

July 19, 2010

A regular meeting of the Board of Trustees of the Incorporated Village of Lynbrook was held on Monday, July 19, 2010 at 7:00 P.M. in the Village Hall. The Mayor opened the meeting with the Pledge of Allegiance to the Flag.

Present: Mayor Brian Curran
Trustee William Hendrick
Trustee Alan Beach
Trustee Hilary Becker
Village Administrator, John Giordano
Village Attorney Peter Ledwith

Absent: Trustee Michael Hawxhurst

SET DATE-P.H.-
8/16/10-EARLY
RETIREMENT
INCENTIVE

RES.# ____

It was moved by Trustee Beach, seconded by Trustee Hendrick to set a date for a Public Hearing on August 16, 2010 to consider the adoption of a proposed local law to amend the Village Code, to add a new Chapter entitled "Early Retirement Incentive" pursuant to Chapter 105 of the Retirement and Social Security Law. Motion carried, Trustee Becker and Trustee Hawxhurst absent, all voting "Aye".

DECISION-SUB-
DIVISION-124
EARLE AVE.

RES.# ____

It was moved by Trustee Hendrick, seconded by Trustee Beach to approve an application for a 3 lot sub-division of 124 Earle Avenue from CRG Builders as heard at a Public Hearing held on June 21, 2010 pursuant to Chapter 7 of the Village Code, subject to conditions as set forth by the Village Attorney. (See Exhibit "A") Motion carried, Trustee Becker and Trustee Hawxhurst absent, all voting "Aye".

DISC-85-93
HEMPSTEAD
AVE-SPEC.USE
PERMIT

RES.# ____

It was moved by Trustee Beach, seconded by Trustee Hendrick to table a discussion on the status of a Special Use Permit granted to 85-93 Hempstead Avenue, and the applicant's violation of their covenants and restrictions, to the August 16, 2010 meeting. Motion carried, Trustee Becker and Trustee Hawxhurst absent, all voting "Aye".

2009/2010 YEAR
END TRANSFER

RES.# ____

It was moved by Trustee Beach, seconded by Trustee Hendrick to authorize the 2009/2010 year end inter-budgetary transfer of funds (see Exhibit "B"). Motion carried, Trustee Becker and Trustee Hawxhurst absent, all voting "Aye".

PUBLIC
HEARING-
SIDEWALK
VIOLATIONS

RES.# ____

It was moved by Trustee Beach, seconded by Trustee Hendrick to open a Public Hearing to consider the repair and construction of the attached list of sidewalk violations in the Village pursuant to Section 212.1 of the Village Code. It was moved by Trustee Hendrick, seconded by Trustee Beach to close the Public Hearing and authorize the Village to repair the sidewalks in violation, to assess the properties for such repair costs, and adopt the attached resolution as written. Motion carried, Trustee Becker and Trustee Hawxhurst absent, all others voting "Aye".

STORM
DAMAGE
SIDEWALK
REPAIRS

RES.# ____

It was moved by Trustee Hendrick, seconded by Trustee Beach to authorize at Village expense repairs to sidewalks damaged by the March 13, 2010 FEMA declared storm disaster for 8 residential properties in an amount not to exceed \$5,000., as such costs were not reimbursable by FEMA. Motion carried, Trustee Hawxhurst and Trustee Becker absent, all others voting "Aye".

SIGN-
AGREEMENT-
ALL SVC.
ALARM

RES.# ____

It was moved by Trustee Beach, seconded by Trustee Hendrick to authorize the Mayor to sign a renewal Agreement with All Service Alarm for the maintenance of the Village Fire Department siren & pre-emptor system. Motion carried, Trustee Becker and Trustee Hawxhurst absent, all others voting "Aye".

July 19, 2010

AGREEMENT-
N.C.PLANNING
COMMISSION-
ZONING

RES.#____

It was moved by Trustee Beach, seconded by Trustee Hendrick to authorize the Mayor to sign an Agreement with the Nassau County Planning Commission to allow the Commission to exempt certain zoning related matters from being referred by the Village to the Commission, pursuant to General Municipal Law 239-M (See Exhibit "C"). Motion carried, Trustee Becker and Trustee Hawxhurst absent, all others voting "Aye".

VILL. HALL AC-
BID SPECS-
CAMERON ENG.
RES.#____

It was moved by Trustee Beach, seconded by Trustee Becker to authorize the engagement of Cameron Engineering to develop bid contract specifications for the replacement of the Village Hall air conditioning system. Motion carried, Mayor Curran abstained, Trustee Hawxhurst absent, all others voting "Aye".

N.C. BD. OF
ELECTIONS
POLLING
PLACE
AGREEMENT

RES.#____

It was moved by Trustee Beach, seconded by Trustee Hendrick to authorize the Village Administrator to sign an Agreement with Nassau County to permit the County Board of Elections to utilize the Village Hall as a polling place on September 14th and November 2, 2010. Motion carried, Mayor Curran abstained, Trustee Hawxhurst absent, all others voting "Aye".

FIRE DEPT.
HEALTH INS.

RES.#____

It was moved by Trustee Hendrick, seconded by Trustee Becker to authorize the members of the Lynbrook Fire Department to participate in the New York State Health Insurance Plan at their expense, pursuant to new General Municipal Law 92-a(1). Motion carried, Mayor Curran abstained, Trustee Hawxhurst absent, all others voting "Aye".

PARKING-
WILBUR ST.-
8/16/10
MEETING
RES.#____

It was moved by Trustee Becker, seconded by Trustee Hendrick to table a discussion on amending parking restrictions on Wilbur Street to the August 16th meeting. Motion carried, Mayor Curran abstained, Trustee Hawxhurst absent, all others voting "Aye".

HANDICAP
PARKING-
FOWLER AVE-
8/16/10 MTG.
RES.#____

It was moved by Trustee Becker, seconded by Trustee Beach to table an amendment to the Village Vehicle & Traffic Law, to establish Handicap Parking on the west side of Fowler Avenue to the August 16th meeting. Motion carried, Mayor Curran abstained, Trustee Hawxhurst absent, all others voting "Aye".

METER FEES-
PF#10 & 12

RES.#____

It was moved by Trustee Beach, seconded by Trustee Becker to amend the parking meter fees in municipal parking fields #10 & 12 to 50 cents per hour. Motion carried, Mayor Curran abstained, Trustee Hawxhurst absent, all others voting "Aye".

ADJ. TO
EXEC.SESSION

It was moved by Trustee Hendrick, seconded by Trustee Becker to adjourn the meeting to open an executive session to discuss personnel. Motion carried, Mayor Curran abstained, Trustee Hawxhurst absent, all others voting "Aye".

EXECUTIVE
SESSION

It was moved by Trustee Beach, seconded by Trustee Hendrick to open an executive session to discuss the employment of a Recreation Aid at Greis Park and title change in the Sanitation division of the Department of Public Works. Motion carried, Mayor Curran abstained, Trustee Hawxhurst absent, all others voting "Aye".

CLOSE
EXEC.SESSION

It was moved by Trustee Beach, seconded by Trustee Becker to close the executive session. Motion carried, Mayor Curran abstained, Trustee Hawxhurst absent, all others voting "Aye".

RE-OPEN REG.
MTG.

It was moved by Trustee Beach, seconded by Trustee Hendrick to re-open the regular meeting. Motion carried, Mayor Curran abstained, Trustee Hawxhurst absent, all others voting "Aye".

July 19, 2010

SALARY
INCREASE-
E.PODGORSKY

RES.#____

It was moved by Trustee Beach, seconded by Trustee Hendrick to authorize an increase in salary for part-time Recreation Aid Elliot Podgorsky to \$11.00 per hour. Motion carried, Mayor Curran abstained, Trustee Hawxhurst absent, all others voting "Aye".

RESIGNATION-
D.KEALEY-
SANIT.SUPV.-
APPT.-MEO

RES.#____

It was moved by Trustee Beach, seconded by Trustee Becker to accept the resignation of Donald Kealey as Sanitation Supervisor, and to appoint him as a Motor Equipment Operator under the terms of the CSEA Labor Contract, effective July 26, 2010. Motion carried, Mayor Curran abstained, Trustee Hawxhurst absent, all others voting "Aye".

INSTALLATION-
ST.LIGHT-15
ABRAMS PL.

RES.#____

It was moved by Trustee Becker, seconded by Trustee Hendrick to authorize the installation of a street light in front of 15 Abrams Place. Motion carried, Mayor Curran abstained, Trustee Hawxhurst absent, all others voting "Aye".

FIRE DEPT.
ANNUAL
PICNIC

RES.#____

It was moved by Trustee Beach, seconded by Trustee Becker to authorize the Fire Department to utilize Greis Park picnic area and pool for their Annual Picnic to be held on August 29, 2010. Motion carried, Mayor Curran abstained, Trustee Hawxhurst absent, all others voting "Aye".

The Mayor invited all those present for a continuation of the meeting to the court room.

F.D. THANK
YOU

Fire Chief Burke thanked all for their assistance in the June 26, 2010 4th Battalion Parade.

MINUTES-
6/21/10

RES.#____

It was moved by Trustee Hendrick, seconded by Trustee Beach to approve the Minutes of June 21, 2010 as submitted and place on file. Motion carried, Mayor Curran abstained, Trustee Hawxhurst absent, all others voting "Aye".

PROC-LYN.
DINER

Mayor Curran presented a Proclamation to Nick Mavromihalis of the Lynbrook Diner on Sunrise Highway for his 25 years of proprietorship.

VULCAN CO.
CENTENNIAL
CELEBRATION
9/12/10

RES.#____

It was moved by Trustee Beach, seconded by Trustee Hendrick to authorize the closure of Denton Avenue on September 12, 2010 from Merrick Road to Peninsula Blvd. to accommodate the Centennial Celebration of Vulcan Chemical & Hose Co. Motion carried, Mayor Curran abstained, Trustee Hawxhurst absent, all others voting "Aye".

BID AWARD-
DPW LOADER-
8/16/10

RES.#____

It was moved by Trustee Beach, seconded by Trustee Becker to table a bid award for the procurement of a Loader for the Department of Public Works to the August 16, 2010 meeting. Motion carried, Mayor Curran abstained, Trustee Hawxhurst absent, all others voting "Aye".

RE-BID-HVAC
MAINT.
CONTRACT-
8/18/10

RES.#____

It was moved by Trustee Becker, seconded by Trustee Beach to authorize the receipt of bids for the Maintenance of the Villages HVAC systems on August 18th, as there was only one bid submitted on June 16, 2010. Motion carried, Mayor Curran abstained, Trustee Hawxhurst absent, all others voting "Aye".

NCVOA
RESIDENTIAL/
COMMERCIAL
NATURAL GAS
RES.#____

It was moved by Trustee Beach, seconded by Trustee Becker to authorize the Mayor to sign an Agreement with the Nassau County Village Officials Association/East Coast Power to provide natural gas to Lynbrook, formerly provided by Econogy-Gateway. Motion carried, Mayor Curran abstained, Trustee Hawxhurst absent, all others voting "Aye".

July 19, 2010

CONTINUATION
-P.H.-444
MERRICK
ROAD-
ROOFTOP
ANTENNA-
RESERVE
DECISION

RES#_____

It was moved by Trustee Hendrick, seconded by Trustee Beach to re-open a Public Hearing at 8:25 P.M. continued from the June 7, 2010 meeting to consider an application from Clear Wireless/Sprint for a rooftop antenna at 444 Merrick Road. Mr. Joseph Buzzell, Esq., representing Clear Wireless advised that panels would be added to screen the rooftop equipment, which the Architectural Review Board approved on July 7, 2010. In response to the Mayor, Mr. Buzzell indicated that the location is necessary to serve as a relay point to 135 existing antennas, as opposed to providing service to individual customers. Larry Zacconi of Clear Wireless advised that the system would utilize existing fiber optics to provide non-voice data, 4G communications. Mr. Collins of Clear Wireless advised that 4G radio frequencies emissions are governed by the FCC as voice communications are, and the cumulative amount emitted from the proposed and all other existing antennas from this site is about 1/10 of one percent of the FCC limits. The Mayor asked if anyone else would like to speak on the application. The following individuals commented: Jane Grogan - 33 Green Avenue, Phil DeSanto - Wood Street, and Kim Coyne - 8 Woodlawn Ave. Mr. Buzzell indicated that over 100,000 4G phones have been sold in Nassau County since June. After no further comment, it was moved by Trustee Hendrick, seconded by Trustee Beach to close the hearing at 9:05 P.M. Motion carried, Mayor Curran abstained, Trustee Hawxhurst absent, all others voting "Aye". It was moved by Trustee Hendrick, seconded by Trustee Beach to reserve decision. Motion carried, Mayor Curran abstained, Trustee Hawxhurst absent, all others voting "Aye".

NYSDOT
GRANT

RES.#_____

It was moved by Trustee Beach, seconded by Trustee Becker to authorize the Mayor to sign an application for grant funds of \$440,000. from the NYS Department of Transportation Local Safe Streets and Traffic Calming Program for various traffic calming improvements. Motion carried, Mayor Curran abstained, Trustee Hawxhurst absent, all others voting "Aye".

BILLS

RES.#_____

It was moved by Trustee Becker, seconded by Trustee Beach that Bills listed on Abstract of Audited Voucher #3, General Fund - \$960,088.94, Trust & Agency - \$23,148.89, Capital Fund - \$53,181.27, Electronic Transfer - \$242,423.73, all be paid as soon as same have been duly audited by the majority. Motion carried, Mayor Curran abstained, Trustee Hawxhurst absent, all others voting "Aye".

ADJ. TO
EXEC.SESSION

It was moved by Trustee Beach, seconded by Trustee Hendrick to adjourn the regular meeting to open an executive session to discuss the disability of a Police Officer. Motion carried, Mayor Curran abstained, Trustee Hawxhurst absent, all others voting "Aye".

ADJOURN TO
EXEC.SESSION

It was moved by Trustee Becker, seconded by Trustee Beach to open an executive session to discuss the disability status of a Police Officer. Motion carried, Mayor Curran abstained, Trustee Hawxhurst absent, all others voting "Aye". It was moved by Trustee Beach, seconded by Trustee Becker to close the executive session. Motion carried, Mayor Curran abstained, Trustee Hawxhurst absent, all others voting "Aye".

RE-OPEN
REGULAR
MEETING-

ADJOURN

It was moved by Trustee Beach, seconded by Trustee Becker to re-open the regular meeting. Motion carried, Mayor Curran abstained, Trustee Hawxhurst absent, all others voting "Aye". After no further business, it was moved by Trustee Hendrick, seconded by Trustee Becker to close the meeting at 11:10 P.M. Motion carried, Mayor Curran abstained, Trustee Hawxhurst absent, all others voting "Aye".