUSTEE BECKER: Did Ben prepare any sort
16 of report or any letters, any sort - - did he give
17 any sort of opinion on this matter?

18 VILLAGE ADMINISTRATOR GIORDANO: Ben
19 advised to add it to the agenda. It was actually
20 - -

21 TRUSTEE BECKER: I am sorry, John, I didn't
22 hear you.

23 VILLAGE ADMINISTRATOR GIORDANO: You were
24 at the Meeting and you raised the same question
25 because it wasn't on the agenda and the Mayor

1 responded by saying it is coming up from the
2 floor.

3 Our outside Attorney, Ben, recommended that
4 day that we bring it up and it was actually that
5 was previously voted on.

6 We wanted to clarify the vote. We actually
7 had to look at the video, today.

8 You were at the Meeting and the Minutes
9 reflect that you voted against it.

10 TRUSTEE BECKER: Normally, we do the bills
11 last.

12 VILLAGE ADMINISTRATOR GIORDANO: This came
13 up before the bills. I brought it up.

14 TRUSTEE BECKER: This is not the true
15 reflection of the Minutes.

16 There should be places somewhere further up
17 in the Minutes.

18 VILLAGE ADMINISTRATOR GIORDANO: No, it
19 came up actually just before the bills, that is
20 the exact place where it came up.

21 TRUSTEE BECKER: Okay, so, it is not really
22 reflective. The Minutes are not really
23 reflective.

24 MAYOR BEACH: I can adjust this agenda as I
25 see fit and the fact that things - - often

1 we move things around in the agenda.

2 The fact that it is even after the bills
3 has no merit, here. What is the difference?

4 TRUSTEE BECKER: Only to the extent - -

5 MAYOR BEACH: It is up to me to make that
6 decision.

7 TRUSTEE BECKER: Only to the extent that it
8 is the last thing that we do and the bills, you
9 know, the bills are the last thing that we do.

10 MAYOR BEACH: So, what is the difference?

11 TRUSTEE BECKER: I think it is important.

12 TRUSTEE REARDON: Yeah, I was going to say,
13 is there any requirement as to when the bills are
14 placed in the order of the agenda.

15 TRUSTEE BECKER: Yeah, I think the Minutes
16 should be - -

17 TRUSTEE REARDON: With all due respect
18 Trustee Becker - -

19 MAYOR BEACH: Excuse me, excuse me, it has
20 been voted on.

21 It has been passed.

22 It is over.

23 MAYOR BEACH: There is no need - - was
24 there an extent that you wanted - -

1 TRUSTEE BECKER: Only to the extent that it
2 was done before the bills, so, it should be moved
3 up to before the bills.

4 MAYOR BEACH: That is your adjustment you
5 want made to the Minutes?

6 TRUSTEE BECKER: Yes.

7 MAYOR BEACH: Okay, John, noted, address
8 it, please, thank you.

9 MAYOR BEACH: Anything else?

10 TRUSTEE BECKER: That's it, thank you.

11 MAYOR BEACH: Motion to approve the Minutes
12 of November 16th.

13 TRUSTEE BECKER: So moved.

14 TRUSTEE REARDON: Second.

15 MAYOR BEACH: All in favor?

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

18 TRUSTEE BECKER: I would just say as
19 amended, I would say aye, if they are amended. If
20 they are not amended.

21 MAYOR BEACH: Fair enough.

22 Next on the agenda is setting the Board
23 Meeting to January 25th, the original meeting was
24 set for January 11th.

25 We would like to move it to Monday, January

1 25th at 7:00 o'clock at the same place.

2 DEPUTY MAYOR HAWXHURST: So moved.

3 TRUSTEE REARDON: Second.

4 MAYOR BEACH: All in favor?

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

6 After, the following ensued.)

7 MAYOR BEACH: Next on the agenda is Item 3 a
8 request for pigeons at 14 Roxy Place.

9 Has the Board - - well, I will ask the
10 Village Attorney address this.

11 Well, let me ask this before we go to this
12 point, has the Board reviewed this?

13 And, do they have a vote on this if it
14 comes to the table?

15 (Whereupon, "yes" was heard by all board
16 members. After, the following ensued.)

17 MAYOR BEACH: Mr. Atkinson, please.

18 VILLAGE ATTORNEY ATKINSON: I think we
19 touched on this the last time, if the Board
20 recalls, a very similar request had been
21 undertaken by the Board just a few months ago with
22 regard to chickens, a resident of 14 E. Roxy
23 Place, Lynbrook, a Mr. Singh requested to keep
24 pigeons at his home.

25 We had discussions about the chickens.

1 Chapter 69 of the Lynbrook Village Code,
2 um, pertains to certain animals that can be kept
3 in Lynbrook but you need Board approval.

4 And, Chapter 69 has a number of subsections
5 which discusses not only the handling and
6 maintenance and the upkeep of any kind of pens
7 or coops, it is all subject to, um, the Board of
8 Trustees, the Mayor and Board of Trustees'
9 approval pursuant to Chapter 69, so, it would be
10 a threshold to meet whether, um, the Board is
11 amenable to actually keeping the pigeons.

12 And, then, once the vote for that is in the
13 affirmative and then you can dictate the kind of
14 coop or um, pen that would be used for the
15 pigeons.

16 MAYOR BEACH: Pigeon coop, it is correct.

17 VILLAGE ATTORNEY ATKINSON: Yes, this would
18 be a coop so, um, the statute refers to fowl
19 and, um, pigeons as, um, birds would fall under
20 that.

21 It does have pigeons, specifically, as well
22 as chickens, ducks, rabbits, pigeons, reptiles,
23 rodents or similar animals or fowl.

24 MAYOR BEACH: So, rabbits are on that list,
25 too?

1 VILLAGE ATTORNEY ATKINSON: They are.

2 MAYOR BEACH: I use to have a pet as a
3 rabbit.

4 VILLAGE ATTORNEY ATKINSON: Were you a
5 resident of Lynbrook at the time?

6 MAYOR BEACH: I was not.

7 VILLAGE ATTORNEY ATKINSON: I have not
8 looked into the Valley Stream Village Code on
9 this and I would be more than happy to do so.

10 MAYOR BEACH: Would you go back about sixty
11 years.

12 VILLAGE ATTORNEY ATKINSON: I was just
13 going to say, Mayor, I have to go back many,
14 many decades.

15 MAYOR BEACH: I was just telling my wife,
16 how I would like to be young again.

17 Okay, very good with that, that is all I
18 have for us.

19 VILLAGE ATTORNEY ATKINSON: If there are
20 any questions from the Board?

21 DEPUTY MAYOR HAWXHURST: I think Tom these
22 people already had a pigeon coop in their yard,
23 right?

24 VILLAGE ATTORNEY ATKINSON: That is
25 correct. My understanding is that the Building

1 Department was made aware of it and, um, spoke to
2 them about the application process pursuant to
3 Chapter 69 and they made their application,
4 here.

5 MAYOR BEACH: And, the Building was
6 addressed due to a complaint.

7 VILLAGE ATTORNEY ATKINSON: That is my
8 understanding.

9 MAYOR BEACH: Okay.

10 TRUSTEE BECKER: If I could ask a quick
11 question.

12 MAYOR BEACH: Sure.

13 TRUSTEE BECKER: If I can ask a question if
14 it is a dumb question - -

15 VILLAGE ATTORNEY ATKINSON: You are asking
16 about COVID, I am sure, Hilary.

17 TRUSTEE BECKER: Yes, COVID, what are the
18 thoughts when it comes to COVID, do we have any
19 information on pigeons?

20 And, we know that COVID came from a bat.

21 VILLAGE ATTORNEY ATKINSON: I can't speak
22 for any unpublished scientific studies, but,
23 however, I did a thorough research on this exact
24 issue, as of today, there are no scientific
25 papers that have been published with regards to

1 the transmission of COVID-19 and pigeons.

2 I can say that declaratively there maybe
3 something ongoing, now, that I don't know about.

4 TRUSTEE BECKER: What about the new strain?

5 VILLAGE ATTORNEY ATKINSON: I am
6 comfortable saying that I am not aware of that -
7 -

8 TRUSTEE BECKER: I am sorry, Tom, repeat
9 that, I didn't hear that. I didn't hear that.
10 I am sorry.

11 VILLAGE ATTORNEY ATKINSON: I am not aware
12 of any studies from Great Britain.

13 TRUSTEE BECKER: Oh, Great Britain.

14 VILLAGE ATTORNEY ATKINSON: Or the United
15 Kingdom with regard to that issue.

16 MAYOR BEACH: Okay.

17 VILLAGE ATTORNEY ATKINSON: Any other
18 questions?

19 MAYOR BEACH: Any questions of the Board?

20 (Whereupon, no response was heard. After,
21 the following ensued.)

22 So, I will ask the Board for a vote on the
23 pigeons.

24 Mr. Becker, are they allowed to keep them?

25 TRUSTEE BECKER: Where do the neighbors

1 stand on this, Tom?

2 Has the Building Department spoken to the
3 neighbors and - -

4 VILLAGE ATTORNEY ATKINSON: You have to ask
5 the Building Department.

6 We know that a complaint came in regarding
7 the pigeons.

8 TRUSTEE BECKER: And, when it comes to, um,
9 smells and noises and health issues, are there
10 health issues?

11 VILLAGE ATTORNEY ATKINSON: That is
12 something that you have to look into.

13 TRUSTEE BECKER: So, we don't have that
14 information, so, without that - -

15 VILLAGE ATTORNEY ATKINSON: Mr. Becker, so
16 we are clear and the residents are clear, this is
17 not my application.

18 Mr. Singh brought the application to the
19 Board and it would be up to you to - -

20 MAYOR BEACH: Decide.

21 VILLAGE ATTORNEY ATKINSON: I can answer
22 any legal questions on it.

23 MAYOR BEACH: There is a complaint on it?

24 VILLAGE ATTORNEY ATKINSON: There is.

25 TRUSTEE BECKER: Yeah, I mean I would

1 be concerned with respect to health issues and
2 noise issues and smells and, um, would really want
3 to get more information from the Building
4 Department, that is my answer.

5 MAYOR BEACH: Trustee Boccio?

6 TRUSTEE BOCCIO: I am voting no.

7 DEPUTY MAYOR HAWXHURST: I vote no.

8 TRUSTEE REARDON: I vote no.

9 MAYOR BEACH: No.

10 (Whereupon, all board members voted to deny
11 the application and Trustee Becker abstained.
12 After, the following ensued.)

13 VILLAGE ATTORNEY ATKINSON: Thank you, I
14 will notify the residents.

15 MAYOR BEACH: Thank you.

16 Next on the agenda is the Ballfield Use
17 Policy with the new turf filed.

18 We have been utilizing some information
19 from Nassau County as to how to apply the turf for
20 people for the facility to be utilized.

21 We think we will have a lot of people that
22 will want to use it and actually the people would
23 be able to rent it so we are trying to put
24 together a charge that would be fair and
25 reasonable to everyone.

1 I know Trustee Boccio is looking into it
2 and working on it with some of the organizations
3 and getting some feedback with Lynbrook
4 organizations.

5 Do you have some comment on it?

6 TRUSTEE BOCCIO: Yes, Mayor, I do. My
7 recommendation to the Board with respect to - -
8 there is no page number on it, Section 4, as far
9 as the fee payment schedule, I would ask Counsel
10 to consider the language that would go along the
11 lines for, "except Lynbrook Titans football,
12 Lynbrook/East Rockaway soccer club, lacrosse and
13 little league."

14 The fee would be as enumerated here in
15 Section A, the fees for the aforementioned
16 organizations shall be determined pursuant to a
17 separate review and approval of the Board of
18 Trustees in light what I am essentially asking is
19 that the fees for the homegrown organizations,
20 everybody, except for the homegrown organizations
21 be as enumerated here which is Section A.

22 MAYOR BEACH: Did you say, "except for the
23 homegrown"?

24 TRUSTEE BOCCIO: Except for the homegrown,
25 yeah.

1 MAYOR BEACH: Okay.

2 TRUSTEE REARDON: That would be Board
3 determination, is that what you said?

4 TRUSTEE BOCCIO: Yeah, that would be
5 subject to - -

6 TRUSTEE REARDON: Okay.

7 TRUSTEE BOCCIO: - - Subject to a separate
8 review and approval of the Board with respect to
9 each one of these individual organizations that
10 are grown here in Lynbrook.

11 TRUSTEE REARDON: I think that is actually
12 great.

13 MAYOR BEACH: You are all right with that
14 fee charge?

15 DEPUTY MAYOR HAWXHURST: Yes.

16 TRUSTEE BECKER: Mr. Mayor, if I could ask
17 our Counsel, Tom, when it comes to the - - do we
18 sign the actual contract with people?

19 And I see that they have the insurance
20 requirements in here. I don't think we have the
21 actual copy of the contract that we might be
22 signing with the potential user of the fields.

23 I mean, obviously, we would want to make
24 sure that we have indemnifications in there and
25 hold harmless, so, we allow somebody to use the

1 Field.

2 VILLAGE ATTORNEY ATKINSON: Primarily, we
3 ask for insurance.

4 I would be more than happy to look into it
5 to see what we have on file.

6 TRUSTEE BECKER: Is there a contract signed
7 for somebody that wants to use the field?

8 VILLAGE ATTORNEY ATKINSON: I have to ask
9 them. I am not sure.

10 MAYOR BEACH: John, wasn't there an
11 application for that?

12 VILLAGE ADMINISTRATOR GIORDANO: Yes,
13 formal application.

14 TRUSTEE BECKER: There is the application
15 and, then, there would be the contract.

16 I don't think the application is the
17 contract, is it?

18 TRUSTEE BOCCIO: I don't think there is a
19 formal contract with this.

20 Typically, it is done pursuant to an
21 application and meeting some of the requirements
22 and some of the requirements - - if you look at
23 the proposed, um, fee structure and other
24 requirements, you will see that there is an
25 outline of what the insurance requirements

1 are and what minimums and what they have.

2 So, that would be protecting of the
3 Village. They can't have it unless they present
4 it.

5 TRUSTEE BECKER: Sure and I read that
6 portion about insurance but I think it is to our
7 advantage to go one step further and put an
8 indemnification clause and "hold harmless clause"
9 and, um, make sure that the applicant signs off on
10 it and whether it be a contract, some sort of a
11 contract or just an extension of the application
12 that they would sign.

13 VILLAGE ATTORNEY ATKINSON: I would be more
14 than happy to look into it.

15 TRUSTEE BECKER: Thank you.

16 DEPUTY MAYOR HAWXHURST: It does say
17 "contractual liability to hold harmless," in the
18 signing requirements.

19 MAYOR BEACH: It is in the pamphlet,
20 correct?

21 DEPUTY MAYOR HAWXHURST: It is in it.

22 TRUSTEE BOCCIO: General liability
23 insurance.

24 DEPUTY MAYOR HAWXHURST: It says it right
25 there under the insurance requirements.

1 TRUSTEE BOCCIO: Typically, it would call
2 for indemnifications.

3 TRUSTEE BECKER: Most contracts - -

4 VILLAGE ATTORNEY ATKINSON: And, cover
5 personal injury that would arise out of any
6 personal use of the field.

7 You also have the issue where the Village
8 involvement in that personal injury,
9 theoretically, the Village, itself, isn't on the
10 field if they are just providing the filed.

11 It would have to be some kind of design
12 defect or what have you that you are talking
13 about.

14 TRUSTEE BECKER: Yeah, all I am saying,
15 perhaps, it would be a good idea to spell it out,
16 "hold harmless," and spell out the indemnification
17 agreement so that it is included in the
18 application and that it is signed off by the
19 renter.

20 VILLAGE ATTORNEY ATKINSON: I am more than
21 happy to look into that further.

22 TRUSTEE BECKER: Perfect.

23 MAYOR BEACH: More than happy to do what?
24 I am sorry?

25 VILLAGE ATTORNEY ATKINSON: Look into it

1 further.

2 MAYOR BEACH: As presented, is there a vote
3 to move forward?

4 DEPUTY MAYOR HAWXHURST: One other thing, I
5 asked about this the last time, again with the
6 definitions with the contractors, like "Empires"
7 and "Refs."

8 VILLAGE ATTORNEY ATKINSON: Specifically,
9 carve out paid Empires - -

10 DEPUTY MAYOR HAWXHURST: Okay.

11 VILLAGE ATTORNEY ATKINSON: - - in the
12 Leagues.

13 Michael, if I may, I am sorry, Deputy
14 Mayor, I looked into that, that is holdover from a
15 County policy going back a number of decades.

16 DEPUTY MAYOR HAWXHURST: Yeah, yeah, no, I
17 understand.

18 I don't want to like if we have it in here,
19 we missed it and someone says, "Whoa, wait a
20 second, they are paying the Empires."

21 They can't use the field. We are kind of
22 stuck.

23 VILLAGE ATTORNEY ATKINSON: It is an
24 interesting area, like day swimming, for example,
25 the Swim Team would have - - we would have our

1 own liability policy covering that.

2 DEPUTY MAYOR HAWXHURST: Right.

3 VILLAGE ATTORNEY ATKINSON: If the other
4 team comes from either Valley Stream or Garden
5 City or what have you, there is a professional Ref
6 that is there and that is paid by - -

7 MAYOR BEACH: An organization.

8 VILLAGE ATTORNEY ATKINSON: - - the Nassau
9 County Swim Conference, all Leagues would be
10 similar.

11 MAYOR BEACH: Which they are indemnified
12 through that.

13 VILLAGE ATTORNEY ATKINSON: Correct.

14 MAYOR BEACH: Basically, the same thing we
15 are doing, here.

16 VILLAGE ATTORNEY ATKINSON: True.

17 MAYOR BEACH: Okay, thank you.

18 So, once, again, I will ask for a vote to
19 move forward with this.

20 At least, we have a start of a pay scale
21 and we are able to start utilizing it a little bit
22 more and we are able to actually rent it out to
23 get some currency back into the Village.

24 TRUSTEE BOCCIO: So moved.

25 TRUSTEE REARDON: Second.

1 MAYOR BEACH: All in favor?

2 TRUSTEE BECKER: And, I would just say,
3 Mayor, I am in favor just subject to the - -

4 MAYOR BEACH: Correct.

5 TRUSTEE BECKER: - - In addition of the
6 indemnification clause.

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

9 MAYOR BEACH: Now, the rezoning of 161
10 Union Avenue.

11 Everyone had the opportunity to review?

12 (Whereupon, "Yes," was heard. After, the
13 following ensued.)

14 MAYOR BEACH: Is the Board ready to make a
15 decision on the application on Long Island
16 Building Corp. to build eighteen-unit condominium
17 building on the property known as 161 Union?

18 DEPUTY MAYOR HAWXHURST: Yes, Mayor.

19 TRUSTEE REARDON: Yes.

20 TRUSTEE BOCCIO: Yes.

21 TRUSTEE BECKER: Mr. Mayor, if I could just

22 - -

23 MAYOR BEACH: I am talking to you. I am
24 coming to you. I am coming right to you. I am
25 going to ask you, first.

1 TRUSTEE BECKER: I appreciate that, first.
2 I don't mean to jump in front of everybody.

3 VILLAGE ATTORNEY ATKINSON: There are two
4 items in this application that was made by the
5 Developer; the first is a zoning change on that
6 parcel, so, the zoning, now, on that parcel is
7 both Residential A.

8 MAYOR BEACH: Right.

9 VILLAGE ATTORNEY ATKINSON: And, Commercial
10 and what they are looking to do is change that
11 zoning to a Residential C which allows multiple
12 dwellings, so, that is the first threshold.

13 You have to pass that and, then, it is also
14 as Part B would be accepting the condominium
15 development as proposed.

16 MAYOR BEACH: The actual building of the
17 condominiums.

18 VILLAGE ATTORNEY ATKINSON: Correct, right.

19 MAYOR BEACH: We need two votes on this.

20 VILLAGE ATTORNEY ATKINSON: You can do it
21 in one vote.

22 MAYOR BEACH: One vote; we will do it in
23 one vote.

24 Everybody here understands what we are
25 doing, here, correct?

1 No surprises, here, right. I will come
2 back to you.

3 TRUSTEE BECKER: Thank you, Mayor.

4 I think up-zoning and improving the
5 neighborhood there would be a good thing.

6 Having said that, what is our exposure?

7 It is a unique situation, usually somebody
8 owns, you know owns the property, sells it, it is
9 not rented.

10 Is it a possibility that we could be
11 dragged into litigation with respect to the tenant
12 that has an existing lease there?

13 VILLAGE ATTORNEY ATKINSON: There is a
14 dispute between - - our understanding is that
15 there is a dispute between the tenant at Asahi
16 Restaurant and the landlord there, the owner of
17 the property.

18 This petition is not made by either one of
19 them.

20 This petition is actually made by the
21 developer as a contract vendee between the
22 developer and the owner of the property.

23 So, there is no privity of contract between
24 the Village and the private restaurant.

25 Privity of contract is between those two

1 Entities.

2 Now, I always say, anyone can sue anyone
3 for anything.

4 However, there is no exposure for the
5 Village.

6 The Village actually may incur exposure if
7 it refuses to hear the application that has been
8 brought forward and presented to the Building
9 Department pursuant to its Code.

10 So, um, no matter how much you may like or
11 dislike, whatever you think of Asahi Restaurant,
12 we touched on that at the last meeting, there is
13 no privity between the restauranter and the
14 Village, itself.

15 MAYOR BEACH: Okay.

16 TRUSTEE BECKER: Would it be possible for
17 us to have the applicant indemnify us?

18 I hate to keep using that same word, in
19 terms if this were to somehow wind up in a
20 lawsuit, would it be appropriate or possible for
21 the applicant to indemnify us?

22 VILLAGE ATTORNEY ATKINSON: To indemnify us
23 for what?

24 Granting the application?

25 TRUSTEE BECKER: For legal fees, granting

1 the application and you know any sort of legal
2 fees that might arise from a dispute that we get
3 dragged into.

4 VILLAGE ATTORNEY ATKINSON: And, that
5 dispute would be brought by Asahi suing the
6 Village under what legal concept?

7 I am unclear.

8 TRUSTEE BECKER: I would imagine Asahi, if
9 the terms of their lease agreement are violated by
10 the private owner.

11 VILLAGE ATTORNEY ATKINSON: They would have
12 cause of action against the landlord, himself.

13 TRUSTEE BECKER: Correct.

14 VILLAGE ATTORNEY ATKINSON: Correct; how
15 would the restauranter have a legal cause of
16 action against the municipality upon within which
17 that real estate stands?

18 TRUSTEE BECKER: That is what I am asking
19 you.

20 VILLAGE ATTORNEY ATKINSON: You're not
21 being clear on your question, so, you are saying -
22 -

23 TRUSTEE BECKER: I can't be clear on a
24 question that I don't know the answer to, that is
25 why I am asking the question.

1 VILLAGE ATTORNEY ATKINSON: It is just
2 unclear what your question is.

3 TRUSTEE BECKER: The question is, is it
4 possible for us to be dragged into litigation and
5 if so, is it possible for us to have the applicant
6 indemnify us?

7 VILLAGE ATTORNEY ATKINSON: So, my advice
8 to the Village Board on this matter is you would
9 always, as Counsel, give legal advice as to risk,
10 the risk of paying anything or brought into a
11 lawsuit with regards to brought by the
12 restauranter is negligible.

13 It is minuscule.

14 I don't see it because of the
15 aforementioned there is no privity between the
16 two.

17 Now, on the other hand, Asahi may well have
18 a cause of action against its landlord pursuant to
19 its written lease between the two.

20 You're asking us to - - the Board, to
21 consider asking the developer for an indemnity for
22 something that there is no privity to, am I
23 understanding your question correctly?

24 TRUSTEE BECKER: Yes, when you say
25 "privity," I am not really sure of that legal

1 Concept.

2 VILLAGE ATTORNEY ATKINSON: Let me explain
3 to you what privity means.

4 So, if there is privity of contract between
5 two parties, Smith and Jones, for example, that
6 means they have contracted with each other for
7 services and there is all the elements of a
8 contract, there, so, there is consideration.

9 There is an act. There is some kind of
10 promise to do something.

11 There is no privity of contract. There is
12 no contract between the restauranter and the
13 Village, here, so, the cause of action,
14 theoretically, between the restauranter and the
15 Village, in my analysis is this is negligible
16 exposure, here.

17 TRUSTEE BECKER: So, if we were dragged in
18 we could pretty much get quickly released?

19 VILLAGE ATTORNEY ATKINSON: When you say,
20 "dragged in", dragged into what, a lawsuit?

21 And, I am asking you on what grounds?

22 I am telling you there is no privity of
23 contract between the two.

24 TRUSTEE BOCCIO: Tom, just so everybody
25 understand, basically, anybody can go sue you for

1 any reason, for any theory - -

2 VILLAGE ATTORNEY ATKINSON: Of course.

3 TRUSTEE BOCCIO: They can always try. The
4 bottom line is in a case like this, just to
5 clarify this, had we been named in a suit, anybody
6 can be named, the likelihood that we could get a
7 Motion to dismiss on a lack of privity would
8 probably be pretty substantial, I would imagine,
9 is that what we are saying?

10 VILLAGE ATTORNEY ATKINSON: That would be
11 huge, ha, ha, ha, if I could be really blunt. The
12 exposure of liability is negligible.

13 TRUSTEE BECKER: I bring it up because many
14 years ago, I think it was, the, um, oh gosh, I
15 forget the name, the Tanglewood Atrium that was
16 tied up in litigation for many, many years and I
17 remember speaking to your Father-in-law about it.

18 And, he felt very strongly it was a
19 frivolous case and it turned out the Village
20 expended about over one hundred thousand dollars
21 in legal fees, which eventually, the Village did
22 try to get back from the Plaintiffs.

23 So, I don't want to sound like an Attorney
24 because I am not, but, the Village did contemplate
25 getting that money back from the Plaintiffs, but

1 it turned out to be a, um, you know, a public
2 relations problem and the Village ultimately just
3 had to eat those fees.

4 And, I just bring it up because at the time
5 it seemed like a very - -

6 VILLAGE ATTORNEY ATKINSON: I would be more
7 than happy to update the Board on the Tanglewood
8 matter which was pre-2005, um, and look into that
9 if you would like.

10 TRUSTEE BECKER: If I could just ask one
11 other question and kind of more to do with the,
12 um, you know, the legal process, this is a special
13 use permit, correct, that we are voting on?

14 VILLAGE ATTORNEY ATKINSON: Mr. Becker, one
15 thing I would really like to tell you, though, I
16 mean this must respectfully, I am not the
17 applicant.

18 TRUSTEE BECKER: Okay.

19 VILLAGE ATTORNEY ATKINSON: Those are the
20 questions that, perhaps, should have been brought
21 up to the applicant.

22 TRUSTEE BECKER: If you let me finish, if
23 you let me finish - -

24 VILLAGE ATTORNEY ATKINSON: Absolutely.

25 TRUSTEE BECKER: - - It has less to do with

1 the application, more to do with the procedures; a
2 special use permit comes before this Board,
3 correct?

4 VILLAGE ATTORNEY ATKINSON: For a special
5 use, correct?

6 TRUSTEE BECKER: And, this particular
7 special use permit is for a rezoning, correct?

8 VILLAGE ATTORNEY ATKINSON: This
9 application is two parts, so, currently, I said
10 before, it is - - that parcel is zoned in two
11 ways; the portion along Union Avenue is zoned
12 Commercial by Beckman's Deli and the back portion
13 of it is zoned Residential A.

14 Residential A under the Lynbrook Village
15 Code does not allow multiple use dwellings.

16 Commercial does.

17 What they are asking is to rezone the
18 entire parcel Residential C and Residential C does
19 allow multiple use dwellings.

20 And, the second part of the - -

21 TRUSTEE BECKER: Okay.

22 VILLAGE ATTORNEY ATKINSON: - - Would be
23 to allow the condominiums or not; there are two
24 parts.

25 TRUSTEE BECKER: Okay.

1 VILLAGE ATTORNEY ATKINSON: The rezoning
2 and, then the condominiums.

3 TRUSTEE BECKER: I guess condominiums are
4 not in our Zoning Code.

5 VILLAGE ATTORNEY ATKINSON: Condominiums,
6 well, it is written as multiple-use dwellings, so,
7 condominiums are allowed.

8 TRUSTEE BECKER: In Residence C.

9 VILLAGE ATTORNEY ATKINSON: Yeah, you are
10 asked to approve that, tonight.

11 TRUSTEE BECKER: Okay.

12 VILLAGE ATTORNEY ATKINSON: There are other
13 condominiums, as you well know.

14 TRUSTEE BECKER: I am sorry.

15 VILLAGE ATTORNEY ATKINSON: There are
16 condominiums throughout the Village, as you well
17 know.

18 TRUSTEE BECKER: Sure.

19 VILLAGE ATTORNEY ATKINSON: Yeah.

20 TRUSTEE BECKER: So, the special use permit
21 if we approve it, tonight, here, does that go to
22 the Zoning Board or that is it, once it is done,
23 here?

24 What eventually goes to the Zoning Board,
25 if anything?

1 VILLAGE ATTORNEY ATKINSON: I can look into
2 exactly what happens and what is in the
3 application.

4 I don't have that in front of me, um, it
5 does go to ARB, the Architectural Review Board for
6 the look and feel of the project, itself.

7 DEPUTY MAYOR HAWXHURST: I think it was
8 pointed out at the last Meeting, that there are, I
9 want to say two, but I am not exactly sure, two
10 zoning items.

11 VILLAGE ATTORNEY ATKINSON: That is right.

12 DEPUTY MAYOR HAWXHURST: Go to the Zoning
13 Board.

14 VILLAGE ATTORNEY ATKINSON: If I recall
15 correctly, thanks, Mike for bringing it up, so, if
16 I recall correctly, this was discussed the last
17 time and there was a six-foot set back along
18 Beckman's driveway, along the driveway.

19 MAYOR BEACH: Along Beckman's because I
20 asked that question.

21 VILLAGE ATTORNEY ATKINSON: And, there is
22 another parking variance to the Lynbrook Village
23 Code has a 2.5 parking spot per Code, per unit in
24 the Code which, comparatively, to other similar
25 jurisdictions is high.

1 MAYOR BEACH: I think they had thirty-three
2 spaces for the eighteen condos.

3 VILLAGE ATTORNEY ATKINSON: That is right,
4 so, those are the two things.

5 TRUSTEE BECKER: But, if we approve the
6 special permit, here, tonight, which is
7 essentially changing the zone from one section of
8 the property from Residence A and another section
9 of the property from Commercial, both to Residence
10 C, which would, then, permit condominiums.

11 This does not go to the Zoning Board after
12 we approve it, here, tonight, is that correct?

13 VILLAGE ATTORNEY ATKINSON: Approval of the
14 condominiums does not.

15 The variances within the project, itself,
16 does.

17 TRUSTEE BECKER: But the rezoning does not?
18 The rezoning is what we decide, here?

19 VILLAGE ATTORNEY ATKINSON: That is
20 correct, that is before the Board.

21 TRUSTEE BECKER: So, the Zoning Board does
22 not determine the rezoning?

23 VILLAGE ATTORNEY ATKINSON: The parcel is
24 less than an acre, um, I believe the parcel is
25 currently, I know I said this four times,

1 Commercial and Residential A and you would be
2 doing the entire parcel, Residential C to allow
3 for condominiums.

4 And, then, the second part is to approve
5 the condominiums.

6 It is methodical but that is how the Code
7 is written.

8 Any other questions?

9 DEPUTY MAYOR HAWXHURST: That is like what
10 we did on the zoning for the North, the Physicians
11 Partners, it was two different zonings on the
12 property and we rezoned it to one, is that right?

13 MAYOR BEACH: Northwell, you are talking
14 about. That is Physicians Partners, that was also
15 done on Peak Performance.

16 DEPUTY MAYOR HAWXHURST: Yeah.

17 VILLAGE ATTORNEY ATKINSON: If I recall
18 correctly, that had the slightest of parking
19 variances.

20 There might have been on spot.

21 DEPUTY MAYOR HAWXHURST: I don't remember
22 the variance.

23 I remember doing the zoning because it was
24 a split zoning there, so - -

25 MAYOR BEACH: Mr. Becker, any other

1 questions?

2 TRUSTEE BECKER: No, Mr. Mayor.

3 MAYOR BEACH: Any other questions?

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

6 MAYOR BEACH: Mr. Becker, are you ready to
7 vote?

8 TRUSTEE BECKER: Yes, I am.

9 Based on the notion that this will
10 definitely improve that area, that neighborhood
11 and improve the values, I vote yes.

12 TRUSTEE BOCCIO: I vote yes.

13 DEPUTY MAYOR HAWXHURST: I vote yes.

14 TRUSTEE REARDON: Yes.

15 MAYOR BEACH: Yes. Motion carries. Thank
16 you. That is for both changes going to "C"?

17 VILLAGE ATTORNEY ATKINSON: That is
18 correct. Would you like me to explain that,
19 again?

20 MAYOR BEACH: You explained it very well.
21 Thank you.

22 TRUSTEE BECKER: Thank you, Tom.

23 MAYOR BEACH: This is recreational staffing
24 eligible from the Civil Service list for
25 Recreational Leader. This is a list 60-144.

1 We had two people that were part-time.

2 They are going to be on the list, John,
3 correct, Jessica Gaimaro and Lisa Vasilakis, is
4 that correct?

5 TRUSTEE BOCCIO: Vasilakis.

6 MAYOR BEACH: Say that again.

7 TRUSTEE BOCCIO: Vasilakis.

8 TRUSTEE REARDON: So moved.

9 TRUSTEE BOCCIO: Second.

10 MAYOR BEACH: All in favor?

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

13 MAYOR BEACH: And, a bid award for the salt
14 shed down at DPW.

15 Everybody reviewed Phil Healey's documents
16 and there is a low bid of 57,866.

17 Um, it was recommended by Mr. Healey to let
18 G-Star of Jamaica - -

19 DEPUTY MAYOR HAWXHURST: So moved.

20 TRUSTEE REARDON: Second.

21 MAYOR BEACH: All in favor?

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

24 MAYOR BEACH: That is very good to get that
25 done before it falls down.

1 We got out money out of the old one.

2 Next on the agenda is Number 8, Remote 911
3 extension.

4 We have been preparing for - - well, you
5 know, it is always good to be prepared when
6 things, if God forbid, something happens and we
7 lose the utilization of our police station.

8 Mr. Cribbin has been working on it.

9 Robbie, would you get up and explain
10 exactly what you have done, here.

11 EMERGENCY MANAGEMENT OFFICER CRIBBIN:

12 Thank you. Good Evening, Mayor and Board:

13 First of all, Merry Christmas and Happy and
14 Healthy New Year.

15 Hope it is a safe one.

16 In conjunction with the Police Chief and
17 the Inspector, when Nassau County upgraded their
18 911 system, we looked into putting a remote system
19 to have three different units.

20 They said it is possible, so to try to keep
21 the continuity of the Police Department going and
22 stuff, God forbid something happens, here or
23 during the storm something happens, this will give
24 us an opportunity to have remote site, off site
25 from here that won't affect anything and you

1 will be able to keep the response going and
2 everything else.

3 This way we won't be put in the County cue
4 and put into that phone system.

5 We still will have our own.

6 We can still have the fast response from
7 the Police Department and the Fire Department that
8 is needed and it should work.

9 Hopefully, we will never have to use it but
10 if we have to, it will be in place and it will be
11 a turn-key operation for the Police Department to
12 go into the office and start without losing any
13 time.

14 MAYOR BEACH: This is something that you
15 set up with Chief Paladino?

16 EMERGENCY MANAGEMENT OFFICER CRIBBIN: Yes,
17 we discussed this many times.

18 MAYOR BEACH: And, you put a little time
19 into this and I do appreciate this.

20 The residents will be secured, God forbid
21 something happens, here, we will be good to go.

22 EMERGENCY MANAGEMENT OFFICER CRIBBIN: Yes,
23 we are trying to keep the continuity going so we
24 don't have to rely on phone calls going to the
25 County and being put on hold and things like that.

1 We would just go right to the remote site.

2 MAYOR BEACH: Thank you, Robbie.

3 EMERGENCY MANAGEMENT OFFICER CRIBBIN:

4 Thank you.

5 MAYOR BEACH: Any questions from the Board?

6 (Whereupon, "no" was heard. After, the
7 following ensued.)

8 MAYOR BEACH: A Motion to approve.

9 DEPUTY MAYOR HAWXHURST: So moved.

10 TRUSTEE BECKER: So moved.

11 TRUSTEE BOCCIO: Second.

12 MAYOR BEACH: All in favor?

13 (Whereupon, a vote of aye was heard.

14 After, the following ensued.)

15 MAYOR BEACH: Thank you very much.

16 Next on the agenda is Number 9 is the P.D.

17 computer grant, that is a grant from Mr. Gaylor,

18 Bill Gaylor, Jr., or the 3rd. I think he is.

19 Yeah, right.

20 It is to procure computer tablets for the

21 Police Department and it is a Grant, so, who is

22 going to say no to that.

23 Does anyone have questions?

24 DEPUTY MAYOR HAWXHURST: So moved.

25 TRUSTEE REARDON: Second.

1 MAYOR BEACH: All in favor?

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

4 MAYOR BEACH: So, I guess there are no
5 questions.

6 9-B is to engage an engineer for the road
7 improvements.

8 You can see that there were three people
9 that were asked and you got two responses.

10 The low bid was M & J Engineering. The
11 recommendation is to utilize M & J.

12 TRUSTEE BOCCIO: So moved.

13 TRUSTEE REARDON: Second.

14 MAYOR BEACH: All in favor?

15 (Whereupon, a vote of aye was heard.
16 After, the following ensued.)

17 MAYOR BEACH: Next is the annual Justice
18 Court audit.

19 The Board is requested to ratify it s
20 annual authorizations to the Village Auditors to
21 audit the May 31, 2020 year-end records and
22 dockets pursuant to the Uniform Justice Court Act.

23 A Motion?

24 TRUSTEE REARDON: So moved.

25 DEPUTY MAYOR HAWXHURST: Second.

1 MAYOR BEACH: All those in favor?

2 (Whereupon, a vote of aye was heard.

3 After, the following ensued.)

4 MAYOR BEACH: And, next is 9-E, It is an
5 add-on - - actually, 9-D, right, 9-D is the first
6 one, the holiday parking.

7 We are going to relax the parking for
8 December 9th through Wednesday, that has already
9 been done.

10 I think we put that out on T.V. and on the
11 web page.

12 Now, we will do Christmas and New Year's,
13 Thursday, December 24th through Friday, January 1st,
14 there will be on-street parking allowed.

15 I need a Motion.

16 TRUSTEE BOCCIO: So moved.

17 TRUSTEE REARDON: Second.

18 MAYOR BEACH: All those in favor?

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

20 After, the following ensued.)

21 MAYOR BEACH: All right and, then, we have
22 9-E is another add-on.

23 It is an estimate for the scoreboard down
24 at the new turf field and I think it came in at
25 39, was it. I don't have the total.

1 TRUSTEE BOCCIO: 38,721.

2 MAYOR BEACH: Okay, I was close, 38.

3 Trustee Boccio has approached me and asked
4 me to table this.

5 He has other ideas.

6 TRUSTEE BOCCIO: Yeah, I would ask - -

7 MAYOR BEACH: Everyone knows Trustee Boccio
8 is the liaison for the Rec. Department and he
9 really comes up with great ideas.

10 TRUSTEE BOCCIO: I would just ask that the
11 Board consider tabling this.

12 I think we are getting a lot of enthusiasm
13 around the field and the vision for that field
14 would be a premier destination for tournaments
15 down at the South Shore and moving in that
16 direction, I think there is possibly other
17 considerations of boards that may not only be
18 better in scope but also provide the ability to
19 raise more funds with advertising and we can do it
20 potentially too as far as payment on this with a
21 lot of this private funding.

22 So, I would like the opportunity to
23 continue working on that.

24 We have a lot of interest and support on
25 that and maybe we can table it for the time

1 being.

2 MAYOR BEACH: And, honestly, I do believe
3 this is going to make some revenue for us.

4 And, you know, as the hockey rink was
5 organized the revenue brought in from the rink was
6 utilized to payoff the Bond and if we can do
7 something like this to pay off the scoreboard.

8 It definitely would be the scoreboard that
9 you would love to see, probably double these
10 digits, you know, this is a jewel.

11 Greis Park is a great Park for the whole
12 Village and I would like to see the best there.

13 The turf is the best there making it really
14 unique and probably I think it is going to be the
15 best facility on the South Shore, so, why not have
16 the best scoreboard, right?

17 Does everyone agree to table it?

18 (Whereupon, yes was heard. After, the
19 following ensued.)

20 TRUSTEE BOCCIO: So moved to table.

21 TRUSTEE REARDON: Second.

22 MAYOR BEACH: All in favor?

23 (Whereupon, aye was heard by all. After,
24 the following ensued.)

25 MAYOR BEACH: And then - -

1 DEPUTY MAYOR HAWXHURST: A quick thing on
2 that, Mayor, I want to note for the Minutes, the
3 two add-ons were before the bills.

4 MAYOR BEACH: Before the bills.

5 TRUSTEE REARDON: Yes.

6 MAYOR BEACH: And, I do apologize, I did
7 move the schedule around.

8 Previously, I was going to have those add-
9 ons in the beginning.

10 I do apologize for that, too. I will do
11 the bills, now and we can do the others after
12 that.

13 Trustee Boccio?

14 TRUSTEE BOCCIO: I move the bills listed in
15 the abstract of audited vouchers be paid as soon
16 as they have been duly audited by the Majority.

17 TRUSTEE BOCCIO: So moved.

18 TRUSTEE REARDON: Second.

19 MAYOR BEACH: All in favor?

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

22 MAYOR BEACH: And, there is some really
23 nice news, nice things that were done this past
24 week and I just want to say how lucky we are to
25 live in such a great Village and the people

1 in this Village have truly, truly lived up to
2 their reputations of being for the community and
3 helping each other, Lynbrook, you know, with the
4 Community CARES and the Community Chest, it is
5 really, when things were so difficult, it was
6 really great to see them come out and help the
7 people that needed a lot of help.

8 So, there is, you know COVID is really
9 beating us up a lot but the family connections in
10 this Village has really brought us closer.

11 And, I hate to say COVID brought us closer,
12 but it really didn't but helping each other
13 definitely has and I am really truly, I feel I am
14 blessed to be Mayor of such a great Village and I
15 do thank everybody all the things they have been
16 doing to help each other out.

17 And, with that, Annmarie, you have some
18 other things to say?

19 TRUSTEE REARDON: Do we want to start
20 because we have everyone waiting on the lighting
21 contest, the Village Light Contest.

22 You know, everyone has been waiting since
23 the beginning of this Meeting, Mayor.

24 MAYOR BEACH: I am sorry, I was supposed to
25 do it in the beginning.

1 TRUSTEE REARDON: Probably what I have to
2 say and I thank the Mayor and the Rec. Department
3 and the Deputy Mayor, it might have been the
4 funniest night with my kids in a long time.

5 It took us a couple of hours. We rode to
6 each house and, you know, generated that family
7 time and I am very thankful.

8 So, thank you, Deputy Mayor.

9 DEPUTY MAYOR HAWXHURST: So, we started
10 this Lynbrook Light Contest this year, you know,
11 we started it a little late in the process.

12 We had close to fifty homes that registered
13 in the Village.

14 Due to the snow, we extended the voting
15 deadline. We consulted with our Election
16 Attorneys and we are allowed to extend the voting.

17 There was no use of any electronic voting
18 machines, you know, there was no Supreme Court
19 challenges.

20 MAYOR BEACH: Were the mail-in ballots
21 counted?

22 DEPUTY MAYOR HAWXHURST: All the ballots
23 have been counted.

24 There were no late drop-offs of multiple
25 ballots, you know, so, just to get to the

1 Highlights, like I said, there were close to four
2 hundred votes in this Election.

3 So, for the first time, I think Trustee
4 Reardon pointed out and I had a lot of people come
5 up to me, who enjoyed it and enjoyed seeing all
6 the lights around the Village, they thought there
7 were more and better lights people put up this
8 year, whether that was due to COVID or the
9 contest, it is nice to see.

10 So, without further ado, we would like to
11 announce the winners of the three categories; the
12 first category was "Over the Top" display and the
13 winner is the Padilla Family at 98 Fenimore
14 Street.

15 (Whereupon, applause from the audience was
16 heard. After, the following ensued.)

17 DEPUTY MAYOR HAWXHURST: The second is the
18 "Classic Norman Rockwell" and, the winner is the
19 Walsh Family at 113 Wood Street.

20 (Whereupon, applause from the audience was
21 heard. After, the following ensued.)

22 MAYOR BEACH: Can I interrupt you, there on
23 that one, there, I heard there was a very close
24 runner-up there.

1 DEPUTY MAYOR HAWXHURST: There was a very
2 close runner-up, we had a recount to make sure
3 that the votes were counted correctly and it was
4 a very close raise.

5 MAYOR BEACH: Do you want to tell us who
6 possibly that runner-up was?

7 TRUSTEE REARDON: Oh, Mayor.

8 DEPUTY MAYOR HAWXHURST: All ballots have
9 been destroyed.

10 (Whereupon, laughter was heard. After, the
11 following ensued.)

12 DEPUTY MAYOR HAWXHURST: And, for the over
13 all favorite, the winner is the Renz Family of
14 177.

15 (Whereupon, applause from the audience was
16 heard. After, the following ensued.)

17 DEPUTY MAYOR HAWXHURST: But, I want to
18 thank all the families that participated whether
19 they decorated their homes or whether they went
20 around to look at it was a great thing to spend
21 time with their families in this day and age, you
22 know, can't go out as much but to spend safe time
23 with your family.

24 It was great and I just wanted to thank
25 everyone with that.

1 And, then just kind of follow-up with that, you
2 know as, the Mayor had mentioned with the Lynbrook
3 Community CARES Committee, we had the snowstorm
4 this past week and you know whether you got snow
5 or sleet, rain or ice, you know, it presents a
6 challenge for many of our Seniors to shovel and
7 the Lynbrook CARES Committee started a couple of
8 years ago with Steve Schmidt and Laura Ryder, you
9 know, one of the aspects of that was to shovel
10 snow for Seniors.

11 They sent out requests, you know, they had
12 people that signed up in the beginning and sent
13 out more requests and people jumped at the chance
14 to help and the helped over twenty-five Seniors
15 shovel out their properties and we want to thank
16 the people who did that.

17 We want to thank Jim Curley, Gavin Ford,
18 Ken Mundy, Mike Haybert, Taren Fitzgerald and son
19 Decklin and daughter, Lorali, Justin Barkley and
20 his son, John, Nick Kenny, Julia Radish, Brendan
21 Gallagher and his wife Christina, his sons; Liam
22 and Gabriel.

23 TRUSTEE REARDON: Family event.

1 DEPUTY MAYOR HAWXHURST: Drew Marchetta and
2 hist sister Maddy Marchetta and Adan Ryder and
3 Vinny Sullivan.

4 And special thanks go out to Jim Curley.
5 Jim organized all the volunteers and paired them
6 with the Seniors who needed the shoveling.

7 Nothing could have been done without Jim's
8 hard work and we want to thank everybody.

9 We want to thank the people in this Village
10 that continually step up to help their neighbors
11 and that is what Lynbrook is about.

12 And, I want to wish everybody a Merry
13 Christmas and Happy New Year. Thank you, Mayor.

14 MAYOR BEACH: Thank you. Mr. Boccio, do
15 you have something to say?

16 TRUSTEE BOCCIO: Yeah, I just want to talk
17 a little bit about this weekend.

18 Mr. Hawxhurst said something
19 about the snow coming in, the timing couldn't have
20 been better because we had the Wonderland of
21 Lights this past weekend and it was a fantastic,
22 fantastic event, we had from 5:00 p.m. to 9:45
23 p.m., about three hundred cars that were
24 registered for this event.

1 Just endless carloads coming in and we saw
2 everybody from kids to just parents looking to get
3 out on date night coming by themselves, coming to
4 see Santa.

5 TRUSTEE REARDON: It was a double date.

6 TRUSTEE BOCCIO: It was a double date,
7 certainly it was a lot of fun.

8 We had cookies, candy canes, top hats.

9 We had music. We had Dicken themes. It
10 was just really nice for a few hours to put all
11 the craziness aside that we have been through this
12 year and watch the happy people.

13 MAYOR BEACH: Five hours, I think.

14 TRUSTEE BOCCIO: Yeah, five hours to watch
15 the happy faces and people being excited to come
16 to see Santa and you know just get out of the
17 house and do something, made you smile and it was
18 a terrific event and it was an event that was only
19 made through a list of many, many people.

20 And, Annmarie acknowledge, all of those
21 people, please.

22 TRUSTEE REARDON: First and foremost, we
23 should s tart this list, we really do need to
24 thank Santa for coming and putting the hours in,
25 um, to greet each car and wish all the

1 Kids and find out what they want, I think that was
2 very special for them.

3 We thank Santa for coming from the North
4 Pole, you know, in the busiest week.

5 The residents who really stepped up and
6 worked really to make the event spectacular; Keith
7 Bonomo, Pat Champy, Ginger Fuentes, Mike Malley
8 Tesnick.

9 I hope I got that right.

10 MAYOR BEACH: That is very good, yes.

11 TRUSTEE REARDON: Anthony Neil, Brendan
12 Verity, Andrew Nohilly, Justin Swing, Zack
13 Schroeder, Joe Marin, Abbie Lozell, Erin Dalton,
14 Rene Yumanski, Natasha Rivera.

15 From the DPW, Brian Kearney. From the
16 Police Department is Rob Meyer, Mike Lenaro,
17 Joseph Cucciardo and Steven Rootnick and our
18 Auxiliary Officer is Dave Penzo.

19 And, we also want to give a special thanks
20 to some of our volunteers that night is Jim
21 Curley, Jim Hunter, even though he told every car
22 that pulled in, he had cold feet, um, and Ken
23 Mundy.

24 This was absolutely a wonderful event and
25 it took all of these people coming

1 together, um, to make it absolutely spectacular.

2 Um, and I really thank them all.

3 And, one more quick thing, Mayor, I want to
4 share with you, I don't even think I shared this
5 with you as of yet, I did send it to Phil, but I
6 received a text this weekend.

7 I am pulling it up because it came off my
8 phone and it said, okay, "This text is to my
9 Trustee not my friend, I have been all over the
10 place the past few days, Lynbrook, Rockville
11 Centre, Hewlett, Franklin Square, Lynbrook is by
12 far the best plowed Town. Great job DPW."

13 And, you know what, I heard this from many
14 people but, it was really nice to actually hear
15 from a friend, um, who normally does not talk to
16 me about anything regarding the Village, to take
17 the moment to share her thought on this.

18 And, really, they did an outstanding job.
19 Merry Christmas everyone, Happy New Year and
20 hopefully 2020 is going to be what we need.

21 MAYOR BEACH: 2021, no Part 2.

22 TRUSTEE REARDON: No Part 2. Did you see
23 the meme it said, "At Midnight, welcome to Part
24 2."

25 All right, thank you, Mayor.

1 MAYOR BEACH: You're welcome and I want to
2 thank the Board for everything that they have done
3 for the Village and working with me.

4 It is really a hardworking wonderful group
5 of people, here.

6 Thank you and thank you for all your
7 cooperating efforts.

8 Anybody else got anything to say, Mr.
9 Becker?

10 TRUSTEE BECKER: Yes, Mr. Mayor, first, you
11 provided your sentiments earlier to the Gaylor
12 Family, I like to do the same.

13 Bill was a dear, close friend of mine and
14 certainly a solid resident, solid citizen and
15 overall good person.

16 He will be missed and I miss Bill, as well.

17 And, of course, on a happier note,
18 congratulations to Rich Renz.

19 I know he has been - - he has - -

20 MAYOR BEACH: Biting on the bullet for the
21 past thirty years.

22 TRUSTEE BECKER: He has been shooting for
23 this for a long time and I think in the future,
24 people should remember about Richie's displays, he
25 probably has got the most expensive and this will

1 not sound right no matter how I say this, he has
2 the best and most expensive Nutcrackers, so, I
3 think we should keep that in mind because they are
4 very - - they are very - - they stand out.

5 He always reminds me of that.

6 And, congratulations to the Renz Family and
7 Rich spends a lot of time and money that goes into
8 his display every year and I know for a fact that
9 my family has always enjoyed it.

10 And, like everybody said, I agree, DPW did
11 a great job this past storm and I am very, very
12 proud of the guys.

13 They worked so hard and you know, my
14 concern is always that they stay safe and you know
15 we look at the snow and the snow removal right
16 after that they got to pick up the garbage and do
17 the special pickups and, you know, help out where
18 things need to be helped out, tree limbs go down
19 and so the plowing is step 1.

20 Um, step 2, 3,4,5,6 and 7 is all the other
21 stuff that they have to do and they do it so
22 diligently and professionally.

23 So, thank you to the DPW gentlemen and to
24 Phil for running a good show.

25 And, as always, please,

1 Gentlemen and Ladies, be safe when you are out
2 there.

3 Happy Hannukah to everybody, Merry
4 Christmas, all the best and 2021, certainly I hope
5 we don't keep rehashing what went on in 2020.

6 It has been a tough, tough year, toughest
7 that I can ever remember.

8 And, for all of those, all of you and
9 pretty much it is everybody these days, I am sure
10 people in particular are struggling more so than
11 others, by all means, please, don't hesitate to
12 reach out to the Village, to this Board, to me,
13 there are people that are here that want to help
14 you and will help you.

15 So, please, reach out to us and I think the
16 Mayor has mentioned many times, everything remains
17 confidential and will continue to remain
18 confidential and we just want to do whatever we
19 can do to help those that are struggling.

20 Please, don't hesitate to reach out to us.
21 Thank you, Mr. Mayor.

22 MAYOR BEACH: You're welcome.

23 TRUSTEE BOCCIO: Mr. Mayor, if I could just
24 follow-up with one quick things.

25 MAYOR BEACH: Sure.

1 TRUSTEE BOCCIO: I would really be remiss
2 if I didn't mention some individuals who have
3 really stepped up for the community in the last
4 several weeks and kind of made it fun too and the
5 businesses that would be Briand and Lisa Lenzola
6 and Michael and Carrie Haybert that put together
7 this fun raffle system that is raising
8 money and doing something that is fantastic for
9 our busines owners to help them along and at the
10 same time creating fun everyday that people look
11 forward to those raffles.

12 So, we thank all of them.

13 MAYOR BEACH: I thank Brian, very much.
14 Brain is doing that all on his own, his own time
15 with Carrie and Mike and Lisa, they do that.

16 Well, I just don't know when Brian actually
17 sleeps.

18 TRUSTEE REARDON: No one is sure.

19 MAYOR BEACH: I think he did something
20 tonight. He did something yesterday.

21 TRUSTEE REARDON: He is doing something
22 tomorrow.

23 MAYOR BEACH: Helping the Chamber of
24 Commerce, as I say shop local. Brian is really
25 bringing that home. He is doing everything he

1 possible can to get people to know what we have in
2 our Village and to spend their money there. Hats
3 off to them.

4 Just before we close, we have one more
5 encore, I believe.

6 (Whereupon, applause was heard. After, the
7 following ensued.)

8 (Whereupon, Toniann Butler sang "I'll be
9 home for Christmas," after the following ensued.)

10 MAYOR BEACH: Merry Christmas, Happy
11 Hannukah and Happy New Year to everyone and be
12 safe.

13 Thank you very much Paulina downstairs.
14 Thank you very much all that you do at the T.V.
15 station. Thank you very much.

16 TRUSTEE BOCCIO: I make a motion that the
17 Board sing "Jingle Bells" or something easy.

18 MAYOR BEACH: A motion to adjourn.

19 TRUSTEE REARDON: So moved.

20 TRUSTEE BOCCIO: Second.

21 (Whereupon, a vote of aye was heard. The
22 Village Board of Trustees was concluded. Time
23 noted. 8:05 p.m.)
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CERTIFICATE BY COURT REPORTER

I, do hereby certify that the foregoing testimony in the matter of the Village of Lynbrook, Board of Trustees Meeting held on December 21, 2020, consisting of pages 1 through 64 inclusive is an accurate transcription of my cryptic notes.

IN WITNESS WHEREOF, I SET MY HAND THIS DAY.



MELANIE WOHL

CERTIFIED COURT REPORTER

NORTH SHORE COURT REPORTERS

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