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VILLAGE OF LYNBROOK

ONE COLUMBUS DRIVE

LYNBROOK, NEW YORK

BOARD OF TRUSTEE MEETING

JANUARY 13, 2014

7:00 P.M.

BEFORE: WILLIAM J. HENDRICK

MAYOR

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APPEARANCES :

DEPUTY MAYOR ALAN C. BEACH

TRUSTEE MICHAEL N. HAWKHURST

TRUSTEE HILARY H. BECKER

TRUSTEE THOMAS D. ATKINSON

VILLAGE ADMINISTRATOR JOHN GIORDANO

VILLAGE ATTORNEY PETER K. LEDWITH

1 MAYOR HENDRICK: Welcome to the Meeting of
2 Monday, January 13, 2014.

3 Can I have Jack Libert lead us in the
4 Pledge of Allegiance.

5 JACK LIBERT: Place your hand over your
6 heart, face the flag.

7 (Whereupon, Jack Libert led the Assembly in
8 the Pledge of Allegiance. After, the following
9 ensued.)

10 MAYOR HEDRICK: Okay, first we will have
11 the Minutes of December 16th, have they been
12 reviewed by the Board?

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

15 MAYOR HENDRICK: Any changes or
16 alterations?

17 DEPUTY MAYOR BEACH: I have none.

18 MAYOR HENDRICK: Anybody else?

19 TRUSTEE HAWXHURST: No.

20 MAYOR HENDRICK: May I have a Motion to
21 accept them.

22 DEPUTY MAYOR BEACH: So moved.

23 TRUSTEE HAWXHURST: Second.

24 MAYOR HENDRICK: All those in favor?

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

1 After, the following ensued.)

2 MAYOR HENDRICK: Okay, the Chamber of
3 Commerce Report is next on the list.

4 LINDA STEVENSON: Hello, good evening,
5 Mayor, Deputy Mayor, Fellow Trustees: I hope
6 everyone enjoyed the holidays.

7 I wish you all a healthy and Happy New
8 Years.

9 MAYOR HENDRICK: You, as well.

10 LINDA STEVENSON: Thank you.

11 For those that don't know me, I am Linda
12 Stevenson.

13 I am Executive Vice-President of the
14 Lynbrook Chamber of Commerce and Branch Manager of
15 Bethpage Federal Credit Union located in Phillips
16 Plaza.

17 Denise Rogers, our President was unable to
18 attend, tonight, due to her son, Christopher being
19 selected as finalist for his science project,
20 maybe he has already won by, now, that would be
21 fabulous.

22 I am happy to be able to represent the
23 Chamber, tonight in her place and I like to thank
24 you for the opportunity to report to all of you
25 and the Village residents on the projects the

1 Chamber has been working on.

2 Tomorrow, Tuesday, January 14, at 8:00
3 a.m., the Chamber of Commerce will be hosting a
4 breakfast meeting to introduce our Members to the
5 Chamber Board and to allow the Members to network.

6 The Meeting is free and will be held at the
7 Atria Tanglewood.

8 We will all discuss what projects are ahead
9 for 2014 and allow and encourage members to sign
10 up to participate on different committees.

11 Our Annual Awards Dinner will be held on
12 January 22nd and will be honoring distinct
13 individuals of Lynbrook Village.

14 One of the honorees is Jennifer Terrick.
15 She is the owner of the Lynbrook Irish Shop,
16 Inspector Ronald J. Noorie, Lynbrook Police
17 Department, Patrick McDermott, Park Supervisor of
18 Greis Memorial Park and Chief Edward Hynes of the
19 Lynbrook Fire Department.

20 If you would like to come and support these
21 wonderful individuals, tickets are forty dollars
22 per person and are on sale, now.

23 The event is being held at the New York Elk
24 Lodge Number 1 on Hempstead Avenue right, here in
25 Lynbrook and it begins at 7:00 p.m.

1 You can purchase tickets from Carol Bureck
2 by contacting her at 599-3436.

3 2013 was a very busy year that started with
4 the new logo contest, the introduction of our
5 shop, Lynbrook Local Program and two successful
6 events; the taste of Lynbrook and the joint art
7 auction with the Malverne Merchant Association.

8 We look forward to a busy 2014 with more
9 new programs that will help our businesses and
10 more joint networking meetings to help solidify
11 business relationship.

12 Thank you.

13 MAYOR HENDRICK: Thank you, very good.

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

16 MAYOR HENDRICK: Okay, the next item on the
17 agenda is to ratify a waiver of overnight parking
18 on December 20th through January 5th.

19 I, as Mayor, waived the overnight parking
20 rule because of the holidays and, now, Peter that
21 is my authority, correct?

22 VILLAGE ATTORNEY LEDWITH: It is.

23 MAYOR HENDRICK: So, we have to ratify it
24 by the Board, so, can I have a Motion to ratify
25 the Motion that we already completed.

1 DEPUTY MAYOR BEACH: So moved.

2 TRUSTEE HAWXHURST: Second.

3 MAYOR HENDRICK: All in favor?

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

5 After, the following ensued.)

6 MAYOR HENDRICK: We, now, have Public
7 Hearings, Local Laws.

8 Peter, the first one is administrative
9 search warrants and legal occupancy.

10 Can you go over that, please.

11 VILLAGE ATTORNEY LEDWITH: Oh, sure. This
12 is something that the Village has needed for
13 years.

14 Um, it is a search warrant provision for
15 the various departments who need to get into
16 certain buildings in order to do inspections
17 primarily for safety reasons and in some cases for
18 illegal over occupancies.

19 The United States Supreme Court handed down
20 a decision called the Camara Case, where the Court
21 said, um, we will say Villages - - but it said
22 "municipalities" without search warrants,
23 administrative search warrants would be left
24 floundering and unable to enforce their laws and
25 that these are necessary things.

1 And, that is when the standards were
2 changed for administrative search warrants as
3 opposed to criminal search warrants.

4 Um, this law is necessary. The Building
5 Department needs it very much as does the Fire
6 Inspector, so, it is a highly recommended law to
7 adopt.

8 MAYOR HENDRICK: Anyone on the Board wants
9 to speak about the local law? Anybody?

10 DEPUTY MAYOR BEACH: Yes, Mayor, I think
11 this is a good quality of life law for our
12 Village.

13 It will make it safer for some of our
14 Village people and those that are living in
15 illegal occupancies will, hopefully, it will end
16 and make our Village a little bit nicer because of
17 the added expense it is to our residents that are
18 paying taxes.

19 I think it is a great law and I thank you
20 for making it up, Peter.

21 MAYOR HENDRICK: I agree.

22 TRUSTEE ATKINSON: Mayor, can I touch on
23 it.

24 MAYOR HENDRICK: Sure. I agree these
25 search warrants will give us the ability to get

1 the houses that probably have illegal
2 occupancies and we can look at those and take them
3 to Court if we have to do that.

4 Peter, can you go over it, again, who can
5 sign these search warrants.

6 VILLAGE ATTORNEY LEDWITH: Yeah, the
7 application will be made to the Village Justice
8 Court to either Judge McLoughlin or Judge Gaylor.

9 MAYOR HENDRICK: Either one?

10 VILLAGE ATTORNEY LEDWITH: Either one can
11 analyze the situation to make sure it is there is
12 a balance involved, um, the Court has to do a
13 balancing based on the evidence that is presented
14 to it, that the need for the Village to have an
15 inspection when balanced against the right of
16 privacy of the folks that are in the dwelling or
17 building, that it is clear that the municipalities
18 need to enforce this regulation, its mainly safety
19 laws to make sure the building is safe for
20 occupants and also along the way illegal
21 occupancies would also be the subject of these
22 warrants.

23 Um, once that balancing is done by the
24 Court, the Judge signs the warrant.

25 It is given to the Police Department

1 and the Police Department goes and enforces the
2 warrant with the Building Department or the Fire
3 Department, whatever it happens to be along with
4 the Policeman to enter into the premises to do the
5 inspection and get out.

6 MAYOR HENDRICK: Who will present that
7 criteria to the Judge?

8 VILLAGE ATTORNEY LEDWITH: Either be my
9 office or the department head, depending upon the
10 situation.

11 If it is a complicated one, I would
12 recommend the department head see me and work on
13 it.

14 MAYOR HENDRICK: All right, we also have an
15 attorney for illegal occupancies and we will leave
16 it to you to do this.

17 VILLAGE ATTORNEY LEDWITH: It will depend
18 really on the circumstances. Jim Darcy is a fine
19 lawyer and certainly he would be the one to
20 consult.

21 MAYOR HENDRICK: All right, very good,
22 Peter, thank you.

23 Tom, you have something to say?

24 TRUSTEE ATKINSON: Yes, Mayor, I didn't
25 mean to interrupt you.

1 As well, just as a former Prosecutor in the
2 Village Court, this is absolutely legislation for
3 us.

4 There was really a difficulty at times in
5 prosecuting illegal occupancy, as well as, some
6 other violations that this would be used for.

7 So, I absolutely enforce this one.

8 MAYOR HENDRICK: Thank you. Anyone else in
9 the audience wants to speak on this issue?

10 (Whereupon, no response was heard. After,
11 the following ensued.)

12 MAYOR HENDRICK: Okay, I will close the
13 Public Hearing at 8:15 p.m., I guess.

14 DEPUTY MAYOR BEACH: So moved.

15 TRUSTEE HAWXHURST: Second.

16 MAYOR HENDRICK: All in favor?

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

19 MAYOR HENDRICK: Do we have a vote on the
20 administrative search warrants?

21 DEPUTY MAYOR BEACH: I make a Motion to
22 accept it.

23 TRUSTEE HAWXHURST: Second.

24 MAYOR HENDRICK: All in favor?

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

1 After, the following ensued.)

2 MAYOR HENDRICK: The next Local Law is
3 Hotel Licenses. Peter?

4 VILLAGE ATTORNEY LEDWITH: This has to do
5 with hotels, rooming houses and boarding houses,
6 for the most part, the hotels, boarding houses in
7 the Village are run in an orderly way.

8 There is one particular place, which need
9 not be named, but I think we are all very much
10 aware of it, there is a great deal of mischief in
11 this building all the time.

12 The Police Department is there constantly,
13 um, with responding to complaints of crimes and
14 other bad things going on in this location.

15 Um, it is time, finally, to put the
16 obligation on the owner of the hotel to oversee
17 and administer the guests who are there and their
18 behavior.

19 The purpose of this law says, basically,
20 that there are certain regulations that must be
21 observed.

22 The primary ones are, of course, that there
23 be no criminal activity and there be no drug
24 transactions taking place, um and in the event
25 that the Village Board finds whatever evidence

1 is presented to it that for three consecutive
2 violations within a period of, I forget the time,
3 three months where the Police Department is called
4 in for violations of this Code, that would be
5 grounds to revoke or suspend the hotel license
6 because it would be a Public Hearing before the,
7 um, the license would be revoked.

8 But, nonetheless, that would be the basis
9 for it.

10 MAYOR HENDRICK: All right, I want to open
11 the Public Hearing at 8:17.

12 Can I have a Motion?

13 DEPUTY MAYOR BEACH: So moved.

14 TRUSTEE HAWXHURST: Second.

15 MAYOR HENDRICK: All in favor?

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

18 MAYOR HENDRICK: Okay, I will open this to
19 the Board for the Hotel Licenses.

20 First, I will say this is very necessary to
21 have this.

22 We have some problems in the Village that
23 we want to correct and this will give the Chief of
24 Police and our Village a chance to correct the
25 situation.

1 So, having said that, Tom, do you have
2 something to say?

3 TRUSTEE ATKINSON: Once, again, I think
4 this is excellent legislation.

5 It is a form of being proactive.

6 MAYOR HENDRICK: Very good, thank you.

7 DEPUTY MAYOR BEACH: One hundred percent in
8 favor.

9 TRUSTEE HAWXHURST: This is an excellent
10 tool.

11 We looked at numerous ways of how to deal
12 with the problems we are having in the Village and
13 you know, licenses, places, this just allows us to
14 kind of monitor them and take a way their license
15 if they are not acting in the standards of our
16 Village.

17 And, while we hope all act to these
18 standards, this gives us the ability to address
19 those who don't.

20 MAYOR HENDRICK: All right, very good.

21 Anyone in the audience that wants to
22 comment?

23 (Whereupon, no response was heard. After,
24 the following ensued.)

25 MAYOR HENDRICK: Okay, I want to close

1 the Public Hearing at 8:20 p.m.

2 Do I have a Motion?

3 DEPUTY MAYOR BEACH: So moved.

4 TRUSTEE HAWXHURST: Second.

5 MAYOR HENDRICK: All in favor?

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

7 After, the following ensued.)

8 MAYOR HENDRICK: Do we have a Motion on
9 this Local Law, make a Motion to accept it?

10 DEPUTY MAYOR BEACH: So moved.

11 TRUSTEE HAWXHURST: Second.

12 MAYOR HENDRICK: All in favor?

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

14 After, the following ensued.)

15 MAYOR HENDRICK: Okay, next Local Law is
16 fingerprinting.

17 Peter, do you want to handle the first part
18 of this and then I will open the Meeting.

19 VILLAGE ATTORNEY LEDWITH: This is the
20 fingerprinting law that was recommended actually
21 by, um, our talented and very wise Village
22 Administrator in situations where the Village is
23 going to hire people to take positions, where the
24 finances of the Village are involved.

25 Um, there aren't that many of those

1 positions but the ones that, um, are to be
2 filled, the Village really should do a thorough
3 check on the individuals who are applying for the
4 positions.

5 That would apply to both new people coming
6 in seeking employment or even employees of the
7 Village who wish to be promoted to take on a
8 position where the finances of the Village are
9 involved.

10 So, fingerprinting is an ideal way of doing
11 a background check to a certain extent.

12 We have seen situations in the local
13 newspapers where this has not been done in other
14 Villages resulting in a little bit of an
15 embarrassment for the other Villages.

16 Here if we have the fingerprinting done, we
17 can check with the State.

18 We can find out whether there were crimes
19 committed by any such individual and that would
20 have to be considered by the Board before
21 considering hiring the individual.

22 This is something that was felt to be
23 necessary by our Village Administrators and I
24 believe he is correct.

25 MAYOR HENDRICK: All right, thank you,

1 Peter.

2 I want to open the Hearing at 8:25 p.m. - -
3 8:21 p.m., thank you.

4 Can I have a Motion.

5 DEPUTY MAYOR BEACH: So moved.

6 TRUSTEE HAWXHURST: Second.

7 MAYOR HENDRICK: All those in favor?

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

10 MAYOR HENDRICK: Peter, I have two
11 questions; one, you answered probably, can we do a
12 background search on anybody who submits an
13 application with fingerprints?

14 VILLAGE ATTORNEY LEDWITH: In theory, the
15 answer is yes but as a practical matter, it would
16 seem to be a matter of overkill.

17 You really are interested in the
18 individuals who will be handling the finances of
19 the Village.

20 But, you are right, if a person wants to be
21 a dogcatcher, you can certainly check his
22 fingerprints too.

23 MAYOR HENDRICK: My second question is can
24 we do it for every new hire?

25 VILLAGE ATTORNEY LEDWITH: The answer

1 is yes.

2 MAYOR HENDRICK: All right, I want to make
3 sure because I think that is important in our
4 Village to check every new hire that hasn't been
5 convicted of a crime or arrested for a crime.

6 Alan, you have something to say?

7 DEPUTY MAYOR BEACH: Will we be doing that
8 with every new hire or are we going to pick out
9 who we are going to fingerprint?

10 As I read it, it says certain employees
11 fingerprinted, um - -

12 MAYOR HENDRICK: I think we do it with
13 everyone.

14 DEPUTY MAYOR BEACH: It would seem to make
15 sense.

16 MAYOR HENDRICK: Yes.

17 VILLAGE ATTORNEY LEDWITH: The intent of
18 this provision was primarily for people who will
19 be handling the money.

20 MAYOR HENDRICK: You can do it for
21 everyone?

22 VILLAGE ATTORNEY LEDWITH: Yes, you can do
23 it.

24 MAYOR HENDRICK: Not to be criticized for
25 this law, even though they don't handle money?

1 VILLAGE ATTORNEY LEDWITH: Right.

2 MAYOR HENDRICK: Okay, thank you.

3 Anyone else from the Board?

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

6 MAYOR HENDRICK: I will open it up to the
7 public, anyone that wants to speak?

8 No one?

9 Okay, I will close at 8:23 p.m.

10 Can I have a Motion.

11 DEPUTY MAYOR BEACH: So moved.

12 TRUSTEE HAWXHURST: Second.

13 MAYOR HENDRICK: All in favor?

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

16 MAYOR HENDRICK: Can I have a motion on the
17 fingerprinting law as it has been read to us and
18 explained to us by Peter Ledwith.

19 DEPUTY MAYOR BEACH: So moved.

20 TRUSTEE HAWXHURST: Second.

21 MAYOR HENDRICK: All in favor?

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

24 MAYOR HENDRICK: Next, electronic message
25 signs.

1 Peter, will you explain that to us, please.

2 We talked about it. You explain it.

3 VILLAGE ATTORNEY LEDWITH: This has been a
4 matter for some concern for the Village.

5 The current law, our sign law provides that
6 there may not be fluttering, flashing light,
7 changing signs which face the traffic because it
8 could be a distraction to drivers and it could be
9 dangerous.

10 What has become somewhat common in the
11 Village has been these signs we call "scrolling
12 signs," where a message will appear and that will
13 be a way a new message will appear.

14 We see, at least, three or four locations
15 in the Village where this type of sign is already
16 in place.

17 The Village has not cracked down on it but
18 it has come to the point where the Village has to
19 address it and the Board discussed it and said the
20 scrolling signs aren't really a bad idea provided
21 the message remains stagnant or steady for a
22 certain period of time.

23 So, it really wouldn't be a distraction to
24 vehicles driving by, whereas, messages changing
25 quickly, drivers may try to catch one after

1 another while driving by.

2 So, it was determined if a message stayed
3 on the scrolling sign for a period of seven full
4 seconds, that would be adequate for a car to be
5 coming down the road, go by and the message
6 change.

7 It would be safe for vehicular traffic and
8 that was the primary concern and that is the
9 purpose of the law.

10 MAYOR HENDRICK: Okay, thank you, Peter.

11 I like to open this Public Hearing at 8:25
12 p.m., can I have a Motion.

13 DEPUTY MAYOR BEACH: So moved.

14 TRUSTEE HAWXHURST: Second.

15 MAYOR HENDRICK: All in favor?

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

18 MAYOR HENDRICK: Peter, this doesn't cover
19 the neon signs that don't blink?

20 There are a lot of those around the
21 Village, too.

22 VILLAGE ATTORNEY LEDWITH: Those neon signs
23 everywhere?

24 MAYOR HENDRICK: I just want to ask the
25 question - -

1 VILLAGE ATTORNEY LEDWITH: It doesn't cover
2 that.

3 MAYOR HENDRICK: It doesn't cover that.

4 Anybody else on the Board want to make a
5 comment?

6 No one? Alan?

7 DEPUTY MAYOR BEACH: No.

8 MAYOR HENDRICK: All right, anybody else
9 want to comment on this?

10 No? Okay, I will close the Public Hearing
11 at 8:26 p.m.

12 Okay.

13 DEPUTY MAYOR BEACH: So moved.

14 TRUSTEE HAWXHURST: Second.

15 MAYOR HENDRICK: All those in favor?

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

18 MAYOR BEACH: Now, I would like - - can we
19 have a vote taken on the electronic message sign
20 and this new law.

21 DEPUTY MAYOR BEACH: So moved.

22 TRUSTEE HAWXHURST: Second.

23 MAYOR BEACH: All in favor?

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

1 MAYOR HENDRICK: All right, we have Item
2 Number 11.

3 We have the Public Hearing on 733 Sunrise
4 Highway, a rezoning of zoning request of January
5 27, 2014.

6 I don't know why it was dated as of January
7 27th, but, I will ask Jack Libert to explain that.

8 JACK LIBERT: Good evening, Mayor,
9 Honorable Members, Learned Counsel:

10 My name is Jack Libert, Special Zoning
11 Counsel to the Village.

12 This is an application that deals with the
13 old Jamacia Water building.

14 The applicant made an informal presentation
15 last month and now is coming in with a formal
16 application.

17 What they are seeking here is not site plan
18 approval, which will come later down the road, but
19 there is one small parcel that is zoned
20 Residential and they want it to be Commercial
21 throughout, so, it is consistent with the
22 surrounding zoning, Number 1.

23 Number 2, there are no issues in terms of
24 variances and things that will be necessary for
25 parking.

1 A couple of things I want to note, first of
2 all, this Hearing needs to be continued, again, to
3 the Board's next Meeting for a number of reasons.

4 MAYOR HENDRICK: Which is January 27th.

5 JACK LIBERT: January 27th and the reasons
6 are, first, for one day on the Lynbrook T.V.
7 Station the date that was advertised was the 27th,
8 so, there maybe people that are planning to come
9 down on the 27th in all fairness, we would need to
10 continue it for that reason alone.

11 The other issue is that the Board has not
12 had time to really review the traffic study that
13 was submitted and so this will give them the time
14 particularly with respect to the ingress and
15 egress on Sunrise versus Peninsula or both.

16 MAYOR HENDRICK: Mr. Libert, are they
17 prepared to go over the traffic study tonight with
18 the traffic?

19 JACK LIBERT: Yes, they are.

20 MAYOR HENDRICK: Study with the plan, who
21 wrote the Traffic Study?

22 JACK LIBERT: You can read it, actually - -

23 MAYOR HENDRICK: I want to read it but I
24 want them to present it.

25 JACK LIBERT: Yes, they will present that

1 information tonight, hopefully that will answer
2 some of the questions.

3 MAYOR HENDRICK: Okay.

4 JACK LIBERT: So, with that, I like to turn
5 it over to the applicant.

6 MAYOR HENDRICK: Could you introduce the
7 parties as you go.

8 DAVID LENO: Good Evening, Mr. Mayor,
9 Trustees - -

10 MAYOR HENDRICK: Hold it, I want to open
11 this Meeting at 8:29 p.m., could I have a Motion?

12 DEPUTY MAYOR BEACH: So moved.

13 TRUSTEE HAWXHURST: Second.

14 MAYOR HENDRICK: All in favor?

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

17 MAYOR HENDRICK: Go right ahead.

18 DAVID LENO: Good Evening, my name is David
19 Leno. I am from the law firm of Ruskin, Moscou,
20 Faltischek located at 1425 Rexcorp Plaza, Glenn
21 Curtiss Boulevard, Uniondale, New York.

22 I am here this evening on behalf of Simone
23 Healthcare Development and specifically its
24 entity, 733 SUNRISE REALTY LLC., which is the
25 contract vendee to purchase the premises located

1 at 733 Sunrise Highway in Lynbrook, New York.

2 The property is known on the Nassau County
3 Tax Map as Section 42, Block M as in "Mary" on one
4 Lot 322.

5 At this time, Mr. Mayor, I would like to
6 introduce those Members of the Team who are going
7 to speak in connection with the presentation,
8 tonight.

9 First off, my partner, Michael Faltischek
10 is here to answer questions that the Board may have
11 on the application.

12 On behalf of Simone Healthcare Development,
13 its President, Guy Leibler is here.

14 MAYOR HENDRICK: Hello, Counsel, Mr.
15 Faltischek, how are you?

16 MICHAEL FALTISCHEK: How are you, Mayor?

17 MAYOR HENDRICK: Very good, thank you.

18 DAVID LENO: The Architect for the proposed
19 project Brian Newman from Newman Design.

20 MAYOR HENDRICK: Hello, Mr. Newman.

21 BRIAN NEWMAN: Hello, Mayor.

22 DAVID LENO: And, the Traffic Engineers, as
23 you inquired before, the Traffic Engineers from
24 Camron Engineering, Rebecca Goldberg and Alan King
25 are here to answer any questions that the Board

1 may have about the traffic study.

2 MAYOR HENDRICK: Hello.

3 DAVID LENO: I would kindly just ask, Mr.
4 Mayor, that you confirm that the correspondence,
5 the plans and the traffic study that were
6 delivered to the Board prior to tonight's Hearing
7 just be deemed part of the record for purposes - -

8 MAYOR HENDRICK: John, did you receive a
9 copy of the traffic study?

10 VILLAGE ADMINISTRATOR GIORDANO: No, no, I
11 haven't.

12 MAYOR HENDRICK: I haven't read one. Mr.
13 Libert, did you receive one?

14 JACK LIBERT: I did.

15 DEPUTY MAYOR BEACH: Jack, if you are going
16 to speak, you need the mic.

17 JACK LIBERT: Sorry about that, the study
18 was submitted to me, perhaps I should have
19 circulated it to the Board.

20 I didn't realize it, I didn't know where
21 the other copies were filed.

22 MAYOR HENDRICK: I will find out. Brian,
23 did you receive a copy of the traffic study?

24 You did not? Brain, if you want to put it
25 in the record, I will accept that but you have

1 to give us a copy as soon as possible and it
2 will be adjourned to the next date any way and
3 maybe it would be better if you put it in, then.

4 Does it matter if I take it, now, Peter?

5 VILLAGE ATTORNEY LEDWITH: No, by all means
6 put it in the record.

7 MAYOR HENDRICK: We have it in the record
8 as long as we get a copy, otherwise, you have to
9 answer to us next meeting.

10 DAVID LENO: Will do, Mr. Mayor, I will say
11 just for the record, there was a hand delivery of
12 the traffic study and I have received a date stamp
13 from the Village.

14 MAYOR HENDRICK: I don't not believe you.

15 DAVID LENO: Okay.

16 MAYOR HENDRICK: But I don't know where it
17 is.

18 DAVID LENO: It was submitted prior to
19 tonight's meeting, I just wanted to be clear, our
20 client is looking to purchase the premises at 733
21 Sunrise Highway for the anticipated development of
22 the parcel as a medical office building.

23 MAYOR HENDRICK: One of my Trustees asked
24 who signed for the receipt?

25 DAVID LENO: It is a date stamp from

1 the Incorporated Village of Lynbrook dated
2 January 8, 2014 and it is a copy of the
3 transmittal letter that I submitted.

4 MAYOR HENDRICK: I don't disagree with you.

5 I don't know where it is in Lynbrook. John
6 didn't get it.

7 Brian didn't get it.

8 Phil, did you get it?

9 (Whereupon, "no" was called out from the
10 audience. After, the following ensued.)

11 MAYOR HENDRICK: Phil didn't get it, not
12 your fault.

13 DAVID LENO: Along with that package was
14 the original executed affidavit of service for
15 tonight's Hearing.

16 MAYOR HENDRICK: All right, we will put
17 that in the record later or it is in the record,
18 now.

19 DAVID LENO: The development that is being
20 proposed would renovate the existing building and
21 would include an extension of approximately nine
22 thousand square feet to the western end of the
23 building.

24 The development would also seek to add
25 parking spaces to make sure that the completed

1 building when fully built out would be in
2 accordance with the required number of parking
3 spaces that are required under the Village Code.

4 The main impediment, as Mr. Libert had
5 pointed out to the proposed development of the
6 site or candidly any development at the site is
7 the fact that the zones established by the Village
8 of Lynbrook Zoning Map intersects the parcel to a
9 .100 feet to the South of Sunrise Highway.

10 The parcel is zoned "Commercial."

11 The balance of the lot is zoned "Dwelling
12 C."

13 MAYOR HENDRICK: Excuse me, when you say,
14 "intersects" I want everybody to understand the
15 lot has two zones on it, correct?

16 DAVID LENO: Correct.

17 MAYOR HENDRICK: One is "Commercial."

18 DAVID LENO: That the zoning map line goes
19 right through almost the middle of it for our
20 purposes that divide it into two separate
21 districts, even though it has been one complete
22 lot.

23 MAYOR HENDRICK: The one on Sunrise is
24 "Commercial."

25 DAVID LENO: Correct.

1 MAYOR HENDRICK: And, the one behind it is
2 "Residential."

3 DAVID LENO: Yes, since the property was
4 historically owned by a public utility and now is
5 owned by New York American Water Company, the
6 issue never had to be addressed before.

7 Now, that a sale to a private developer is
8 being contemplated, the dual zoning nature of the
9 lot needs to be corrected and this is why we are
10 here tonight to correct the anomaly of the split
11 zone.

12 It should be noted that the parcel
13 adjoining the subject parcel which currently
14 houses the Atria also suffers from the same split
15 zoning issue.

16 Um, obviously, in that case, the Resolution
17 with regard to the use of that parcel was only - -
18 comes after litigation, obviously, after speaking
19 with Mr. Libert, we wanted to petition this Board
20 to handle this legislatively, so, the zoning
21 change would be done properly.

22 MAYOR HENDRICK: You mention litigation,
23 um, explain that a little more.

24 DAVID LENO: Instead of when the Atria was
25 built, instead of it being built, instead of

1 the party at that time coming before the Village
2 Board and seeking the same amendment to the Zoning
3 Map that we are seeking, there was a stipulation
4 of settlement that really dictated that use of
5 that parcel.

6 So, if you look at the zoning map, today,
7 it still has the split nature.

8 MAYOR HENDRICK: So, they corrected their
9 problem years ago with litigation?

10 DAVID LENO: Correct.

11 MAYOR HENDRICK: You are coming before us
12 to correct, as far as I am concerned, by
13 petitioning the Board?

14 DAVID LENO: Yes, sir.

15 MAYOR HENDRICK: Okay, go ahead.

16 I am sorry to interrupt you.

17 DAVID LENO: No problem, the change of zone
18 will allow for our client to complete the proposed
19 development.

20 It is our belief and based on the findings
21 and facts that we have examined, the change of
22 zone will not be inconsistent with the land use of
23 the surrounding parcels and will not alter the
24 essential character of the neighborhood.

25 At this time, I would like to

1 ask Guy Leibler to talk about the proposed
2 medical use.

3 MAYOR HENDRICK: Please give your name for
4 the record.

5 GUY LEIBLER: Guy Leibler, President of
6 Simone Development.

7 Mr. Mayor, Deputy Mayor, Trustees, good
8 evening, thank you, we appreciate your time for
9 having us this evening to take you through the
10 project and we are prepared to go through the
11 traffic study this evening.

12 MAYOR HENDRICK: Thank you.

13 GUY LEIBLER: We will, now, have some time
14 over the next couple of weeks to have it reviewed
15 and read, um, my purpose, tonight was to thank you
16 and also to give you a bit of update with our
17 discussions with the user, one which I think the
18 community will like, one which is well known and
19 although I was asked not to give their name in
20 public because we are in negotiations, which I am
21 sure you appreciate, I would hope when I am back
22 in a couple of weeks, I can share that with you.

23 MAYOR HENDRICK: Hopefully, you can. We
24 are all waiting with bated breath.

25 GUY LEIBLER: I look forward to it.

1 Thank you very much.

2 DAVID LENO: At this time, Mr. Mayor, I
3 would like to ask Brian Newman to take you through
4 the specifics of the site and the actual
5 construction that is being contemplated.

6 BRIAN NEWMAN: Good Evening, Mr. Mayor and
7 Members of the Board.

8 MAYOR HENDRICK: Hi, Mr. Newman.

9 BRIAN NEWMAN: Hello, Brian Newman,
10 Architect from Newman Designs.

11 We were established in 1984.

12 We provide architectural urban planning and
13 project management services.

14 Um, registered in New York State, New
15 Jersey, State of Florida and also National Council
16 of Architectural Registration.

17 Board certifications, some of the
18 professional affiliations, we are associated with
19 the American Institute of Architects, National
20 Fire Protection Association, New York State
21 Association for Affordable Housing and the New
22 York Landmarks Conservancy.

23 MAYOR HENDRICK: Very impressive.

24 BRIAN NEWMAN: Thank you.

25 Specific to our site, today, as you can

1 see here, the existing building is a three-story
2 approximately twenty thousand square foot
3 building.

4 Just to the West, we are talking about an
5 addition of approximately nine thousand square
6 feet, also, three stories in height, matching the
7 roofline, maintaining both the front and rear, um,
8 projections of the building or facades of the
9 building and leaving a side yard of approximately
10 twenty feet, um, to the West there.

11 Um, essentially, the parcel or the
12 remaining parcel would be used for parking, most
13 of which, today, is already parking.

14 I have a future slide which I will show the
15 comparisons of what exist today and what you see
16 here.

17 Ingress and egress, as you see on the East
18 side would be off Peninsula Boulevard and the line
19 that we are discussing today, the reason we are
20 here, today is just below or just South of the
21 building itself, pointing to it right there.

22 (Indicating.)

23 MAYOR HENDRICK: Excuse me, is this ingress
24 and egress carved in stone?

25 BRIAN NEWMAN: No.

1 MAYOR HENDRICK: Can there be additional
2 ones?

3 We will talk about it next time around.

4 BRIAN NEWMAN: Correct.

5 MAYOR HENDRICK: There is some question
6 whether it should be on Sunrise Highway or not
7 plus the other one being an ingress and not
8 egress, so, we get the traffic study and we would
9 like to discuss that further with you, is that
10 correct?

11 BRIAN NEWMAN: That's correct.

12 MAYOR HENDRICK: Is that correct, sir?

13 DAVID LENO: Yes, it is.

14 BRIAN NEWMAN: So, the zoning line that we
15 are discussing today, you can see where the blue
16 arrows are above that, the building, itself, as it
17 exists is in the Commercial and below, um, South
18 of that line is the majority of the parking and
19 that exists today, as well.

20 What you see in front of you today is
21 indicating one hundred and twenty parking spaces
22 which would be compliant for a medical use of this
23 type on this parcel and this location and
24 currently there are seventy-eight spaces.

25 If I switch to this slide, here, um,

1 Basically, you can see the top left is basically
2 just a general overview.

3 I think we all know the corner.

4 We are talking about the top right is the
5 southern façade.

6 The bottom right is the existing northern
7 and, um, the bottom left is sort of a corner view,
8 if you will, from the North.

9 The center section, what we are showing,
10 here, I will shut this pointer off, um, I guess
11 you can call it blue turquoise line is the subject
12 parcel, um, that we have here.

13 You can see the building as it exists right
14 on, um, on the center there towards the northern
15 portion.

16 The two red dotted lines are areas that
17 are, um, within our parcel that will be utilized
18 as parking.

19 Right, now, it is partially parking and
20 some landscaping in these areas.

21 Of course, as we move forward and further
22 develop the site in more detail, we will do a full
23 detailed landscape plan when we work out ingress
24 and egress of vehicles, we will further develop
25 landscaping in these areas and landscaping buffer.

1 MAYOR HENDRICK: We are just doing zoning,
2 today.

3 We will talk about the landscaping later
4 on.

5 BRIAN NEWMAN: Correct.

6 I just wanted to also indicate the Atria
7 parcel to the South is that yellow parcel or
8 yellow box that is indicated there which can show,
9 just South of our property, there is a landscaping
10 buffer and, then, the entrance to the Atria which
11 you can see runs in somewhat of a northerly west
12 direction.

13 And, then, if you move further South that
14 is where the residential portion where the
15 neighborhood starts, so, at Atria entrance acts as
16 a buffer between our parcel and the residents to
17 the South.

18 MAYOR HENDRICK: All right.

19 BRIAN NEWMAN: That concluded this portion
20 of the presentation unless there is any specific
21 questions to what I just described.

22 MAYOR HENDRICK: I just have one and maybe
23 the Board does.

24 I am looking at - - you call the small
25 line, mine is not in color, that would be the blue

1 line, the smaller one, the dotted line?

2 BRIAN NEWMAN: The one around the parcel is
3 the blue one.

4 MAYOR HENDRICK: That shows an ingress
5 towards Peninsula is that the one you will leave
6 or are you going to move that if there is ingress
7 and egress on Peninsula?

8 My map said that looked like one was closed
9 and one was a new one was opened.

10 BRIAN NEWMAN: Correct, um, in the drawing
11 that we presented here, that is in a different
12 location on Peninsula than it is today.

13 But, again, we are open to suggestions.

14 MAYOR HENDRICK: All right, they show
15 differently?

16 BRIAN NEWMAN: That is correct, what you
17 are looking at here, that is an actual aerial
18 photograph.

19 MAYOR HENDRICK: That is what I want to
20 know, inside the other, which is a tan line - -

21 BRIAN NEWMAN: Right, no but, yes, between
22 the two red in this picture. (Indicating.)

23 MAYOR HENDRICK: I don't have any color,
24 so, I am just guessing so, thank you.

25 Does the Board have any questions?

1 No? The rest of you, if you have any
2 questions?

3 I would leave them up. Go ahead, next?

4 DAVID LENO: At this time, Mr. Mayor, I
5 will ask Rebecca Goldberg from Camron Engineering
6 to discuss the traffic plans.

7 I do have two additional hardcopies of the
8 plan with me, now, if you like me to submit them.

9 MAYOR HENDRICK: Submit them to - - one,
10 to John Giordano - - submit both to John Giordano.

11 It is too large for us to read, now, so, we
12 will read them later.

13 Just note that they are part of the record,
14 correct, sir?

15 DAVID LENO: Yes.

16 MAYOR HENDRICK: Hello, Mrs. Goldberg, go
17 ahead.

18 REBECCA GOLDBERG: Hello, Good Evening, Mr.
19 Mayor, Deputy Mayor, Trustees:

20 Rebecca Goldberg with Camron Engineering,
21 business address 100 Sunnyside Boulevard in
22 Woodbury.

23 I am a licensed Professional Civil and
24 Traffic Engineer and I prepared the Traffic and
25 Parking Study that was just submitted.

1 My study, essentially, examines possible
2 conditions with this proposed change of zone which
3 is a thirty thousand seventy-five square foot,
4 slightly expanded medical office building.

5 And, whether this proposed change of use
6 would have traffic flow impacts at every
7 intersection of Sunrise Highway and Peninsula
8 Boulevard.

9 And, then, also how potential driveways on
10 Sunrise and/or Peninsula might operate.

11 Also, we looked at whether the site would
12 provide future parking demand and meet Village
13 Codes as shown on the new plan design site plan.

14 As I will explain in a minute, there really
15 will not be significant delay changes at the
16 traffic signal which is Sunrise and Peninsula.

17 And, there will be sufficient onsite
18 parking to both meet the Village requirements and
19 the Americans with Disabilities Act or ADA
20 standards.

21 We visited the site on multiple occasions
22 and did traffic counts last December at the
23 signalized intersection during the times of the
24 week when medical offices are at their busiest and
25 when that coincides with the busiest periods,

1 so, that would be a weekday from 11:00 o'clock
2 in the morning until 2:00 o'clock p.m. and 4:00
3 o'clock to 6:00 p.m. for the evening rush hour
4 and, then on a Saturday midday from 11:00 o'clock
5 in the morning until 2:00 o'clock p.m.

6 The count days were December 4th and
7 December 7th and temperatures at that time ranged
8 in the 45 to 55 degree range.

9 There was no rain, no snow in the forecast,
10 basically like the temperature was today.

11 Following that, we took some standard
12 accepted New York State Department of
13 Transportation Multipliers, so, we could increase
14 the volumes to adjust from December to a June
15 condition when traffic volumes are slightly higher
16 than they are in December.

17 And, then, since the New York State
18 Department of Transportation or DOT has what is
19 called twenty-four hour road tube count, very
20 close to the site within one or two locations on
21 Peninsula Boulevard, we compared the adjusted
22 traffic volumes to those twenty-four hour volumes
23 and actually increased our volumes a little bit
24 more.

25 So, we used those expanded counts.

1 And, then, we projected conditions out to
2 2015, we considered that there would be a new
3 Zwanger Pesiri Medical Office to the East on
4 Sunrise Highway and we considered the Marriott
5 Hotel which is proposed on Langdon Place.

6 We are aware that there is also a movie
7 theater proposed but that theater is,
8 approximately, a way from our property and movie
9 theaters don't generate a lot of traffic during
10 the times when a medical office is active, so, for
11 our intense and purposes, we did not look at the
12 movie theater.

13 So, we calculated the number of trips that
14 this possible medical office would generate and we
15 considered a net change compared to the existing
16 American Water Company Office.

17 We looked at the size of the existing
18 office which is about twenty-one thousand square
19 feet.

20 And, we used the smallest number that we
21 have in the Institute of Transportation Engineers
22 or ITE, Trip Generation Manual, so, we looked at
23 the net difference between the proposed medical
24 business and the existing office use.

25 So, we believe that the net new trips will

1 be seventy-six to one hundred and nine trips
2 during the busiest hours during the week which is
3 not significant compared to the existing volumes
4 on Sunrise Highway and Peninsula Boulevard and the
5 analysis and in studies bears this out.

6 The delay increase that we saw will not be
7 significant, mainly any changes will be below six
8 seconds per vehicle and as we analyzed based on
9 the site plan with access only on Peninsula, the
10 driveway, itself, will operate very well.

11 The delay will be twenty-six seconds per
12 vehicle or less which is very acceptable for peak
13 hour conditions on Peninsula Boulevard.

14 MAYOR HENDRICK: When you say one hundred
15 and seventy-six to one hundred and seventy-six,
16 was it, that is trips?

17 REBECCA GOLDBERG: Seventy-six to one
18 hundred and nine, that is combined, entry and
19 exit.

20 MAYOR HENDRICK: Okay, that is entry and
21 exit, you don't have a time lag in that, it is not
22 at one time, of course, is it?

23 What time in the day is it over?

24 REBECCA GOLDBERG: It is over an entire
25 hour.

1 MAYOR HENDRICK: Okay.

2 REBECCA GOLDBERG: And one hundred and
3 nine, I can look in my report but I believe that
4 is Saturday, midday hour because the American
5 Water Company office is closed on the weekends,
6 so, the net change is whatever is generated by the
7 site.

8 Yes, okay, so, with respect to parking, we
9 believe that the Village would require one hundred
10 and twenty spaces for a thirty thousand seventy-
11 five square foot medical office and the site plan
12 shows one hundred and twenty spaces which meets
13 that Code requirement.

14 Six of the spaces are shown on the plan
15 would be handicapped accessible and that satisfies
16 the ADA.

17 Then we looked at a midday, weekday spot
18 count and we saw that there were ab out thirty-one
19 cars parked on the site in the middle of the day
20 which is the busiest time of the week for a
21 typical office, so, that shows to us that - -
22 helps support that the existing office performance
23 like a low intensity use in the IT Manual.

24 And, that is my whole presentation. I am
25 very happy to answer any questions that

1 you have.

2 MAYOR HENDRICK: Does the Board have any
3 questions?

4 DEPUTY MAYOR BEACH: Not at this time,
5 Mayor.

6 MAYOR HENDRICK: We will keep our questions
7 to the end, thank you very much.

8 DAVID LENO: Mayor, just to note for the
9 record, prior to tonight's Hearing, in accordance
10 with the Village Code, Notices were sent out to
11 everyone within the two hundred radius as required
12 by the Code.

13 I received one phone call from a resident
14 just inquiring about whether this was going to
15 have an impact specifically on her backyard, um,
16 there was no opposition or there were no other
17 phone calls that expressed concerns about the
18 project.

19 MAYOR HENDRICK: What did you tell her
20 about the impact on her backyard?

21 DAVID LENO: She thought her backyard was
22 going to get smaller as a result of the project.

23 I told her that would not be the case.

24 MAYOR HENDRICK: Oh, that was the question.

25 DAVID LENO: Yes.

1 MAYOR HENDRICK: Did you tell her there was
2 a large berm between there and another building's
3 driveway?

4 DAVID LENO: Correct, yes, I did.

5 MAYOR HENDRICK: Stays currently as Atria's
6 exit is.

7 You're North of Atria's exit, correct?

8 DAVID LENO: It should be noted of the two
9 hundred foot radius, I think it is only the back
10 four feet of the backyards of those residential
11 properties are touched.

12 MAYOR HENDRICK: How many Notices did you
13 send?

14 DAVID LENO: Based on the list that was
15 required, I think it was eighteen Notices.

16 MAYOR HENDRICK: Very good.

17 DAVID LENO: That concludes our
18 presentation, Mr. Mayor.

19 VILLAGE ATTORNEY LEDWITH: Mr. Mayor,
20 before we proceed further, I believe the Board - -
21 this maybe the appropriate time to make a SEQRA
22 evaluation.

23 As the Board knows well, that the Board has
24 the obligation of taking a hard look at the entire
25 project to see whether or not

1 it would discern any negative impact on the
2 environment.

3 Maybe I shouldn't be expressing a point of
4 view, it appears that a zone change for a property
5 to simply reflect, it is already being used for,
6 it has been used for the last fifty years, I guess
7 would probably have no affect whatsoever on the
8 environment.

9 MAYOR HENDRICK: Should we do the SEQRA
10 anyway?

11 VILLAGE ATTORNEY LEDWITH: Oh, sure, I
12 think the SEQRA should be done, now.

13 I think we should make a Finding of a
14 negative declaration.

15 MAYOR HENDRICK: Do it, again when they
16 apply for other things, a second SEQRA, correct?

17 VILLAGE ATTORNEY LEDWITH: Yes.

18 MAYOR HENDRICK: Jack, do you want to close
19 this down before I give it over to the Board.

20 JACK LIBERT: Yes, Mayor, I concur as
21 always with Mr. Ledwith's opinion.

22 I think it would also be important that we
23 do it, now, so that Mr. Stanton can shift this
24 over to the Planning Commission and it wouldn't
25 further delay should the Board be inclined

1 to grant the application in the future, we
2 wouldn't have to wait for the Planning Commission
3 to act.

4 MAYOR HENDRICK: Okay, very good.

5 Any comments from the Board or questions?

6 TRUSTEE HAWXHURST: I have one question
7 about the traffic study.

8 MAYOR HENDRICK: Would you come up, please.

9 TRUSTEE HAWXHURST: The volume counts that
10 you did for the new building, did that also
11 include the deliveries that the building would
12 require?

13 REBECCA GOLDBERG: When we did our traffic
14 counts, any traffic that was in the area at that
15 time, we would have counted for but I can't
16 quantify how many deliveries there were when we
17 did our traffic counts.

18 TRUSTEE HAWXHURST: No, no, no, you said,
19 for example, one hundred and nine or one hundred
20 and seventy-six - -

21 REBECCA GOLDBERG: Seventy-six to one
22 hundred nine, in and out.

23 TRUSTEE HAWXHURST: Right, does that
24 include delivery trucks?

25 REBECCA GOLDBERG: Well, it

1 includes - - it likely does.

2 It is based on the Institute of
3 Transportation Studies.

4 TRUSTEE HAWXHURST: Okay, okay.

5 MAYOR HENDRICK: When you use multipliers,
6 it increases that, correct?

7 REBECCA GOLDBERG: Yes.

8 MAYOR HENDRICK: Did that include
9 multipliers that adds in delivery trucks?

10 REBECCA GOLDBERG: They are not vehicle
11 specific, they are based on twenty-four hour
12 counts that probably include whatever deliveries
13 are on major roads like this.

14 MAYOR HENDRICK: Okay, thank you.

15 TRUSTEE HAWXHURST: That is what I wanted
16 to know, thank you.

17 DEPUTY MAYOR BEACH: I think Michael
18 covered it.

19 MAYOR HENDRICK: Anybody else have a
20 question?

21 I am sorry, go ahead.

22 DAVID LENO: Just one additional point, Mr.
23 Mayor, Mr. Ledwith hit it on the head and behind
24 me with this one, is the point that since we are,
25 basically, maintaining, especially in

1 the rear portion of the property, the use that
2 has been there for the past, I don't know, twenty-
3 five, thirty years, what have you, for parking
4 purposes.

5 MAYOR HENDRICK: Right.

6 DAVID LENO: It is proof in and of itself
7 allowing this zone change to occur will not have
8 an impact on the surrounding properties or the
9 neighbors.

10 We are maintaining what is there and has
11 been there historically.

12 MAYOR HENDRICK: We will do the SEQRA
13 anyway.

14 DAVID LENO: Thank you, Mayor.

15 MAYOR HENDRICK: Anybody in the audience
16 have a comment on this project? No?

17 All right, I will adjourn this Public
18 Hearing. I am not closing it, adjourning it to
19 the next Board Meeting.

20 All right, is that correct, you all agree
21 on that on the Board?

22 (Whereupon, a collective "Yes" was heard
23 from all. After, the following ensued.)

24 VILLAGE ATTORNEY LEDWITH: Negative
25 Declaration.

1 MAYOR HENDRICK: We will make a negative
2 declaration, as well, anything, Peter or Jack on
3 that?

4 JACK LIBERT: No, I think you need a Motion
5 on the negative declaration.

6 MAYOR HENDRICK: I will ask for that in a
7 minute.

8 I just wanted to make sure the public knows
9 we are adjourning this until the 27th and they can
10 come down if they have a question, we will be open
11 at that time.

12 Okay, can I have a Motion on the negative
13 declaration.

14 DEPUTY MAYOR BEACH: So moved.

15 TRUSTEE HAWXHURST: Second.

16 MAYOR HENDRICK: All those in favor?

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

19 MAYOR HENDRICK: Thank you very much for
20 your presentation.

21 Goodbye, Mr. Faltischek.

22 ATTORNEY FALTISCHEK: Good seeing you.

23 MAYOR HENDRICK: Good enough, we want to
24 check the law we passed on the fingerprinting to
25 make sure it was broad enough to include

1 if we wish everybody that is hired by the
2 Village or attempts to be hired by the Village,
3 so, that is what we are doing in our side bar.

4 Thank you, Peter.

5 VILLAGE ATTORNEY LEDWITH: You are welcome,
6 Mayor.

7 MAYOR HENDRICK: Next is bills, Tom?

8 TRUSTEE ATKINSON: I move that the bills
9 listed on the abstract audited vouchers be paid as
10 soon as they have been duly audited by the
11 majority.

12 DEPUTY MAYOR BEACH: Second.

13 MAYOR HENDRICK: All in favor?

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

16 MAYOR HENDRICK: Okay, we are at "good &
17 welfare."

18 Um, anybody on the Board have anything? I
19 have a few things, let me go first, all right, I
20 wrote some down.

21 I want to make sure I have them.

22 Tom, you go first and I will look for mine.

23 TRUSTEE ATKINSON: It will be a pleasure
24 Mayor.

25 Mayor, we do not yet have the date

1 for the piece 2014 - -

2 MAYOR HENDRICK: Oh, why not?

3 TRUSTEE ATKINSON: Rest assured it will be
4 at Lido Golf Course.

5 MAYOR HENDRICK: All right.

6 TRUSTEE ATKINSON: Secondly, for all who
7 paid ten thousand dollar dinner dance is on
8 February 8, 2014.

9 MAYOR HENDRICK: All right, very good.

10 TRUSTEE ATKINSON: That is rain or shine,
11 polar vortex or no polar vortex.

12 MAYOR HENDRICK: You got it or the storm
13 from the North.

14 TRUSTEE ATKINSON: The Alberta clipper.

15 (Whereupon, laughter was heard. After, the
16 following ensued.)

17 MAYOR HENDRICK: You want to go next, I
18 will save mine for last.

19 TRUSTEE HAWXHURST: Very briefly, February
20 1st is "Bring your child to the Library Day."

21 Elmo will be there, so, it is a Saturday.
22 Elmo will be there - - at 1:00 o'clock. He will
23 arrive at 2:00 o'clock. There will be a bubble
24 machine.

25 Elmo will be there until 3:00 to take

1 pictures, hang out with your children but, you
2 know, a great opportunity, popcorn down there,
3 drinks, you know a great opportunity to introduce
4 your child to the library, what is available there
5 and come down and see some of the available
6 programs that they have for your kids.

7 Secondly, at the library, you know, even
8 though it passed the holiday time, we are getting
9 into the tax season, the Library sponsors a
10 program, so, please, look at the Library's
11 website, any senior citizen needs their tax
12 information done, taxes done, any tax questions
13 answered but just check the Library's website for
14 scheduled days for that.

15 MAYOR HENDRICK: Thank you. Alan, do you
16 want to go and I will go last.

17 DEPUTY MAYOR BEACH: A couple of things; I
18 got an email from Pat McDermott that someone sent
19 him about Lynbrook which is really nice news.

20 It is a website called "Safewise.com," it
21 is worth noting that this man Eli from the
22 community, Safety Manager of Safewise, "we are
23 happy to announce that Lynbrook Village made our
24 Safewise 50 safest in New York. Congratulations."

25 Of course out of the whole New York

1 State, Lynbrook is 11, which I think that is
2 pretty remarkable considering where we are being
3 one of the safest Villages.

4 MAYOR HENDRICK: Very good.

5 (Whereupon, applause from the audience was
6 heard. After, the following ensued.)

7 DEPUTY MAYOR BEACH: Compliments to our
8 residents and Police force and everybody within.

9 Also, we will be doing some netting down at
10 the railroad from Broadway to the railroad
11 station, let's see if I have the dates, here, I am
12 sorry, January 14th, I think will be shutting the
13 parking lot down in that area to January 16th, so
14 they can do the netting without any damaging to
15 the vehicles and the railroad will doing it.

16 It might be a little awkward for some of
17 the residents that park their vehicles there.

18 We will relocate them to an area.

19 And, Thursday, I went to a dinner with Phil
20 Healey, the awards for the New York Metropolitan
21 Chapter for American Public Works Association
22 where we, um, honored one of our local workers who
23 is a, you know, he works for the DPW for twenty-
24 five years, Tony Testarra that works for the
25 Village for twenty-five years, dedicated to the

1 Village. My hats off to Tony for his service.

2 We also noted our Energy Savings
3 Performance Program was also recognized by this
4 organization and we did receive an award for the
5 energy movements that this Board took over the
6 past year in working with Johnson Control, so, it
7 was really kudos for the Village.

8 And, there were a few other municipalities
9 that approached Johnson Control because they were
10 there, also at this dinner and their exact words
11 were, "we want to do exactly what Lynbrook did."

12 Once, again, Lynbrook is leading the way,
13 not only on Long Island, going Upstate towards
14 into the Westchester area, so, once, again, the
15 Board is working very hard and it is working out,
16 you know, this is very nice when you have other
17 people emulating in what you are doing.

18 And, I think that is all the news I have.

19 MAYOR HENDRICK: I was going to talk about
20 the Energy Conservation Project which awarded us
21 as "Project of the Year," but Alan mentioned it
22 already, so, I will take it off my list.

23 DEPUTY MAYOR BEACH: Okay.

24 MAYOR HENDRICK: I have a new Members of
25 the Fire Department presented to the Fire

1 Council list last month, Brian Donald, Rescue
2 Hook and Ladder and Bucket Company Number 1.

3 Rifkin Kelly, Rescue Hook and Ladder and
4 Bucket Company Number 1.

5 Casey Cunningham to Hose Company Number 1
6 and Jessica Gallagher to Emergency Medical
7 Company.

8 That is all I have on my list.

9 Does anybody in the audience have "good and
10 welfare."

11 Okay, we have to adjourn this Meeting to
12 Executive Session to finish up advice of Counsel
13 and that is about it.

14 So, have a good evening. A Motion to
15 adjourn?

16 DEPUTY MAYOR BEACH: I make a Motion to
17 adjourn to Executive Session.

18 TRUSTEE HAWXHURST: Second.

19 MAYOR HENDRICK: All in favor?

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

22 MAYOR HENDRICK: Thank you. We will see
23 you next Meeting where we will continue the Water
24 Company property application. Thank you very
25 much.

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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 January 13, 2014, consisting of pages 1 through 59 inclusive is an accurate transcription of my cryptic notes.

IN WITNESS WHEREOF, I SET MY HAND THIS DAY.



CHRISTINA MASCIA

CERTIFIED COURT REPORTER

NORTH SHORE COURT REPORTERS

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