

A regular meeting of the Board of Trustees was held on Monday, November 28, 2022 at 7:00 P.M. in the Village Hall:

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

MINUTES – 11/07/2022
RES.# 307-2022

It was moved by Trustee Ryder, seconded by Trustee Reardon, to accept the Minutes of November 7, 2022 as submitted and place on file. Motion carried, Deputy Mayor Hawxhurst absent, all others voting “Aye”.

CHAMBER OF
COMMERCE REPORT

Polly Talbot, of the Chamber of Commerce gave a report of Chamber activities.

OATH - P. O. KEVIN
MOON

The Mayor administered the Oath of Office to new Police Officer Kevin Moon.

P.D. – HOLIDAY LIGHT
TOUR – 12/13/2022
RES.# 308-2022

It was moved by Trustee Reardon, seconded by Trustee Boccio, to approve the request of the Holiday Light Community Walking Tour on December 13, 2022 at 7:00 PM sponsored by the Lynbrook Police Department. Motion carried, Deputy Mayor Hawxhurst absent, all others voting “Aye”.

P.D. – DISPOSITION OF
SURPLUS COMPUTERS
RES.# 309-2022

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

HP Compaq 6200 Pro	SN: 2AU2261C19
HP Compaq 6200 Pro	SN: 2AU2261C18
HP Compaq 6200 Pro	SN: 2AU2261C17
HP 6200 Pro	SN: 2AU2261C1G
HP Pro 3500 Series MT	SN: MXL43715WK
HP Compaq DC7800	SN: AU8060QS1
HP Pavilion Desktop	SN: MXX61702WM
Dell PowerEdge T300 Server	SN: 9367LK1

Motion carried, Deputy Mayor Hawxhurst absent, all others voting “Aye”.

REQUEST – P.D. –
STAFFING
RES.# 310-2022

It was moved by Trustee Reardon, seconded by Trustee Boccio, to approve the hiring of Akash Nair for the position of Neighborhood Aide Part-Time at a rate of \$20 per hour and Frank Albergo for the position of School Crossing Guard at a rate of \$15 per hour subject to the approval of the Nassau County Civil Service Commission. Motion carried, Deputy Mayor Hawxhurst absent, all others voting “Aye”.

WAIVE PARKING
RESTRICTIONS –
HOLIDAYS
RES.# 311-2022

It was moved by Trustee Reardon, seconded by Trustee Ryder, to waive the on-street overnight parking regulations for the 2022 holidays as follows:

Sunday, December 18, 2022 – Sunday, January 1, 2023

Motion carried, Deputy Mayor Hawxhurst absent, all others voting “Aye”.

PUBLIC HEARING –
SENIOR TAX
EXEMPTION
RES.# 312-2022

The Mayor opened the Public Hearing at 7:15 PM to consider the enactment of Local Law #6 of 2022, to amend Chapter 222 of the Code of the Village of Lynbrook, Sections 222-17 and 222-18 entitled “Taxation – Exemption established” and “Conditions for eligibility” by

PUBLIC HEARING –
SENIOR TAX
EXEMPTION
CONT'D

partially increasing the income limits to qualify for a Aged Tax Exemption. The Mayor read the proposed Local Law and asked for comments. Maureen Doyle of 54 Robertson Road spoke. After no further comments, it was moved by Trustee Boccio, seconded by Trustee Ryder, to close the Hearing at 7:16 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, Deputy Mayor Hawxhurst absent, all others voting “Aye”.

SET DATES – BOARD
MEETINGS – JANUARY,
FEBRUARY & MARCH
2023
RES.# [313-2022](#)

It was moved by Trustee Reardon, seconded by Trustee Boccio, to set the dates of the upcoming Board of Trustee meetings at 7:00 PM as follows:

January 23, 2023
February 21, 2023 - Grievance Day 5:00 PM
March 13, 2023
March 27, 2023

Motion carried, Deputy Mayor Hawxhurst absent, all others voting “Aye”.

REQUEST –
RECREATION – WINTER
RECREATION
PROGRAM CONTACT
RES.# [314-2022](#)

It was moved by Trustee Boccio, seconded by Trustee Ryder, to authorize the extension of an agreement with Pioneer Sports to provide various sports programs for the Recreation Department at Greis Park for the Winter 2022/2023. Motion carried, Deputy Mayor Hawxhurst absent, all others voting “Aye”.

REQUEST –
RECREATION
ATTENDANT –
LAMANNO
RES.# [315-2022](#)

It was moved by Trustee Ryder, seconded by Trustee Reardon, to hire Angela Lamanno and Lily Ventimiglia as Recreation Attendants P/T at a rate of \$15.00 per hour. Motion carried, Deputy Mayor Hawxhurst absent, all others voting “Aye”.

REQUEST – GREIS PARK
– LOVE OF GIOVANNI –
12/11/22
RES.# [316-2022](#)

It was moved by Trustee Boccio, seconded by Trustee Ryder, to approve a request from the “Love of Giovanni Foundation” to use the Recreation Center at Greis Park and to waive any fees, for a holiday craft event on Sunday, December 11, 2022 from 3:00 PM to 5:30 PM. Motion carried, Deputy Mayor Hawxhurst absent, all others voting “Aye”.

INTER-MUNICIPAL
AGREEMENT -
MALVERNE SCHOOL
DISTRICT – FUEL
SHARING
RES.# [317-2022](#)

It was moved by Trustee Boccio, seconded by Trustee Reardon, to authorize the Mayor to sign an Inter-Municipal Agreement between the Village of Lynbrook and Malverne Union Free School District to authorize the District to obtain fuel from the Village DPW. Motion carried, Deputy Mayor Hawxhurst absent, all others voting “Aye”.

2023 HOLIDAY
SCHEDULE
RES.# [318-2022](#)

It was moved by Trustee Boccio, seconded by Trustee Reardon, to approve a request from the UPSEU to substitute Lincoln’s Birthday with July 3, 2023 as a Holiday. Motion carried, Deputy Mayor Hawxhurst absent, all others voting “Aye”.

BID AWARD – ASPHALT
PAVER
RES.# [319-2022](#)

The Village Administrator reported that the following Bids were received on November 17, 2022 for the Asphalt Paver:

<u>Bidder</u>	<u>Bid Amount</u>	
H. O. Penn Machinery Co., Inc.	\$178,455.00	New
	N/A	Used
All Island Equipment Corp	183,900.00	New
	138,000.00	Used

It was moved by Trustee Boccio, seconded by Trustee Reardon, to table the decision as requested by Superintendent of Public Works Philip Healey. Motion carried, Deputy Mayor Hawxhurst absent, all others voting “Aye”.

REQUEST – P.F. #19
RES.# 320-2022

It was moved by Trustee Boccio, seconded by Trustee Reardon, to close municipal parking field # 19 as requested by a tree trimmer for SportTime on December 1, 2022 from 6 AM to 4PM. Motion carried, Deputy Mayor Hawxhurst absent, all others voting “Aye”.

BILLS

It was moved by Trustee Ryder, seconded by Trustee Boccio, that the bills listed on the Abstract of Audited Voucher #7, General Fund - \$4,452,512.07, Capital Fund - \$17,140.00, Trust & Agency, - \$11,186.48, Electronic Transfer - \$32,276.70, all be paid as soon as same have been duly audited by the majority. Motion carried, Deputy Mayor Hawxhurst absent, all others voting “Aye”.

GOOD AND WELFARE

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

PURCHASE – OCEAN
AVE
RES.# 321-2022

It was moved by Trustee Boccio, seconded by Trustee Reardon, to authorize the Mayor to execute a Contract of Sale for the purchase of vacant property on the west side of Ocean Avenue, Village Section 13, Lot 2, Block 4A, part of 368 Ocean Avenue north of the LIRR, in the amount of \$850,000 as per appraisal for use by the Department of Public Works and direct the Superintendent of Public Works to relocate all Public Works materials from Wilcox Alley, between Wright Ave and Horton Ave, to such new location and to furthermore issue a Declaration of Intent to fund all such land acquisition and improvement costs from the sale of Bonds. Motion carried, Deputy Mayor Hawxhurst absent, all others voting “Aye”. It was moved by Trustee Reardon, seconded by Trustee Ryder, 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, Deputy Mayor Hawxhurst absent, all others voting “Aye”.

SEVERANCE - A.
GENNA
RES.# 322-2022

It was moved by Trustee Reardon, seconded by Trustee Boccio, to approve the severance payout for Recreation Supervisor Andrea Genna. Motion carried, Deputy Mayor Hawxhurst absent, all others voting “Aye”.

PROCUREMENT POLICY
RES.# 323-2022

It was moved by Trustee Ryder, seconded by Trustee Boccio, to amend the Procurement Policy (see exhibit “A”). Motion carried, Deputy Mayor Hawxhurst absent, all others voting “Aye”.

AMBULANCE 425
RES.# 324-2022

It was moved by Trustee Boccio, seconded by Trustee Reardon, to authorize the receipt of bids to replace Ambulance 425 and the sale of either existing 425A or 425B, and issue a Declaration of Intent to fund such payment from a Bond issue. Motion carried, Deputy Mayor Hawxhurst absent, all others voting “Aye”.

36 CARPENTER AVE
RES.# 325-2022

It was moved by Trustee Reardon, seconded by Trustee Ryder, to utilize 46th year Community Development Block Grant funds to pave Parking Field # 10 and the adjacent Library parking lot, both located on Carpenter Avenue in lieu of paving the 36 Carpenter Avenue lot by the issuance of a Change Order with Valenti Contracting, subject to the approval of the Nassau County Office of Housing . Motion carried, Deputy Mayor Hawxhurst absent, all others voting “Aye”. It was moved by Trustee Boccio, seconded by Trustee Ryder, 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

36 CARPENTER AVE
CONT'D

Review Act. Motion carried, Deputy Mayor Hawxhurst absent, all others voting "Aye".

ROCKLYN AVENUE
RES.# 326-2022

It was moved by Trustee Boccio, seconded by Trustee Reardon, to direct the Superintendent of Public Works to obtain an estimate to pave Rocklyn Avenue, north of Sunrise Highway. Motion carried, Deputy Mayor Hawxhurst absent, all others voting "Aye".

ADJOURNMENT

It was moved by Trustee Ryder, seconded by Trustee Boccio to adjourn the meeting at 9:08 PM. Motion carried, Deputy Mayor Hawxhurst absent, all others voting "Aye".



PROCUREMENT POLICY – VILLAGE OF LYNBROOK

WHEREAS, Section 104-b of the General Municipal Law requires the governing body of every municipality to adopt a procurement policy for all goods and services which are not required by law to be publicly bid, and

WHEREAS, comments have been solicited from all officers in the Village involved in the procurement process, now, therefore, be it

RESOLVED, that the Village of Lynbrook does hereby adopt the following procurement policy which is intended to apply to all goods and services which are not required by law to be publicly bid.

PROCUREMENT POLICY FOR THE VILLAGE OF LYNBROOK

1. Every purchase to be made must be initially reviewed to determine whether it is a Purchase Contract or a Public Works Contract. Once that determination is made, a good faith effort will be made to determine whether it is known or can reasonably be expected that the aggregate amount to be spent on the item of supply or service is not subject to competitive bidding, taking into account past purchases and the aggregate amount to be spent in a year. The following items are not subject to competitive bidding pursuant to Section 103 of the General Municipal Law: purchase contracts under \$20,000 and public works contracts under \$35,000; emergency purchases as declared by the Board of Trustees; goods purchased from agencies for the blind or severely handicapped; goods purchased from correctional institutions; purchases under State and county contracts; and surplus and second-hand purchases from another governmental entity.

The decision that a purchase is not subject to competitive bidding will be documented in writing by the individual making the purchase.

This documentation may include written verbal quotes from vendors, a memo from the purchaser indicating how the decision was arrived at, a copy of the contract indicating the source which makes the item or service exempt, or any other written documentation that is appropriate.

Under NYS General Municipal Law Section 104(b) the following are responsible for purchasing of their departments:

Police Department	Chief Lieutenant
Court	Court Clerk
Village Clerk's Office	Deputy Clerk/Treasurer
Building Department	Clerk Typist
Assessing Department	Assessor
Recreation Department	Parks Supervisor Clerk Typist Recreation Supervisor
Department of Public Works	Superintendent of Public Works Deputy Superintendent of Public Works Clerk Typist MEO Maint. Supervisor
Library	Library Director
Fire Department	Purchasing Agent

2. All goods and services will be secured by use of written requests for proposals, written quotations, verbal quotations, or any other method that assures that goods will be purchased at the lowest price and that favoritism will be avoided, except in the following circumstances: purchase contracts over \$20,000 and public works contracts over \$35,000; goods purchased from agencies for the blind or severely handicapped pursuant to Section 175-b of the State Finance Law; goods purchased from correctional institutions pursuant to Section 186 of the Correction Law; purchases under State contracts pursuant to Section 104 of the General Municipal Law; purchases under county contracts pursuant to Section 103 (3) of the General Municipal Law; or purchases pursuant to subdivision 6 of this policy.

3. The following method of purchase will be used when required by this policy in order to achieve the highest savings:

Estimated Amount of Purchase	Method
\$3,499 - \$9,999	2 verbal quotations
\$10,000 - \$19,999	2 written quotations

Estimated Amount of Public Works Contract	Method
\$3,499 - \$ 9,999	2 verbal quotations
\$9,999 - \$34,999	2 written quotations

A good faith effort shall be made to obtain the required number of proposals or quotations.

If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser will document the attempt made at obtaining the proposals. In no event shall the failure to obtain the proposals be a bar to the procurement.

- 4. Documentation is required of each action taken in connection with each procurement.
- 5. Documentation and an explanation is required whenever a contract is awarded to other than the lowest responsible offeror. This documentation will include an explanation of those respects in which the lowest responsible offer was not responsive to the request for an offer, of how the award will achieve savings or how the offeror was not responsible. A determination that the offeror is not responsible shall be made by the Board of Trustees and may not be challenged under any circumstances.
- 6. Pursuant to General Municipal Law Section 104-b (2) (f), the procurement policy may contain circumstances when, or types of procurements for which, in the sole discretion of the governing body, the solicitation of alternative proposals or quotations will not be in the best interest of the municipality. In the following circumstances it may not be in the best interest of the Village of Lynbrook to solicit quotations or document the basis for not accepting the lowest bid:
 - a. Professional services or services requiring special or technical skill, training or expertise. The individual or company must be chosen based on accountability, reliability, responsibility, skill, education and training, judgment, integrity, and moral worth. These qualifications are not necessarily found in the individual or company that offers the lowest price and the nature of these services are such that they do not readily lend themselves to competitive procurement procedures.

In determining whether a service fits into this category the Board of Trustees shall take into consideration the following guidelines: (a) whether the services are subject to State licensing or testing requirements; (b) whether substantial formal education or training is a necessary prerequisite to the performance of the services; and (c) whether the services require a personal relationship between the individual and municipal officials. Professional or technical services shall include but not be limited to the following: services of an attorney; services of a physician; technical services of an engineer engaged to prepare plans, maps and estimates; securing insurance coverage and/or services of an insurance broker; services of a certified public accountant; investment management services; printing services involving extensive writing, editing or art work; management of municipally owned property; and computer software or programming services for customized programs, or services involved in substantial modification and customizing of pre-packaged software.

b. Emergency purchases pursuant to Section 103 (4) of the General Municipal Law. Due to the nature of this exception, these goods or services must be purchased immediately and a delay in order to seek alternate proposals may threaten the life, health, safety or welfare of the residents. This section does not preclude alternate proposals if time permits.

c. Purchases of surplus and second-hand goods from any source. If alternate proposals are required, the Village is precluded from purchasing surplus and second-hand goods at auctions or through specific advertised sources where the best prices are usually obtained.

It is also difficult to try to compare prices of used goods and a lower price may indicate an older product.

d. Goods or services under \$500. The time and documentation required to purchase through this policy may be more costly than the item itself and would therefore not be in the best interest of the taxpayer. In addition, it is not likely that such de minimis contracts would be awarded based on favoritism.

7. Purchase of Vehicles: Board authorization is required prior to purchasing or soliciting for bids of any used or new vehicle, regardless of such items previously approved in the annual budget, bond issue, Grant or otherwise; Purchase Orders must be signed by the Mayor.

8. This policy shall go into effect January 1, 1992 and will be reviewed and amended annually as necessary.

Adopted: December 9, 1991

Revised: April 12, 1993

November 2, 1995

April 4, 2011

November 17, 2014

September 13, 2021

November 28, 2022