

A regular meeting of the Board of Trustees was held on Monday, August 23, 2021, at 7:00 P.M. in the Village Hall:

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

MINUTES – 7/19/21  
RES.# 178-2021

It was moved by Trustee Reardon, seconded by Trustee Ryder, to accept the Minutes of July 19, 2021 as submitted and place on file. Motion carried, Trustee Boccio absent, all others voting “Aye”.

DEPARTMENT  
REPORTS – JULY 2021

It was moved by Deputy Mayor Hawxhurst, seconded by Trustee Reardon, to accept the following Department reports for the month of July 2021: Fire Dept., Police Dept., Library, Recreation, Department of Public Works and Village Justice Court. Motion carried, Trustee Boccio absent, all others voting “Aye”.

PROCLAMATION –  
MIKE PENNA – 38  
YEARS OF SERVICE  
NCPD

Mayor Beach presented a proclamation to Lynbrook Resident Michael Penna in honor of his retirement after 38 years as a police auto mechanic with the Nassau County Police Department’s Fleet Service Bureau.

PRESENTATION –  
DONATION -  
KIWANIS

Steven Wangel of the Lynbrook Kiwanis and past Lieutenant Governor Ralph DeSetta presented a donation to the Lynbrook Community Chest from the proceeds of their fishing trip.

REQUEST – CLINTON  
FOUNDATION – P.F. #  
10 – SEPTEMBER 25,  
2021  
RES.#179-2021

It was moved by Trustee Reardon, seconded by Trustee Ryder, to approve a request from non-profit organization Clinton Institute of 111 Broadway to conduct a fundraiser event in P.F. #10 on Saturday, September 25<sup>th</sup>, 11am – 4pm. Motion carried, Trustee Boccio absent, all others voting “Aye”.

REQUEST – 5K RUN –  
MALVERNE –  
OCTOBER 17, 2021  
RES.#180-2021

It was moved by Trustee Reardon, seconded by Trustee Ryder, to approve the request for the annual 5K run from Malverne Education & Fitness Foundation on October 17, 2021 on various Village roads. Motion carried, Trustee Boccio absent, all others voting “Aye”.

REQUEST – P.D. –  
AUGUST 26, 2021  
**RES.#181-2021**

It was moved by Trustee Ryder, seconded by Deputy Mayor Hawxhurst, to authorize the Lynbrook P.D. to use the Fire Department Bus #420-B, to attend a dinner in NYC on August 26, 2021. Motion carried, Trustee Boccio absent, all others voting “Aye”.

REQUEST- F.D. –  
CHINA TOWN -  
AUGUST 10, 2021  
**RES.#182-2021**

It was moved by Deputy Mayor Hawxhurst, seconded by Trustee Reardon, to ratify authorization for Engine Company No 1 to use the Fire Department Bus number 420-B for their annual trip to China Town in New York City on Thursday August 10, 2021. Motion carried, Trustee Boccio absent, all others voting “Aye”.

REQUEST – F.D. –  
AUGUST 21, 2021  
**RES.#183-2021**

It was moved by Trustee Ryder, seconded by Trustee Reardon, to ratify authorization for the Fire Department to participate in a parade in Brewster, New York in honor of their 125<sup>th</sup> Anniversary on August 21<sup>st</sup> and use Unit #422 - Vulcan Company, Unit #4261 – Fire Police Van, and Chief’s vehicle. Motion carried, Trustee Boccio absent, all others voting “Aye”.

REQUEST –  
HOMECOMING  
PARADE MALVERNE  
UFSD – SEPTEMBER  
25, 2021  
**RES.#184-2021**

It was moved by Trustee Reardon, seconded by Trustee Ryder, to grant permission to Malverne UFSD to hold their Homecoming Parade on Saturday, September 25, 2021, which will cross the intersection of Ocean Ave and Lakeview Ave. Motion carried, Trustee Boccio absent, all others voting “Aye”.

REQUEST –  
OKTOBERFEST –  
OCTOBER 2, 2021  
**RES.#185-2021**

It was moved by Deputy Mayor Hawxhurst, seconded by Trustee Reardon, to set the date of Saturday, October 2, 2021 from 3PM – 11PM for the Village’s Oktoberfest Event at Greis Park. Motion carried, Trustee Boccio absent, all others voting “Aye”.

REQUEST – TRUNK  
OR TREAT –  
OCTOBER 30, 2021  
**RES.#186-2021**

It was moved by Trustee Ryder, seconded by Trustee Reardon to approve Saturday, October 30, 2021 for the annual “Trunk or Treat” event in the hockey rink parking lot at Greis Park as requested by Georgina Cornago. Motion carried, Trustee Boccio absent, all others voting “Aye”.

REQUEST – 20<sup>TH</sup>  
ANNIVERSARY 9/11 –  
SEPTEMBER 11, 2021  
**RES.#187-2021**

It was moved by Trustee Reardon, seconded by Deputy Mayor Hawxhurst, to set the date of Saturday, September 11, 2021 at 8:00 PM, for the 20<sup>th</sup> Anniversary of 9/11 Memorial Service at Village Hall. Motion carried, Trustee Boccio absent, all others voting “Aye”.

REQUEST – MTA PD  
CANINE TRAINING –  
AUGUST 20, 2021  
**RES.#188-2021**

It was moved by Trustee Reardon, seconded by Trustee Ryder, to ratify approval of a request by the MTA PD to use Greis Park for Canine Training on Friday, August 20, 2021. Motion carried, Trustee Boccio absent, all others voting “Aye”.

REQUEST – FDNY VS.  
NYPD LACROSSE  
GAME – AUGUST 20,  
2021  
**RES.#189-2021**

It was moved by Trustee Reardon, seconded by Trustee Ryder, to ratify approval for use of Greis Park on Friday, August 20, 2021 at 8:00 PM for the FDNY vs. NYPD Lacrosse game honoring the 20<sup>th</sup> anniversary of 9/11. Motion carried, Trustee Boccio absent, all others voting “Aye”.

REQUEST –  
PEDIATRIC CANCER  
FOUNDATION-  
SEPTEMBER 13, 2021  
**RES.#190-2021**

It was moved by Deputy Mayor Hawxhurst, seconded by Trustee Reardon, to approve a request from the Mary Ruchalski Pediatric Cancer Foundation to light a tree “gold” on September 13, 2021. Motion carried, Trustee Boccio absent, all others voting “Aye”.

RECREATION – POOL  
RENTAL FEES

It was moved by Deputy Mayor Hawxhurst, seconded by Trustee Reardon, to table amending the post season Pool rental fees. Motion carried, Trustee Boccio absent, all others voting “Aye”.

RECREATION – FALL  
SPORTS PROGRAMS  
**RES.#191-2021**

It was moved by Trustee Ryder, seconded by Trustee Reardon, to authorize the extension of an agreement with Pioneer Sports to provide various sports programs for the Recreation Department at Greis Park for Fall 2021. Motion carried, Trustee Boccio absent, all others voting “Aye”.

RECREATION –  
SENIOR FITNESS  
CLASS

It was moved by Trustee Reardon, seconded by Trustee Ryder, to table authorization for the Mayor to sign a contract with Samantha Jurek for Senior Fitness Classes for the Fall 2021 at Greis Park. Motion carried, Trustee Boccio absent, all others voting “Aye”.

APPOINTMENT –  
CROSSING GUARD

It was moved by Deputy Mayor Hawxhurst, seconded by Trustee Reardon, to table the appointment of Judy Dugger as a crossing guard to replace Josephine Leonardi. Motion carried, Trustee Boccio absent, all others voting “Aye”.

APPOINTMENT –  
RECREATION DANCE  
SPECIALIST –  
ANTONIA  
MARCHESE

It was moved by Trustee Reardon, seconded by Deputy Mayor Hawxhurst, to table the appointment of Antonia Marchese as a provisional Recreation Dance Specialist. Motion carried, Trustee Boccio absent, all others voting “Aye”.

2021 SEASONALS -  
LIFEGUARD  
**RES.#192-2021**

It was moved by Trustee Ryder, seconded by Trustee Reardon, to hire Jack Carroll as a Life Guard Grade 1 Seasonal, \$13.00 per hour. Motion carried, Trustee Boccio absent, all others voting “Aye”.

2021 SEASONALS –  
RECREATION

It was moved by Trustee Ryder, seconded by Trustee Reardon, to table hiring Julia Miller as a Recreation Attendant Part-Time for Fall 2021 to replace Erin Dalton, \$14.00 per hour. Motion carried, Trustee Boccio absent, all others voting “Aye”.

AUTHORIZATION-  
NEW YORK STATE  
BUILDING OFFICIALS  
CONFERENCE – 9/28-  
9/30/21  
**RES.#193-2021**

It was moved by Trustee Reardon, seconded by Trustee Ryder to authorize Superintendent of Buildings, Brian Stanton and Inspector Michael Trotta to attend the New York State Building Officials Conference in Rockland County, Tuesday, September 28 through Thursday, September 30, 2021 to fulfill required annual code training. Motion carried, Trustee Boccio absent, all others voting “Aye”.

P.H. – CHAP. 212-1.1 –  
SIDEWALK  
LIABILITY –  
L.L. #4 OF 2021  
**RES.#194-2021**

Mayor Beach opened the Public Hearing at 7:55 pm to consider the enactment of Local Law #4 of 2021 to amend Section 212-1.1 of the Village Code entitle “Sidewalk Liability” to add a new paragraph F providing that adjoining landowners or occupants shall be responsible for the maintenance and repair of sidewalks and, upon breach of such responsibility, shall be responsible to those who are injured thereby. The Mayor asked for comments, after no further comments, it was moved by Deputy Mayor Hawxhurst, seconded by Trustee Reardon, to close the Hearing at 7:56 pm and enact Local Law #4 of 2021. Motion carried, Trustee Boccio absent, all others voting “Aye”.

P.H. – SUB-DIVISION  
– 403 SCRANTON AVE  
**RES.#195-2021**

The Mayor opened the Public Hearing at 7:56 pm, as Chairman of the Planning Board, to consider an application from RKG Building Inc. for a Subdivision of the property known as 403 Scranton Avenue, Section 34, Block 3, Lot 21 into two separate buildable lots subject to the grant by the Village Board of Zoning Appeals for 2 lot frontage variances and a rear yard variance, to accommodate the subdivision. Albert D’Agostino, Esq., representing the applicant, indicated that the parcel, 10,870 sq. ft., is improved with a vacant home to be demolished, and that the Village Code requires 11,000 square feet for 2 lots. The Mayor indicated that he would recuse himself from voting on a decision. Real Estate expert, Barry Nelson of Nelson & Pope, representing the applicant, presented renderings of the proposed 2 new homes and discussed existing frontages and setbacks of the neighborhood noting that many parcels on Scranton Ave, Birch Street and New Street have substandard legal non-conforming frontages to demonstrate

P.H. – SUB-DIVISION  
– 403 SCRANTON AVE  
CONT'D

that the proposal is compatible with the neighborhood. Mr. Nelson also reported that the square footage of each of the 2 proposed lots exceeded the square footage of those other properties on the radius map and the existing one family structure on the parcel requires extensive repairs. Mr. D’Agostino indicated that the lot area coverage under the Code is 35%, and each of the proposed 2 new lots would be 29.9% and 31% respectively. Richard Geier of RKG Building, applicant, indicated that the building height would be approximately 25’, which is less than the 35’ maximum under the Code, and, if the lot remains as one large lot, a bigger home can be constructed which would not be compatible with the neighborhood. Mr. D’Agostino summarized that the 2 Frontage and one Rear Yard variance are de minimis.

The Mayor asked for comment, those who commented:

Steve Podlaski            34 New Street

Jessica Tagliarino       34 New Street

After no further comment, it was moved by Mayor Beach to close the Hearing at 9:00 pm and reserve decision. Motion carried, Trustee Boccio absent, all others voting “Aye”.

AMEND VEHICLE &  
TRAFFIC CODE –  
DRIVING PARK AVE  
RES.#196-2021

It was moved by Trustee Ryder, seconded by Trustee Reardon, to table a request to amend the Village Vehicle and Traffic Code to add a four-way Stop Intersection on Driving Park Avenue at the corner of Edmund Street. Motion carried, Trustee Boccio absent, all others voting “Aye”.

AUTHORIZATION –  
DOWNTOWN  
REVITALIZATION  
INITIATIVE (DRI)  
GRANT  
RES.#197-2021

It was moved by Deputy Mayor Hawxhurst, seconded by Trustee Reardon, to authorize the Mayor and Village Administrator to sign all applications, contracts and other documents to file the Round 5 Downtown Revitalization Initiative (DRI) grant application with the NYS Economic Development Council. Motion carried, Trustee Boccio absent, all others voting “Aye”. It was moved by Trustee Ryder, seconded by Trustee Reardon, that the Board of Trustees declares itself as Lead Agency and that a Negative Declaration be issued for this action as it has no significant adverse impact on the environment pursuant to the New York State Environmental Quality Review Act. Motion carried, Trustee Boccio absent, all others voting “Aye”.

AUTHORIZATION –  
GOSR DRAINAGE  
GRANT – FOREST  
AVE, OAK ST  
**RES.#198-2021**

It was moved by Deputy Mayor Hawxhurst, seconded by Trustee Reardon, to authorize the Mayor to sign a Grant Agreement with NYS to receive funding from the Governor’s Office of Storm Recovery “Mill River Stormwater” program to alleviate flooding on Forest Ave/Howard Pl, and Oak St/Buckingham Pl. Motion carried, Trustee Boccio absent, all others voting “Aye”. It was moved by Trustee Ryder, seconded by Trustee Reardon, that the Board of Trustees declares itself as Lead Agency and that a Negative Declaration be issued for this action as it has no significant adverse impact on the environment pursuant to the New York State Environmental Quality Review Act. Motion carried, Trustee Boccio absent, all others voting “Aye”.

DISPOSITION OF  
SURPLUS  
EQUIPMENT  
**RES.#199-2021**

It was moved by Trustee Ryder, seconded by Trustee Reardon, to declare the following non-working equipment as surplus and authorize its disposal as e-waste:

HP Monitor – serial #CNC717NWBH

HP Printer – serial #USKC240714

HP Printer – serial #CNRXK40338

Fujitsu Thermal Printer – serial #500356

Digi-merge Touch DVR – serial #DJ08101101140

Digi-merge Touch DVR – serial #DJ01091200329

Motion carried, Trustee Boccio absent, all others voting “Aye”.

SETTLEMENT OF  
VILLAGE CLAIM  
**RES.#200-2021**

It was moved by Deputy Mayor Hawxhurst, seconded by Trustee Reardon to accept the settlement from State Farm for damages to Village property in the matter of Village v. Napoli. Motion carried, Trustee Boccio absent, all others voting “Aye”.

BILLS

It was moved by Trustee Ryder, seconded by Trustee Reardon, that the bills listed on the Abstract of Audit #4, General Fund - \$1,715,379.27, Capital Fund - \$166,230.50, Electronic Transfer - \$27,978.65, Trust & Agency - \$10,052.75 all be paid as soon as same have been duly audited by the majority. Motion carried, Trustee Boccio absent, all others voting “Aye”.

GOOD & WELFARE

Mayor Beach asked if anyone wished to speak under Good & Welfare.

It was moved by Deputy Mayor Hawxhurst, seconded by Trustee Ryder, to approve a “Blue Walk” march on September 18<sup>th</sup> at 10 AM. Motion carried, Trustee Boccio absent, all others voting “Aye”.

The Mayor asked for a moment of silence for former Park Attendant Jack Cussen.

It was moved by Deputy Mayor Hawxhurst, seconded by Trustee Reardon, to continue the meeting in the conference room. Motion carried, Trustee Boccio absent, all others voting “Aye”.

APPOINTMENT –  
CROSSING GUARD  
**RES.#201-2021**

It was moved by Deputy Mayor Hawxhurst, seconded by Trustee Reardon, to approve the appointment of Judy Dugger as a crossing guard to replace Josephine Leonardi. Motion carried, Trustee Boccio absent, all others voting “Aye”.

2021 SEASONALS –  
RECREATION  
**RES.#202-2021**

It was moved by Trustee Ryder, seconded by Trustee Reardon, to approve hiring Julia Miller as a Recreation Attendant Part-Time for Fall 2021 to replace Erin Dalton, at \$14.00 per hour. Motion carried, Trustee Boccio absent, all others voting “Aye”.

APPOINTMENT –  
RECREATION DANCE  
SPECIALIST –  
ANTONIA  
MARCHESE  
**RES.#203-2021**

It was moved by Trustee Reardon, seconded by Deputy Mayor Hawxhurst, to approve the appointment of Antonia Marchese as a provisional Recreation Dance Specialist at a rate of \$20 per hour. Motion carried, Trustee Boccio absent, all others voting “Aye”.

RECREATION –  
SENIOR FITNESS  
CLASS  
**RES.#204-2021**

It was moved by Trustee Reardon, seconded by Trustee Ryder, to authorize the Mayor to sign a contract with Samantha Jurek for Senior Fitness Classes for the Fall 2021 at Greis Park. Motion carried, Trustee Boccio absent, all others voting “Aye”.

CONTRACT – PARTY  
TRAIN  
ENTERTAINMENT  
**RES.#205-2021**

It was moved by Deputy Mayor Hawxhurst, seconded by Trustee Reardon, to sign a contract with Party Train Entertainment to conduct recreation programs at the Recreation Center. Motion carried, Trustee Boccio absent, all others voting “Aye”.

RECREATION – POOL  
RENTAL FEES  
**RES.#206-2021**

It was moved by Deputy Mayor Hawxhurst, seconded by Trustee Reardon, to amend the Pool use fees to \$20,000 for September and October 2021 for Lynbrook School District #20 swim teams. Motion carried, Trustee Boccio absent, all others voting “Aye”.

ADJOURNMENT

It was moved by Trustee Reardon, seconded by Trustee Boccio, to adjourn the meeting at 10:45 PM. Motion carried, Trustee Boccio absent, all others voting “Aye”.