

A regular meeting of the Board of Trustees was held on Monday, August 22, 2022 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 – 7/18/2022  
RES.# 199-2022

It was moved by Trustee Reardon, seconded by Deputy Mayor Hawxhurst, to accept the Minutes of July 18, 2022 as submitted and place on file. Motion carried, Trustee Boccio absent, all others voting “Aye”.

PROCLAMATION -  
LYNBROOK/E.  
ROCKAWAY LITTLE  
LEAGUE

The Mayor presented Certificates to the members of the Lynbrook/East Rockaway Little League Baseball team for winning the 2022 Little League District 30 Championship.

FIRE DEPARTMENT  
REPORT

Chief Kelly gave a report of activities for the Fire Department.

REQUEST – 9/11  
SERVICES –  
SEPTEMBER 11, 2022  
RES.#200-2022

It was moved by Trustee Reardon, seconded by Deputy Mayor Hawxhurst, to approve the 9/11 Memorial Ceremony on Sunday, September 11, 2022 at 8:00 PM, at Village Hall. Motion carried, Trustee Boccio absent, all others voting “Aye”.

REQUEST – TITANS –  
GREIS PARK –  
SEPTEMBER 9, 2022  
RES.#201-2022

It was moved by Trustee Ryder, seconded by Trustee Reardon, to grant permission to the Lynbrook Titans to use Greis Park for their annual Pep Rally on Friday, September 9, 2022, from 6 PM – 9 PM, waiving all fees. Motion carried, Trustee Boccio absent, all others voting “Aye”.

REQUEST – LYNBROOK  
FD – SEPTEMBER 10,  
2022, OCTOBER 22, 2022  
RES.#202-2022

It was moved by Deputy Mayor Hawxhurst, seconded by Trustee Reardon, to grant permission to the Lynbrook Fire Department to use Greis Park and Lynbrook Pool for their Annual Home Tournament and Picnic on Saturday, September 10, 2022 at 2 PM and to grant permission to use Parking Field # 3 or as determined by the Police Chief, to conduct a Fire Prevention/Recruitment Drive on Saturday, October 22, 2022. Motion carried, Trustee Boccio absent, all others voting “Aye”.

REQUEST – BLOCK  
PARTY – WEBSTER ST –  
SEPTEMBER 17, 2022  
RES.#203-2022

It was moved by Trustee Ryder, seconded by Trustee Reardon, to table the request for a Block Party on Webster Street on Saturday, September 17, 2022, rain date Sunday, September 18, 2022. Motion carried, Trustee Boccio absent, all others voting “Aye”.

REQUEST – BAPTIST  
CHURCH – GREIS PARK  
– SEPTEMBER 17, 2022  
**RES.#[204-2022](#)**

It was moved by Deputy Mayor Hawxhurst, seconded by Trustee Reardon, to grant permission to the Lynbrook Baptist Church to use Greis Park for their Annual Church Picnic on Saturday, September 17, 2022, 10AM to 4PM and waive all fees. Motion carried, Trustee Boccio absent, all others voting “Aye”.

REQUEST –  
HOMECOMING PARADE  
MALVERNE UFSD –  
SEPTEMBER 24, 2022  
**RES.#[205-2022](#)**

It was moved by Trustee Reardon, seconded by Trustee Ryder, to grant permission to Malverne UFSD to hold their Homecoming Parade on Saturday, September 24, 2022, which will cross the intersection of Ocean Ave and Lakeview Ave. Motion carried, Trustee Boccio absent, all others voting “Aye”.

REQUEST – NSPC  
MOBILE HEALTH  
**RES.#[206-2022](#)**

It was moved by Deputy Mayor Hawxhurst, seconded by Trustee Reardon, to approve the request from NSPC Brain & Spine Surgery to allow their mobile medical examination unit to be available to Village of Lynbrook employees on or about Thursday, September 29, 2022 and Thursday, October 6, 2022 from 10AM – 2PM subject to indemnification of the Village and receipt of evidence of medical malpractice and other insurance as required by Counsel. Motion carried, Trustee Boccio absent, all others voting “Aye”.

REQUEST –  
OKTOBERFEST –  
OCTOBER 1, 2022  
**RES.#[207-2022](#)**

It was moved by Deputy Mayor Hawxhurst, seconded by Trustee Reardon, to set the date of Saturday, October 1, 2022 from 3PM – 11PM for the Village’s Oktoberfest Event at Greis Park. Motion carried, Trustee Boccio absent, all others voting “Aye”.

REQUEST – ST JOHN’S  
HARVEST FESTIVAL –  
OCTOBER 1, 2022  
**RES.#[208-2022](#)**

It was moved Trustee Reardon, seconded by Trustee Ryder, to grant permission to St John Incarnation Lutheran Church to hold their annual Harvest Festival at 13 Blake Ave on Sunday, October 2, 2022 from 11AM – 3PM and erect a temporary sign facing Peninsula Blvd and Merrick Rd and waive the corresponding fees. Motion carried, Trustee Boccio absent, all others voting “Aye”.

REQUEST – 5K RUN  
MALVERNE EFF –  
OCTOBER 16, 2022  
**RES.#[209-2022](#)**

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 Sunday, October 16, 2022 on various Village roads. Motion carried, Trustee Boccio absent, all others voting “Aye”.

APPOINTMENT -  
COURT CLERK  
**RES.#[210-2022](#)**

It was moved by Deputy Mayor Hawxhurst, seconded by Trustee Reardon, to appoint Michele Rouse as acting Clerk to the Village Justice in the Village Court’s office at a wage of \$70,000 per

APPOINTMENT –  
COURT CLERK CONT'D

year to replace Jackie DuBon who will be retiring on September 26, 2022. Motion carried, Trustee Boccio absent, all others voting “Aye”.

APPOINTMENT –  
NEIGHBORHOOD AIDES  
RES.#[211-2022](#)

It was moved by Trustee Reardon, seconded by Trustee Ryder, to approve the appointment of the following Neighborhood Aides at a rate of \$20 per hour:

William Wren  
Mateo Santos  
Ryan Acevedo

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

PUBLIC HEARING – L.L.  
#5 OF 2022 – CHAP 137 –  
WASTE CONTAINER  
RES.#[212-2022](#)

The Mayor opened the Public Hearing at 7:30 PM to consider the enactment of Local Law #5 of 2022, to amend Chapter 137 of the Code of the Village of Lynbrook entitled “Garbage Collection and Recycling” to consider amending Village Code Chapter 137, Section 2(6) which would make it unlawful for any business, restaurant or commercial establishment which either serves food or has food served at its location to use a waste receptacle made of any material other than metal construction. The Mayor read the proposed Local Law and asked for comments. After no further comments, it was moved by Deputy Mayor Hawxhurst, seconded by Trustee Ryder, to close the Hearing at 7:32 PM. 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”.

CONTRACT – BID  
AWARD – POOL  
HEATER  
RES.#[213-2022](#)

The Village Administrator reported that the following Bids were received on August 4, 2022 for a replacement Gas Boiler for the Village Pool:

<u>Bidder</u>	<u>Bid amount</u>
Lynbrook Plumbing & Heating	\$ 46,000
Aquatic Dynamics Inc	99,787
JNS Heating Service Inc	127,000
Intricate Tech Solutions Ltd	140,000

It was moved by Trustee Reardon, seconded by Trustee Ryder, to reject all bids and authorize an expenditure of up to \$5,000 for repairs. Rick Adams, Aquatic Dynamics commented. Motion carried, Trustee Boccio absent, all others voting “Aye”.

CONTRACT – BID  
AWARD – COURT  
OFFICE  
RES.#[214-2022](#)

The Village Administrator reported that the following Bid was received on July 28, 2022 for the Court Office extension:

<u>Bidder</u>	<u>Bid Amount</u>
G-Star Enterprises	\$78,895

It was moved by Deputy Mayor Hawxhurst, seconded by Trustee Reardon, to reject the sole bid received as the cost exceeded the amount of the NYS JCAP grant award. Motion carried, Trustee Boccio absent, all others voting “Aye”.

CONTRACT – BID  
AWARD – FOREST/OAK  
DRAINAGE  
RES.#[215-2022](#)

The Village Administrator reported that the following Bids were received on August 18, 2022 for Drainage Improvements on Forest Avenue and on Oak St/Buckingham Pl:

<u>Bidder</u>	<u>Bid Amount</u>
Laser Industries, Inc	\$ 907,588.00
Aventura Construction Corp	1,122,225.00
Pratt Brothers, Inc	1,158,692.50
Allen Industries, Inc	1,189,828.00
A.J. Contacting of NY LLC	1,194,710.00
Stasi Industries	1,286,640.00
A.L.A.C. Contracting Corp	1,678,910.00

It was moved by Deputy Mayor Hawxhurst, seconded by Trustee Reardon, to award the bid to Laser Industries, Inc as the lowest responsible bidder subject to the approval of the NYS GOSR, the grant funding authority. Motion carried, Trustee Boccio absent, all others voting “Aye”.

CONTRACT – NATURAL  
GAS DELIVERY –  
DIRECT ENERGY  
RES.#[216-2022](#)

It was moved Trustee Ryder, seconded by Deputy Mayor Hawxhurst, to table authorization for the Mayor to sign a contract with Direct Energy as Natural Gas CCA at the same pricing levels for delivery as Great American Gas. Motion carried, Trustee Boccio absent, all others voting “Aye”.

CONTRACT – HERRICKS  
SD – POOL USE  
RES.#[217-2022](#)

It was moved by Trustee Ryder, seconded by Trustee Reardon, to authorize the Mayor to sign an agreement with Herricks School District to use the Village Pool 5:30 am to 6:30am, August 30, 2022 – September 4, 2022. Motion carried, Trustee Boccio absent, all others voting “Aye”.

CONTRACT – ST.  
RAYMOND’S SWIM  
TEAM – POOL USE  
RES.#[218-2022](#)

It was moved by Trustee Reardon, seconded by Trustee Ryder, to authorize the Mayor to sign an agreement with St. Raymond’s Swim Team to use the Village Pool Sundays, 9 am -12 pm, beginning

CONTRACT – ST.  
RAYMOND’S SWIM  
TEAM – POOL USE  
CONT’D

September 11, 2022 and ending October 23, 2022. Motion carried,  
Trustee Boccio absent, all others voting “Aye”.

CONTRACT – VILLAGE  
HALL HVAC -  
RENEWAL  
RES.#[219-2022](#)

It was moved by Deputy Mayor Hawxhurst, seconded by Trustee Reardon, to renew the current Village Hall HVAC Maintenance agreement with HiTech Air Conditioning on a month-to-month basis. Motion carried, Trustee Boccio absent, all others voting “Aye”.

CONTRACT – AMEND  
GRANT – PARK  
GATEWAY  
RES.#[220-2022](#)

It was moved by Trustee Ryder, seconded by Trustee Reardon, to authorize the request to Nassau County to amend its CRP Grant Agreement \$75,000 “Merrick Road Gateway” to read “Greis Park Gateways” and for the Mayor to execute all related grant Agreements. Motion carried, Trustee Boccio absent, all others voting “Aye”. It was moved by Trustee Reardon, seconded by Deputy Mayor Hawxhurst, 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 PD VEHICLES  
RES.#[221-2022](#)

It was moved by Trustee Reardon, seconded by Trustee Ryder, to transfer the following surplus police vehicles as follows:  
2019 Chevy Tahoe Vin#1GNSKDEC9KR150594 to Building Dept, and declare as surplus a Building Department 2007 Ford Expedition, Vin#1FMFK16527LA42039, Police Department 2018 Chevy Tahoe Vin#1GNSKDEC7JR217207 to be sold to the highest bidder. Motion carried, Trustee Boccio absent, all others voting “Aye”.

PERMIT – OUTDOOR  
DINING – 14 ATLANTIC  
AVE  
RES.#[222-2022](#)

It was moved by Deputy Mayor Hawxhurst, seconded by Trustee Reardon, to table the request for Outdoor Dining by Vincent’s Restaurant, 14 Atlantic Avenue. Motion carried, Trustee Boccio absent, all others voting “Aye”.

PERMIT – BASKETBALL  
HOOP – 9 HAZEL PL  
RES.#[223-2022](#)

It was moved by Deputy Mayor Hawxhurst, seconded by Trustee Ryder, to table a request for a permit under Section 212-3 of the Village Code for a free-standing basketball hoop in front of 9 Hazel Pl. Motion carried, Trustee Boccio absent, all others voting “Aye”.

JUSTICE COURT  
REPORT 2021/2022  
RES.#[224-2022](#)

It was moved by Deputy Mayor Hawxhurst, seconded by Trustee Reardon, to ratify its annual authorization to the Village Auditor to audit the 5/31/22 year-end records and dockets of the Village Justice Court

JUSTICE COURT  
REPORT 2021/2022  
CONT'D

pursuant to the Uniform Justice Court Act as soon as examined by the Board. Motion carried, Trustee Boccio absent, all others voting "Aye".

AMEND CREDIT CARD  
POLICY  
RES.#[225-2022](#)

It was moved by Trustee Reardon, seconded by Trustee Ryder, to amend the Credit Card Policy to allow the use of additional cards by each Department. Motion carried, Trustee Boccio absent, all others voting "Aye".

RECREATION – FALL  
SPORTS PROGRAMS  
RES.#[226-2022](#)

It was moved by Trustee Ryder, seconded by Trustee Reardon, to deny the request from Pioneer Sports to offer a Flag Football Camp at Greis Park for Fall 2022 as it would conflict with an existing program by Lynbrook Titans. Motion carried, Trustee Boccio absent, all others voting "Aye".

RECREATION – AMEND  
SEASONAL WAGE  
POLICY  
RES.#[227-2022](#)

It was moved by Deputy Mayor Hawxhurst, seconded by Trustee Reardon, to amend the starting hourly wage for the following positions:

Recreational Specialist – Arts & Crafts	\$20-\$22
Recreation Leader	\$20-\$22

Motion carried, Trustee Boccio absent, all others voting "Aye".

REQUEST – KIWANIS  
RES.#[228-2022](#)

It was moved by Trustee Reardon, seconded by Trustee Ryder, to table the requests from the Lynbrook Kiwanis to utilize Greis Park for a Community Expo, and a request to administer a Village wide Garage Sale. 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 Audited Voucher #3, General Fund - \$1,156,276.42, Capital Fund - \$489,791.59, Trust & Agency, - \$41,435.22, Community Development - \$181,800.00, Electronic Transfer - \$94,213.86, all be paid as soon as same have been duly audited by the majority. Motion carried, Trustee Boccio absent, all others voting "Aye".

GOOD AND WELFARE

Former Mayor Brian Curran, Community Chest Chair, reminded all to vote in tomorrow's Primary elections.

It was moved by Deputy Mayor Hawxhurst, seconded by Trustee Reardon, to adjourn to the conference room for a continuation of the meeting. Motion carried, Trustee Boccio absent, all others voting "Aye".

PERMIT – OUTDOOR  
DINING – 14 ATLANTIC  
AVE  
**RES.#229-2022**

It was moved by Deputy Mayor Hawxhurst, seconded by Trustee Reardon, to approve the request for Sidewalk Outdoor Dining as applied for by Vincent’s Restaurant, 14 Atlantic Avenue to be held on Fridays and Saturdays, from 5 PM to 10:30 PM for 2022. Motion carried, Trustee Boccio absent, all others voting “Aye”.

PERMIT – BASKETBALL  
HOOP – 9 HAZEL PL  
**RES.#230-2022**

It was moved by Deputy Mayor Hawxhurst, seconded by Trustee Ryder, to approve the request for a free-standing basketball hoop in front of 9 Hazel Pl for a 1-year period, hours of operation until 8:00 PM. Motion carried, Trustee Boccio absent, all others voting “Aye”.

RETIREE HEALTH  
INSURANCE  
**RES.#231-2022**

It was moved by Deputy Mayor Hawxhurst, seconded by Trustee Ryder, to deny a request for retiree health insurance for a 12-year employee to reduce the 40% premium share to 20%. Motion carried, Trustee Boccio absent, all others voting “Aye”.

REQUEST – F.D. BUS  
**RES.#232-2022**

It was moved by Trustee Reardon, seconded by Trustee Ryder, to deny a request to use the Fire Department Bus for a non firematic activity. Motion carried, Trustee Boccio absent, all others voting “Aye”.

SICK LEAVE – UPSEU  
**RES.#233-2022**

It was moved by Deputy Mayor Hawxhurst, seconded by Trustee Ryder, to table a discussion on the settlement with the UPSEU concerning the payment of Sick Leave to 4 part time employees. Motion carried, Trustee Boccio absent, all others voting “Aye”.

ADJOURNMENT

It was moved by Trustee Reardon, seconded by Deputy Mayor Hawxhurst, to adjourn the meeting at 10:35 PM. Motion carried, Trustee Boccio absent, all others voting “Aye”.