

A regular meeting of the Board of Trustees sitting as the Board of Assessment Review was held on Tuesday, February 21, 2023 at 5:00 P.M. in the Village Hall:

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

BOARD OF ASSESSMENT
REVIEW

Mayor Beach presided at 5:00 PM to open the Grievance Hearing pursuant to section 1406(4) of the Real Property Tax Law and advised that tonight's Hearing will be held until at least 9:00 PM simultaneously with a regular Board of Trustees Meeting. Village Administrator, John Giordano and Village Assessor, Lisa Kenny were present. At 5:45 PM a quorum was now present and the Mayor opened the Grievance Hearing. The Board reviewed various Grievances filed against the 2023 Tentative Assessment Roll.

2023/2024 TENTATIVE
BUDGET REVIEW

The Board also reviewed 2023/2024 Tentative Budget requests from the Fire Department Rent Committee, Emergency Management Office, Building Department and Police Department. It was moved by Trustee Boccio, seconded by Trustee Reardon, to authorize the purchase of a scanner machine for the Building Department at an approximate cost of \$10,000, for 23/24. Motion carried, Deputy Mayor Hawxhurst absent, all others voting "Aye". The Board also reviewed 23/24 Tentative Budget requests from the Parks Department.

2023 GRIEVANCE
PETITIONS

The Mayor continued the Hearing with all present and reviewed Grievance applications filed against the 2023 Tentative Assessment Roll, as submitted by Village Assessor Lisa Kenny, and reiterated that tonight's Grievance Hearing will be conducted until at least 9:00 PM.

MINUTES – 1/23/23
RES.#[22-2023](#)

It was moved by Trustee Reardon, seconded by Trustee Ryder, to accept the Minutes of January 23, 2023 as submitted and place on file. Motion carried, Deputy Mayor Hawxhurst absent, all others voting "Aye".

REQUEST – GREIS PARK –
VALLEY STREAM
SCHOOL DISTRICT –
POOL
RES.#[23-2023](#)

It was moved by Trustee Reardon, seconded by Trustee Boccio, to table the Mayor signing an agreement with Valley Stream School District to use the Village Pool 2 hours daily Monday-Friday, beginning the end of August 2023 to mid-October 2023. Motion carried, Deputy Mayor Hawxhurst absent, all others voting "Aye".

REQUEST – GREIS PARK –
BOY SCOUTS TROOP 332
– APRIL 28-30, 2023
RES.#[24-2023](#)

It was moved by Trustee Boccio, seconded by Trustee Reardon, to authorize Boy Scout Troop 332 to utilize Greis Park picnic area for its Annual Advancement Weekend Campout from the evening of Friday, April 28th thru the morning of Sunday, April 30th and waive all fees. Motion carried, Deputy Mayor Hawxhurst absent, all others voting "Aye".

REQUEST – GREIS PARK –
OPERATION WOUNDED
WARRIOR – SEPTEMBER
23, 2023
RES.#25-2023

It was moved by Trustee Boccio, seconded by Trustee Ryder, to grant permission to the Nassau County Firefighters Operation Wounded Warrior program to conduct a fund raiser on Saturday, September 23, 2023, at Greis Park and the Recreation Building and waive all fees. Motion carried, Deputy Mayor Hawxhurst absent, all others voting “Aye”.

FIRE DEPARTMENT
REPORT

Assistant Chief Bien gave a report of Fire Department activities.

CHAMBER OF
COMMERCE REPORT

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

PUBLIC HEARING – 2023
COMMUNITY
DEVELOPMENT BLOCK
GRANT
RES.#26-2023

A Public Hearing was opened at 7:20 pm to consider projects to be funded by the Nassau County Community Development Block Grant Program for the grant fiscal year beginning September 1, 2023. The Mayor advised that the proposed application would request a total of \$360,000 to include Ornamental Street Lighting (\$70,000) for Peninsula Blvd between Linden & Rockaway(East side) & 1 fixture on west side to complete, Ornamental Street Lighting (\$130,000) for Peninsula Blvd – Hempstead Ave to Lynbrook Ave, north and south sides to complete, Ornamental Street Lighting (\$25,000) for Atlantic Ave (Peninsula Blvd to Sunrise Hwy) to complete, Larson Park Playground (35,000) and Downtown Security Cameras (\$100,000). The Mayor asked for comments. After no comments were heard, it was moved by Trustee Ryder, seconded by Trustee Boccio, to close the Hearing at 7:22 pm and to file said application. Motion carried, Deputy Mayor Hawxhurst absent, all others voting “Aye”. It was moved by Trustee Boccio, seconded by Trustee Reardon, that the Board of Trustees declare 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 Act. Motion carried, Deputy Mayor Hawxhurst absent, all others voting “Aye”.

SET DATE – PUBLIC
HEARING L.L. # 1 OF 2023
– TAX CAP – 4/3/2023
RES.#27-2023

It was moved by Trustee Reardon, seconded by Trustee Boccio, to set the date of April 3, 2023 at 7:00 P.M. for a Public Hearing to consider the enactment of proposed Local Law #1 of 2023 to amend Village Code Chapter 222, entitled “Taxation” Article VIII “Authority for Tax Levy Limit Override” to provide that the 2023 real property taxation may exceed the tax levy limit set forth in General Municipal Law 3-c. Motion carried, Deputy Mayor Hawxhurst absent, all others voting “Aye”.

SET DATE – PUBLIC
HEARING L.L. # 2 OF 2023
– TRANSIENT DWELLING
UNITS – 4/3/2023
RES.#28-2023

It was moved by Trustee Reardon, seconded by Trustee Boccio, to set the date of April 3, 2023 at 7:00 P.M. for a Public Hearing to consider the enactment of proposed Local Law #2 of 2023, to amend Chapter 252 of the Code of the Village of Lynbrook entitled “Zoning”, Sections: 252-2 entitled “Definitions”, 252-12 entitled “Prohibited Uses in a Dwelling A and Dwelling B District”, 252-30 entitled “Prohibited Uses in a Commercial District”, 252-38 entitled “Prohibited Uses in a Light Manufacturing District”, 252-45 entitled “Permitted and Prohibited Uses in an Industrial District” and 252-108 entitled “Remedies for Noncompliance” to provide that Transient Dwelling Units shall be prohibited within the Village. Motion carried, Deputy Mayor Hawxhurst absent, all others voting “Aye”. It was moved by Trustee Boccio, seconded by Trustee Reardon, that the Board of

SET DATE – PUBLIC
HEARING L.L. # 2 OF 2023
– TRANSIENT DWELLING
UNITS – 4/3/2023
CONT'D

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

SET DATE – PUBLIC
HEARING 2023/2024
TENTATIVE BUDGET –
4/3/2023
RES.#29-2023

It was moved by Trustee Boccio, seconded by Trustee Ryder, to set the date of Monday, April 3, 2023 at 7 P.M. for a Public Hearing to consider the adoption of the 2023/2024 Lynbrook Tentative Budget. Motion carried, Deputy Mayor Hawxhurst absent, all others voting “Aye”.

SET DATE – PUBLIC
HEARING – CATV
FRANCHISE RENEWAL –
3/27/2023
RES.#30-2023

It was moved by Trustee Boccio, seconded by Trustee Reardon, to set the date of Monday, March 27, 2023 at 7 P.M. for a Public Hearing to consider the Renewal of the Cable Franchise Agreement between the Village of Lynbrook and Altice pursuant to 16 NYCRR 891.2(a) as requested by the NYS PSC due to Altices late filing with the PSC following the December 20, 2021 Hearing. Motion carried, Deputy Mayor Hawxhurst absent, all others voting “Aye”.

REQUEST – FD PARADE –
ROCKAWAY BEACH -
3/4/2023
RES.#31-2023

It was moved by Trustee Ryder, seconded by Trustee Boccio, to grant permission to the Fire Department to participate in the St. Patrick’s Day Parade in Rockaway Beach on Saturday, March 4, 2023. Motion carried, Deputy Mayor Hawxhurst absent, all others voting “Aye”.

REQUEST – FD PARADE -
RVC – 3/25/2023
RES.#32-2023

It was moved by Trustee Ryder, seconded by Trustee Boccio, to grant permission to the Fire Department to participate in the St. Patrick’s Day Parade in Rockville Centre on Saturday, March 25, 2023. Motion carried, Deputy Mayor Hawxhurst absent, all others voting “Aye”.

REQUEST – SIDEWALK
SCAFFOLDING – 47
BROADWAY
RES.#33-2023

It was moved by Trustee Reardon, seconded by Trustee Boccio, to approve the request from Masters Construction Company for sidewalk and parking lane closures on Langdon Place and Saperstein Plaza as they prepare to begin construction at the 47 Broadway site and construction start time of 7 AM Monday through Friday . Motion carried, Deputy Mayor Hawxhurst absent, all others voting “Aye”.

REQUEST – FD TRAINING
SEMINAR – APRIL 22-29,
2023
RES.#34-2023

It was moved by Trustee Ryder, seconded by Trustee Reardon to grant permission to the Lynbrook Fire Department to attend the FDIC 2023 in Indianapolis and use Chief’s vehicle 429 and Fire Department Van 426-1 on April 22-29, 2023. Motion carried, Deputy Mayor Hawxhurst absent, all others voting “Aye”.

AUTHORIZATION – N.C.
POLLING PLACE
AGREEMENT – JUNE 27,
2023, NOVEMBER 7, 2023
RES.#35-2023

It was moved by Trustee Reardon, seconded by Trustee Ryder, to authorize the Mayor to sign the Polling Place Agreement with the Nassau County Board of Elections for use of the Village Hall on Primary Day – Tuesday, June 27, 2023 and Election Day, November 7, 2023. Motion carried, Deputy Mayor Hawxhurst absent, all others voting “Aye”.

BID AWARD –
AMBULANCE
RES.#36-2023

Village Administrator John Giordano advised that one (1) bid was received on January 26, 2023 for the 2022 or Newer Ford F550 4x4 Type 1 Ambulance or Equal from:

<u>Contractor</u>	<u>Bid Amount</u>
Specialty Ambulance Sales	\$363,926

It was moved by Trustee Boccio, seconded by Trustee Reardon, to accept the bid received from Specialty Ambulance Sales as recommended by the Fire Department. Motion carried, Deputy Mayor Hawxhurst absent, all others voting “Aye”.

BOND RESOLUTION –
AMBULANCE
RES.#37-2023

It was moved by Trustee Boccio, seconded by Trustee Reardon, to adopt a Bond Resolution (exhibit “A”) authorizing the acquisition of an Ambulance for use by the Fire Department not to exceed \$375,000 and issue a Declaration of Intent to expend funds to acquire said items prior to the receipt of said Bond funds. It was moved by Trustee Reardon, seconded by Trustee Ryder, that the Board of Trustees declare 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”.

TRANSFER OF FUNDS
RES.#38-2023

It was moved by Trustee Ryder, seconded by Trustee Boccio, to approve the following Budget Transfers for Fiscal Year 2022-2023:

To: 01.3410.0450 Vehicle Maintenance	\$11,302.31
From: Insurance Recoveries	\$11,302.31

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

POLICE DEPARTMENT
PERSONNEL
RES.#39-2023

It was moved by Trustee Reardon, seconded by Trustee Boccio, to approve the request to hire the following replacement personnel for the Lynbrook Police Department subject to Nassau County Civil Service approval:

Dan Neri	Neighborhood Aide	\$20 per hour
Richard Hennessey	School Crossing Guard	\$15 per hour
Martha Rodriquez	School Crossing Guard	\$15 per hour
Alicia Monaco	Clerk Typist-Provisional	\$46,920 annually

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

AUTHORIZATION -
SEVERANCE PAYOUT –
ZACHARY
NIEDERBERGER
RES.#40-2023

It was moved by Trustee Boccio, seconded by Trustee Reardon, to authorize the severance payout for Park Attendant Part-Time Zachary Niederberger due to his resignation effective January 31, 2023. Motion carried, Deputy Mayor Hawxhurst absent, all others voting “Aye”.

TAX CERTIORARI
SETTLEMENTS
RES.#[41-2023](#)

It was moved by Trustee Reardon, seconded by Trustee Boccio, to authorize Village Tax Certiorari Counsel Ben Truncal of Spellman, Rice, Gibbons, to settle any Small Claim Grievance filings as warranted. Motion carried, Deputy Mayor Hawxhurst 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 #10, General Fund - \$1,053,351.53, Capital Fund - \$23,844.02, Electronic Transfer - \$34,446.12, all be paid as soon as same have been duly audited by the majority. Motion carried, Deputy Mayor Hawxhurst absent, all others voting “Aye”.

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

The Board reviewed the Tentative Budget request from the Department of Public Works.

RECREATION -
SEASONAL WAGE
POLICY
RES.#[42-2023](#)

It was moved by Trustee Ryder, seconded by Reardon, to table a proposal to amend the seasonal wage policy with an increase for the starting salary to \$15 per hour. Motion carried, Deputy Mayor Hawxhurst absent, all others voting “Aye”.

Lisa Kenny, Village Tax Assessor, discussed the various Grievance filings.

It was moved by Trustee Boccio, seconded by Trustee Ryder, to close the Grievance Hearing at 9:00 PM. Motion carried, Deputy Mayor Hawxhurst absent, all others voting “Aye”.

ELECTION POLL
WORKERS
RES.#[43-2023](#)

It was moved by Trustee Boccio, seconded by Trustee Reardon, to amend the amount paid to poll workers as follows:

Chairperson	\$225 per day
Inspector/Clerk	\$200 per day

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

POOL MEMBERSHIP FEES
RES.#[44-2023](#)

It was moved by Trustee Reardon, seconded by Trustee Ryder, to increase all Pool Membership categories by \$15. Motion carried, Deputy Mayor Hawxhurst absent, all others voting “Aye”.

ADJOURNMENT

It was moved by Trustee Reardon, seconded by Trustee Ryder, to adjourn the meeting at 9:25 PM. Motion carried, Deputy Mayor Hawxhurst absent, all others voting “Aye”.

VILLAGE OF LYNBROOK, NEW YORK

PLEASE TAKE NOTICE that on February 21, 2023, the Board of Trustees of the Village of Lynbrook, in the County of Nassau, New York, adopted a bond resolution entitled:

“Bond Resolution of the Village of Lynbrook, New York, adopted February 21, 2023, authorizing the acquisition of an ambulance for use by the Fire Department, stating the estimated maximum cost thereof is \$375,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$375,000 to finance said appropriation,”

an abstract of such bond resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Village to acquire an ambulance for use by the Fire Department; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$375,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of bonds of the Village in the principal amount of \$375,000 to finance said appropriation, and the levy of a tax upon all the taxable real property within the Village to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$375,000 bonds of the Village pursuant to the Local Finance Law of the State of New York (the “Law”) to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued is ten (10) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Village for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Village; and PLEDGING to their payment the faith and credit of the Village;

FIFTH: DELEGATING to the Village Treasurer the powers and duties as to the issuance of said bonds, and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: February 21, 2023

John Giordano
Village Clerk