

BOARD OF TRUSTEES

JULY 21, 2016

A regular meeting of the Board of Trustees of the Village of Garden City in the County of Nassau, New York, was held at the Village Hall, 351 Stewart Avenue in said Village on July 21, 2016 at 7:30 p.m.

Present: Mayor Nicholas P. Episcopia, Trustees Brian C. Daughney, John A. DeMaro, Robert A. Bolebruch, Richard V. Silver, Theresa A. Trouvé, Stephen S. Makrinos and John M. Delany.

Also Present: Ralph V. Suozzi, Village Administrator
Karen M. Altman, Village Clerk
Robert J. Mangan, Director of Public Works
Kenneth O. Jackson, Chairman, Board of Police Commissioners
Irene Woo, Village Treasurer
William K. Castoro, Chief Fire Department
Peter A. Bee, Bee Ready Fishbein Hatter & Donovan, LLP

Attendance: Approximately 35

The Clerk reported that due notice of this meeting had been served on each member of the Board.

Mayor Episcopia called the meeting to order and stated that the first item on the agenda was the Oath of Office for Police Officer Matthew Baard. Trustee Makrinos then administered the Oath of Office to Police Officer Matthew Baard of the Garden City Police Department and offered congratulations.

Mayor Episcopia stated that the next item on the agenda is a request from Chief William K. Castoro of the Garden City Fire Department for the approval of a Garden City Volunteer Firefighter, Christopher Manzano, 115 Atlantic Avenue, Hempstead, New York. The Volunteer Fire Department formally accepted him into the Department at their July 2016 monthly meeting.

On motion of Trustee DeMaro and unanimously carried, Christopher Manzano was approved by the Village Board of Trustees to be a Volunteer Firefighter for the Garden City Fire Department.

Mayor Episcopia stated that the next item on the agenda was a public hearing on proposed Local Law 4-2016 - "A Local Law in Connection with the Establishment and Regulation of an Affordable Housing Density Bonus". Trustee Bolebruch made a motion to open the hearing.

(A tape recording of this hearing has been typed under separate cover and constitutes a part of these minutes.)

After discussion, on motion of Trustee Delany and unanimously carried, the public hearing pursuant to proposed Local Law 4-2016 was closed.

LOCAL LAW

Trustee Daughney introduced the following proposed local law and moved its adoption:

RESOLUTION NO. 122-2016

INCORPORATED VILLAGE OF GARDEN CITY
NASSAU COUNTY, NEW YORK
LOCAL LAW NO. 4-2016
A LOCAL LAW IN CONNECTION WITH THE ESTABLISHMENT
AND REGULATION OF AN AFFORDABLE
HOUSING DENSITY BONUS

BE IT ENACTED, by the Board of Trustees of the Village of Garden City, as follows:

Section 1. Purpose.

- A. Pursuant to Judgment issued by the United States District Court for the Eastern District of New York, and to the extent affirmed by the United States Court of Appeals for the Second Circuit, the Village is required to take certain actions in furtherance of development of affordable housing (as defined in that Judgment) within the Village. The Village desires to take additional action in furtherance of the foregoing. Consistent with the Village's adopted policy to foster fair housing, and the terms and provisions of that Judgment, the Village adopts this local law to provide for a system of density bonuses for affordable housing.
- B. This law is intended, and is deemed by the Board of Trustees, to be an addition to the Village's comprehensive plan, and the Affordable Housing Density Bonus authorized and required pursuant to this law is determined to be in conformity with that comprehensive plan.

Section 2. Chapter 200 of the Code of the Village of Garden City is hereby amended, be adding thereto the following Article, to be Article VI.1, to read as follows:

Article VI.1. Affordable Housing Density Bonus.

§200-30.1. Purpose. The purpose of the Affordable Housing Density Bonus is to comply with and codify applicable requirements of federal and State law, and the Judgment of the United States District Court, Eastern District of New York, dated April 22, 2014 under the caption "MHANY Management Inc. and New York Communities for Change, Inc. v. Incorporated Village of Garden City and Garden City Board of Trustees", 05-CV-2301, to the extent affirmed by the United States Court of Appeals for the Second Circuit.

§200-30.2. Definitions. As used in this Article, the following terms shall have the indicated meanings unless the context clearly demonstrates otherwise:

- A. "Affordable Housing" shall mean housing for which a family whose income is 80% or less of the Nassau-Suffolk Metropolitan Statistical Area Median Income (including families defined by the Department of Housing and Urban Development either as "low income," "very low income," or "extremely low income"), whose combined annual rental cost and tenant-paid utilities constitute no more than 30% of its income or for homeowners the annual total of the sum of secured loan principal and interest, private mortgage insurance, property taxes, home insurance, common charges and homeowner-paid utilities does not exceed 30% of said household income.
- B. "Affordable Housing Density Bonus" or "Density Bonus", as used in this Article, shall mean and include an additional density increase equal to at least ten percent of the number of residential units permitted at maximum allowable residential density, or of allowable residential floor area ratio if part of a mixed use development, otherwise permitted for such development pursuant to this Chapter, as determined on the date of submission of a complete application for approval of the first of either a subdivision or site plan. In the event such calculation of additional units shall result in a fractional number of units, the required number of additional units shall be rounded up to the nearest whole number. The additional units or additional residential floor area ratio required by this Article shall be dedicated and occupied for Affordable Housing as provided in this Article. Affordable Housing Density Bonuses may be awarded for developments in any zoning district in the Village in which residential uses, or mixed uses which include residential uses, are permitted.
- C. "Qualified Residential Development" ("QRD") shall mean a development of property in the Village for which a completed zoning amendment, subdivision or site plan application is pending or is submitted on or after the effective date of this Article, and which is proposed to include or allow five (5) or more residential units, including a mixed use development which incorporates five (5) or more residential units.

§200-30.3. Applications for approvals of QRD developments.

- A. Each application for approval of a zoning change, subdivision and/or site plan for a QRD shall include a yield map showing the maximum number of residential units, or residential floor area ratio for mixed use development, which would otherwise be permitted (a) pursuant to zoning regulations applicable to the subject property at the time of the complete application, and (b) any amended or other zoning regulations requested to be made applicable to the subject property. Each such yield map shall include any Density Bonus applicable pursuant to this Article.
- B. Each application for approval of a zoning change, subdivision and/or site plan for a QRD shall identify the Affordable Housing Density Bonus required by this Article. The number of units, or the residential floor area required in a mixed use development, of Affordable Housing shall be specified and included in the conditions of approval given to the QRD applicant by the first applicable Board, and shall be provided by the owner, developer or operator of the QRD pursuant to this Article.
- C. Each approval of an application for a zoning change, subdivision and/or site plan for a QRD given by any Village Board or agency shall include, at a minimum, the conditions of approval required by this Article, and may include such other or further provisions, not inconsistent with this Article, as may be deemed reasonable, necessary or appropriate by such Board or agency.
- D. In granting approval for a zoning change, subdivision and/or site plan in relation to a QRD, the Board of Trustees or other Village Board having authority to grant such approval shall have authority to grant waivers of the otherwise applicable dimensional, bulk or parking requirements where the same are determined to be necessary in order to achieve the Affordable Housing Density Bonus. Except as otherwise authorized by other law, no such waiver shall be granted except where the applicant demonstrates that it would be unreasonably difficult or burdensome to provide the Affordable Housing without such relief, provided, however, that in no event shall any such waiver authorize a total overall site density, or floor area ratio, greater than that otherwise permitted for the site (i.e.. the number of units or amount of floor area ratio otherwise permitted in compliance with the applicable zoning regulations prior to consideration of the Density Bonus) plus the additional units or floor area ratio required by this Article).

§200-30.4. Conditions of Approval of Density Bonus Development.

- A. Except as otherwise provided in this Article, each QRD shall conform to all other applicable provisions of this Chapter. The provisions of this Article shall not otherwise restrict owners' rights relative to development or use of property consistent with the regulations of the zoning district in which the property is located. Except for the Affordable Housing units or residential floor area ratio required pursuant to this Article, the provisions of this Article shall not be deemed or construed to permit any use or development of a site other than as otherwise permitted by the regulations for the zoning district in which the property is located.
- B. Each approval of a QRD application shall include a requirement that prior to the issuance of any building or other permits for the construction or improvement of the site, the property owner and the Village shall enter into a written agreement in a form approved by the Village Attorney prior to execution, and record the same in the office of the Nassau County Clerk at the owner's expense, which agreement shall contain at least the following provisions and conditions, in addition to such other provisions or conditions as required by the QRD approval.

(1) Such provisions and conditions shall include, at a minimum, the requirements that (a) at least ten (10) percent of the residential units, or floor area of a mixed use development, shall be dedicated to the provision of Affordable Housing, or (b) the owner and/or applicant shall provide at least the same number of units or quantity of floor area of Affordable Housing required by the QRD approval and not provided on

the site to be provided and constructed at another site in the Village at or about the same time or prior to the development of the market rate units. The provisions and conditions shall further require that to the extent feasible the required Affordable Housing units be made available equally among "low income," "very low income," or "extremely low income" families as defined by the Department of Housing and Urban Development annually for Nassau County. The Affordable Housing units shall be integrated and indistinguishable from the market rate units; the minimum floor area of the Affordable Housing units shall not be less than 80% of the market rate units, and any single family Affordable Housing units on individual lots shall not be on lots less than 75% of any market rate lot in the QRD.

(2) Such provisions and conditions shall include the requirement that the owner, developer or operator of the property shall institute and conduct an application process for sale or rental of all Affordable Housing to be provided pursuant to the QRD proposal which shall assure a fair, open, and random selection process for the purchases or rental of all such Affordable Housing, and a requirement that the owner, developer or operator of such property annually provide to the Village a written report as to the current nature and status of such process, and of all Affordable Housing sold or rented during the period of time covered by such annual report. The Affordable Housing Units shall be marketed in a manner that is consistent with HUD's Fair Housing Marketing Guidelines

(3) The provisions and conditions in subparagraphs 1 and 2 of this paragraph (B) shall remain binding and in effect for a period of 50 years and during such time shall not be cancelled, terminated or amended except with the express approval of the Village Board or agency which approved the QRD application and then only upon a showing of hardship.

- C. Notwithstanding the provisions of this Article, or any other law, no applicant for QRD development or owner of land which is the subject of a QRD development, may satisfy the Affordable Housing requirements of this Article by opting to construct less than the maximum permitted density or providing less than the maximum permitted residential floor area ratio otherwise authorized by this Chapter for development of the property which is the subject of the QRD. The number of required Affordable Housing units, or the amount of Affordable Housing floor area, shall be calculated based on the maximum permitted development on the site, regardless if the project proposed for the site is for a density or residential floor area less than the maximum permitted.
- D. Except as specifically provided in this Article, and notwithstanding the provisions of any other law, no applicant for QRD development, or owner of land which is the subject of a QRD development, may satisfy the Affordable Housing requirements of this Article by making any payment of money or other thing of value to any person or entity.
- E. The written agreement required for any QRD development also shall include deed restrictions to assure that the development shall continue to include, on the site or at another site within the Village, at least the number of Affordable Housing Units required by this Article, and which require that occupancy, sale or resale of any Affordable Unit shall be restricted only to persons or families with incomes meeting the criteria set forth in this Article.

(1) Such deed restrictions also shall include the requirement that the owner or operator of residential property which is the subject of a QRD shall take such actions as may be required to assure compliance with the requirements of this Article with respect to Affordable Housing Units and the occupancy thereof, and shall provide to the Village upon request any and all information relevant to such compliance and/or reasonable necessary to permit the Village to monitor the same.

(2) Such deed restrictions also shall include requirements that leases for Affordable Housing units have a term of not more than two (2) years, and shall assure on an

annual basis that in the event residents of Affordable Housing units required by this Article cease to meet the income or other eligibility criteria specified in this Article, such residents shall be required by the owner, developer or operator of the property to vacate their respective Affordable Housing at the QRD premises no later than one year after a determination of a loss of eligibility unless the owner, developer or operator of any property on which such Affordable Housing is located provides an equal number of equivalent Affordable Housing Units or residential floor area elsewhere on the QRD site or at another location in the Village.

(3) With respect to any Affordable Housing unit the title to which is owned in fee ownership, condominium ownership or cooperative ownership, no such unit may be resold at a sales price which exceeds the original purchase price paid by the selling owner, plus an additional amount based on increases in the Consumer Price Index for Urban Wage Earners, plus the non-depreciated value of any capital improvements made by the selling owner.

- F. The listing of conditions of approval contained in this section shall not be deemed exclusive and nothing herein shall prevent or restrict the inclusion of other reasonable conditions in any approval of a QRD, provided that such other conditions shall not be inconsistent with, contrary to or in conflict with the provisions of this Article. Compliance with this requirement shall be monitored by the Superintendent of Building Department, or other Village official designated by the Board of Trustees.

§200-30.5. Long Island Workforce Housing Act.

- A. The provisions of this Article shall be construed and applied together and consistent with the provisions of the Long Island Workforce Housing Act (LIWHA) to the extent the LIWHA may be applicable to any QRD, but this Article shall not be construed to require the provision of units required by this Article in addition to units required by the LIWHA. To the extent the LIWHA requires the provision of housing units, and one or more units of Affordable Housing provided pursuant to this Article also satisfy the requirements of the LIWHA, such units shall be included in the calculation of the number of Affordable Housing units required to be provided in the Village pursuant to this Article.
- B. Notwithstanding the provisions of the LIWHA, and except as otherwise specifically permitted in this Article, no applicant, owner or developer of a QRD shall be permitted to avoid the requirement to provide units of Affordable Housing by providing such housing, or by payment of a fee or other thing of value to any person or entity, to provide such housing, on any site outside the Village.

§200-30.6. State Environmental Quality Review Act). The agency or agencies determined to be the Lead Agency shall review each QRD project pursuant to the State Environmental Quality Review Act and its implementing regulations (collectively referred to herein as "SEQRA"), and shall classify such action, comply with the provisions and requirements of SEQRA for the process of environmental impact review, and make such findings or other determinations with respect to environmental impact as provided in SEQRA. Notwithstanding the foregoing, pursuant to 6 NYCRR Part 617.5(b), the Board of Trustees hereby determines that the portion of any such QRD application as may include the Affordable Housing Density Bonus and any related waivers or variances of dimensional or parking requirements as provided in this Article are deemed and classified to be a Type II Action, and such portion of any QRD application shall be subject to review pursuant to SEQRA only as provided therein with respect to Type II Actions."

Section 3. Any local law or provision of the Code of the Village of Garden City in conflict with this local law is hereby repealed to the extent of such conflict, except that such repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of such local law, ordinance or resolution prior to the effective date of this local law.

Section 4. If any clause, sentence, paragraph, section, Article, or part of this local law shall be adjudged to be invalid by any court of competent jurisdiction, such judgment shall not affect, impair or invalidate any other part of this local law, or the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, Article, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 5. This local law shall take effect immediately upon adoption and filing pursuant to the Municipal Home Rule Law.

Thereupon the above Local Law was submitted for final passage and the vote thereon was as follows:

AYES: 8
NOES: 0

Local Law 4-2016 was declared adopted.

Mayor Episcopia called for citizens comments on Agenda items.

Mayor Episcopia stated that the next item on the agenda was the approval of the minutes of the last meeting of the Board of Trustees.

The minutes of the regular meeting held on June 16, 2016 were reviewed, and on motion of Trustee Bolebruch and unanimously carried, were approved as presented.

The minutes of the special meeting held on June 28, 2016 were reviewed, and on motion of Trustee Silver and unanimously carried, were approved as presented. (Trustees DeMaro and Makrinos abstained)

Treasurer's Report. Reviewed the Treasurer's Report dated May 31, 2016, after which on motion of Trustee Bolebruch and unanimously carried, said report was ordered received and placed on file.

NEW BUSINESS

FORMAL AGENDA

APPOINTMENT BY THE MAYOR

1. Evelyn Fasano, 18 Cedar Place, Garden City, New York, is hereby appointed to the Environmental Advisory Board, for a term ending on April 6, 2020. Mrs. Fasano fills the expired term of Benjamin H. Mahler.

On motion of Trustee Silver, the following resolution was offered:

RESOLUTION NO. 123-2016

RESOLVED, that the appointment of Evelyn Fasano, 18 Cedar Place, Garden City, New York, to the Environmental Advisory Board, for a term expiring on April 6, 2020, be and the same hereby is approved.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

The resolution was declared adopted.

2. Courtney L. Rutt Rosenblatt is hereby appointed Village Auditor, effective July 29, 2016, (or upon Civil Service Approval), for the balance of the official year, expiring on April 3, 2017, at a salary of \$120,000.

On motion of Trustee Bolebruch the following resolution was offered:

RESOLUTION NO. 124-2016

RESOLVED, that the appointment of Courtney L. Rutt Rosenblatt as Village Auditor of the Incorporated Village of Garden City, effective July 29, 2016 (or upon Civil Service approval), to serve for the balance of the official year, expiring April 3, 2017, at a salary of \$120,000, be and the same hereby is approved.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

Carried.

SUBDIVISION APPROVAL

3. Application for Subdivision Approval - Maggiano's Restaurant, 600 Garden City Plaza. Mayor Episcopia stated that the Village is in receipt of an application for a subdivision approval in connection with a minor subdivision application in order to create a separate, saleable parcel out of the Maggiano's Restaurant site/aka 600 Garden City Plaza. This subdivision will not require any variances for setbacks, FAR or parking. William F. Bonesso, Esq., of Forchelli, Curto, Deegan, Schwartz, Mineo & Terrano, LLP, 333 Earle Ovington Boulevard, Suite 1010, Uniondale, New York presented the project to the Board.

Trustee Daughney offered the following resolution and moved its adoption:

RESOLUTION NO. 125-2016

WHEREAS, pursuant to Article XII(A) of Chapter 200 of the Code of the Village of Garden City, the Board of Trustees must review subdivision plans and recommendations of the Planning Commission; and

WHEREAS, subdivision plans have been submitted by Mr. William F. Bonesso, Forchelli, Curto, Deegan, Schwartz, Mineo & Terrano, LLP, 333 Earle Ovington Boulevard, Uniondale, New York, with regard to the approval in connection with a minor subdivision application in order to create a separate, saleable parcel out of the Maggiano's Restaurant site/aka 600 Garden City Plaza.

WHEREAS, the Board of Trustees has reviewed the subdivision plans pursuant to Section 200-82.5 of the Village Code and determined the proposal to constitute a "Type II" action; and, accordingly, no further environmental review is required, and

WHEREAS, the Planning Commission, at its meeting on May 11, 2016, approved the project; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Incorporated Village of Garden City finds, in accordance with Section 200-62 of the Village Code, that granting of the requested approval in connection with a minor subdivision application in order to create a separate, saleable parcel out of the Maggiano's Restaurant site/aka 600 Garden City Plaza will not be detrimental to the neighborhood; and

BE IT FURTHER RESOLVED, that the Board of Trustees approves the plans submitted by Mr. William F. Bonesso, Forchelli, Curto, Deegan, Schwartz, Mineo & Terrano, LLP, 333 Earle Ovington Boulevard, Uniondale, New York representing Treeline 100-400 GCP, LLP, in connection with a minor subdivision application in order to create a separate, saleable parcel out of the Maggiano's Restaurant site/aka 600 Garden City Plaza.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0
ABSTAIN: 1 (Trustee DeMaro)

The resolution was declared adopted.

LOCAL LAWS

1. Proposed Local Law - To Amend Chapter 200 of the Village Code Zoning - Generators. Village Counsel Peter A. Bee, Esq. introduced a proposed local law which would amend the Village Code (Chapter 200) regarding Zoning (Generators). Copies of the proposed local law and a completed Part 1 Short Form EAF were distributed to the Board Members prior to the meeting. Following discussion by the Mayor, Trustees and Counsel, the following actions were taken:

2. Classification of Action.

On motion of Trustee Daughney the following resolution was offered:

RESOLUTION NO. 126-2016

WHEREAS, the Board of Trustees of the Incorporated Village of Garden City is considering a local law (Local Law 5-2016) to amend Chapter 200 of the Village Code regarding Zoning (Generators); and

WHEREAS, the Board of Trustees was provided with a copy of the proposed local law and a completed Part 1 Short Form EAF in advance of the meeting;

NOW THEREFORE, BE IT RESOLVED, that upon review of the proposed local law, completed Part 1 Short Form EAF, and all discussion thereon, the Board of Trustees hereby finds the proposed action to be an Unlisted Action pursuant to the State Environmental Quality Review Act (SEQRA).

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

The resolution was declared adopted.

3. Declaration of Lead Agency.

On motion of Trustee Daughney the following resolution was offered:

RESOLUTION NO. 127-2016

WHEREAS, the Board of Trustees of the Village of Garden City is considering a local law (5-2016) to amend Chapter 200 of the Village Code regarding Zoning (Generators), which local law has been classified as an Unlisted Action pursuant to SEQRA, and

WHEREAS, the Board of Trustees wishes to declare itself the Lead Agency for purposes of SEQRA review on the proposed action; and

WHEREAS, the Board of Trustees is the sole agency having authority to approve, fund or undertake the proposed action, and therefore, no notice of intent need be circulated;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees hereby declares itself Lead Agency for purposes of SEQRA with respect to the review and approval of the proposed local law.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

The resolution was declared adopted.

On motion of Trustee Daughney the following resolution was offered:

RESOLUTION NO. 128-2016

4. Negative Declaration.

WHEREAS, the Board of Trustees is considering a local law to amend Chapter 200 of the Village Code concerning zoning (generators); and

WHEREAS, the Board of Trustees has declared itself Lead Agency for purposes of SEQRA review in connection with said proposed local law; and

WHEREAS, the proposed local law has been classified as an Unlisted Action pursuant to SEQRA; and

WHEREAS, the Board of Trustees is in receipt of a completed Short Environmental Assessment Form, Parts 1, 2 and 3;

NOW THEREFORE, BE IT RESOLVED, that upon discussion of the proposed local law and all information set forth in the completed SEAF presented to the Board, the Board of Trustees hereby adopts a Negative Declaration of Environmental Significance on the grounds set forth in Part 3 of the SEAF, which grounds are a reasoned elaboration supporting the Board's finding. Accordingly, no Environmental Impact Statement shall be prepared.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

The resolution was declared adopted.

5. Setting of Public Hearing.

On motion of Trustee Daughney the following resolution was offered:

RESOLUTION NO. 129-2016

WHEREAS, the Board of Trustees of the Village of Garden City is considering a local law (5-2016) to amend Chapter 200 of the Village Code regarding Zoning (Generators), which local law has been classified as an Unlisted Action pursuant to SEQRA, and

WHEREAS, the proposed action is an Unlisted Action pursuant to SEQRA; and

WHEREAS, the Board of Trustees is the Lead Agency for purposes of environmental review pursuant to SEQRA;

NOW THEREFORE, BE IT RESOLVED, that the Board of Trustees shall hold a public hearing on said proposed local law on August 18, 2016, at 8:00 p.m. at Village Hall, 351 Stewart Avenue, Garden City, NY 11530, at which time all persons interested in speaking on the proposed local law shall be given such opportunity; and

BE IT FURTHER RESOLVED, that the proposed local law shall be referred to the Nassau County Planning Commission for review and comment in accordance with General Municipal Law §239-m and the Nassau County Code.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

The resolution was declared adopted.

6. Proposed Local Law - To Amend Chapter 61 of the Village Code Regarding Bamboo. Village Counsel Peter A. Bee, Esq., introduced a proposed local law which would amend the Village Code (Chapter 61) regarding Bamboo. Copies of the proposed local law were distributed to the Board Members prior to the meeting. Following discussion by the Mayor, Trustees and Counsel, the following actions were taken:

7. Classification of Action.

On motion of Trustee Daughney the following resolution was offered:

RESOLUTION NO. 130-2016

WHEREAS, the Board of Trustees of the Incorporated Village of Garden City is considering a local law (Local Law 6-2016) to amend Chapter 61 of the Village Code regarding Bamboo; and

WHEREAS, the Board of Trustees was provided with a copy of the proposed local law in advance of the meeting;

NOW, THEREFORE, BE IT RESOLVED, that the Village of Garden City Board of Trustees declares the proposed local law to be a Type II Action pursuant to 6 NYCRR 617.5(c) (20), (27) of the SEQRA regulations.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

The resolution was declared adopted.

8. Setting of Public Hearing.

On motion of Trustee Daughney the following resolution was offered:

RESOLUTION NO. 131-2016

WHEREAS, the Board of Trustees of the Village of Garden City is considering a local law (6-2016) to amend Chapter 61 of the Village Code regarding Bamboo, which local law has been classified as a Type II Action pursuant to SEQRA, and

NOW THEREFORE, BE IT RESOLVED, that the Board of Trustees shall hold a public hearing on said proposed local law on August 18, 2016, at 8:00 p.m. at Village Hall, 351 Stewart Avenue, Garden City, NY 11530, at which time all persons interested in speaking on the proposed local law shall be given such opportunity; and

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

The resolution was declared adopted.

Trustee Silver requested that Item #1 (SEQR - Bond Resolution - Sewer Repairs and Manhole Relining), Item #2 (Bond Resolution - Sewer Repairs and Manhole Relining), Item #3 (SEQR - Bond Resolution - Continuation of Water Meter Replacement Program, include Radio Read System), Item #4 (Bond Resolution - Continuation of Water Meter Replacement Program, including Radio Read System), Item #5 (SEQR - Bond Resolution - Plans and Specifications for Community Park Multi-Use Field), Item #6 (Bond Resolution -Plans and Specifications for Community Park Multi-Use Field), Item #11 (Engagement of Professional Services - Upgrade SCADA System - H2M Water), Item #16 (Transfer of Funds - 2015-2016 Budget), Item #22 (Professional Service Agreement - Talent Consultant - Steve Dassa), Item #23 (Professional Contract Renewal - Facility Dude - Facility Management Program) and Item #29 (Community Park Multi-Use Field - Concept and Engineering Design Services - Cameron Engineering) be removed for discussion.

Trustee Daughney requested that Item #9 (Engagement of Professional Services - Replacement of Elevated Water Storage Tank - H2M Water) be removed for discussion.

CONSENT CALENDAR

PUBLIC WORKS

1. Additional Service Work for Broken Asphalt Removal - Stasi Brothers Asphalt Corp. Requested authorization to approve the invoice for the disposal of additional asphalt from Stasi Brothers Asphalt Corp., 435 Maple Avenue, Westbury, New York, in an amount not to exceed \$10,000. The original contract amount for broken asphalt removal was in the amount of \$14,000. An additional \$1,200 was approved by the Board of Trustees on March 3, 2016 and June 2, 2016. Funds are available in Account OA.8160.4460.

On motion of Trustee Trouvé and unanimously carried, the aforesaid authorization was approved.

2. Amend the Water Main Installation Contract - Bancker Construction. Requested authorization to amend the contract with Bancker Construction, 216 Blydenburgh Road, Islandia, New York. The original amount that was approved on August 20, 2015, for this project was \$1,668,225. It is requested to amend this amount by \$155,490.60 thereby making the total of this contract \$1,823,716.00 and to utilize funds in the amount of \$352,361 from the Water Fund. This is required since the bonds have already been issued and cannot be amended as per Bond Counsel. Funds are available in Account OF.1052.000.

On motion of Trustee Trouvé and unanimously carried, the aforesaid authorization was approved.

3. Additional Contract Work - Water Main Installation - Bancker Construction. Requested authorization to approve the change order for the Water Main Installation Contract for Bancker Construction, 216 Blydenburgh Road, Islandia, New York in the amount of \$155,490.60. Additional unit price work was required during the construction of the water mains on Fourth Street, Magnolia Avenue and Carteret Place. Additional temporary asphalt and base asphalt was required due to utility conflicts with the installation of the water mains. Lead and galvanized services were replaced during the installation of the water mains with copper services to avoid having to open the road in the future and in addition, the tie-in work was more extensive than estimated. The proposed action is a Type II Action under SEQRA and, accordingly, no further environmental review is required. Funds are available in Account OF.1052.0000.

On motion of Trustee Trouvé and unanimously carried, the aforesaid authorization was approved.

4. Improvements to Garden City Fire Headquarters - Additional Contract Work - WSJS Architects. Requested authorization for additional contract work for the Garden City Headquarters with WSJS Architects, 755 New York Avenue, Huntington, New York. This additional work included: additional project meetings, design sketches for construction of new light gauge metal stud and gypsum board partition between the kitchen and the pantry,

investigation of alternate heating and air conditioning system for the first floor, additional electrical outlet and switch design and change order review, the amount of \$9,273.33. Funds are available in the Fire Department Capital Budget.

On motion of Trustee Trouvé and unanimously carried, the aforesaid authorization was approved.

5. Water Equipment Maintenance Contract - Hach, Inc. Requested authorization to engage Hach, Inc., P.O. Box 608, Loveland, Colorado, to perform chlorine analyzer, ph probe and nitrate analyzer semi-annual maintenance in the amount of \$6,152. The chlorine analyzers monitor chlorine levels at the Village wells. The ph probes maintain the ph levels at the Village wells. The nitrate analyzers monitors the nitrate level at the Clinton Road Well. Hach will calibrate the analyzers and monitor two times a year and respond to emergencies when the equipment needs adjustment. Funds are available in Account OF.8330.4020.

On motion of Trustee Trouvé and unanimously carried, the aforesaid authorization was approved.

FINANCE

1. Payment of Invoice - Sive, Paget & Riesel, P.C. - Groundwater Contamination. Requested authorization to pay the claim of Sive, Paget & Riesel, P.C., 460 Park Avenue, New York, New York, for professional services. This billing reflects work done for the period of May 1 through May 31, 2016, on the remedial cost recovery matter for groundwater contamination at Village Water Wells 13 and 14 in conjunction with litigation against Genesco for \$9,214.30.

On motion of Trustee Trouvé and unanimously carried, the aforesaid authorization was approved.

2. Cullen and Dykman Billings - Quarter Ended May 31, 2016. Requested authorization to pay the claim of Cullen and Dykman, for quarter ended May 31, 2016, as follows:

(a) General Transition Legal Services	\$ 1,842.75
(b) General Tax Certiorari Proceedings	22,656.15
(c) Small Claims Tax Assessment Proceedings	13,058.73
(d) National Union (Chartis)	20,006.50
(e) Joseph Ferrara Assessment	94.50
Total	\$57,658.63

On motion of Trustee Trouvé and unanimously carried, the aforesaid authorization was approved.

3. Payment of Invoice - Meyer, Suozzi, English & Klein, P.C. - Zoning Change Applications. Requested authorization to pay the claim of Meyer, Suozzi, English & Klein, P.C., 990 Stewart Avenue, Garden City, New York, for professional services. This billing reflects work done for the period of May 1 through May 31, 2016, to provide legal expertise for zoning change applications for \$4,050.

On motion of Trustee Trouvé and unanimously carried, the aforesaid authorization was approved.

4. Payment of Invoice - Reynolds, Caronia, Gianelli & LaPinta, P.C. - Fair Housing Compliance Officer -MHANY Management - ACORN. Requested authorization to pay the claim of Reynolds, Caronia, Gianelli & LaPinta, P.C., 200 Vanderbilt Parkway, Suite C-17, Hauppauge, New York, in the amount of \$3,115. This billing reflects services rendered from May 1 through May 31, 2016, with respect to legal issues as Fair Housing Compliance Officer with MHANY Management Inc., and the ACORN Litigation Case. This billing includes services rendered by Professor John Nolon.

On motion of Trustee Trouvé and unanimously carried, the aforesaid authorization was approved.

5. Payment of Invoice - Bee Ready Fishbein Hatter & Donovan, LLP - Legal Services - Reimbursement of Disbursement - Epoch 5 - Public Relations Consultant. Requested authorization to pay the claim of Bee Ready Fishbein Hatter & Donovan, LLP, 170 Old Country Road, Suite 200, Mineola, New York, in the amount of \$11,440.50 for the reimbursement of the actual costs incurred with regard to Epoch 5, 755 New York Avenue, Huntington, New York, through May 31, 2016.

On motion of Trustee Trouvé and unanimously carried, the aforesaid authorization was approved.

6. Payment of Invoice - Bee Ready Fishbein Hatter & Donovan, LLP - Legal Services - Reimbursement of Disbursement - Crown Castle (Right of Way). Requested authorization to pay the claim of Bee Ready Fishbein Hatter & Donovan, LLP, 170 Old Country Road, Suite 200, Mineola, New York, in the amount of \$1,300.84 for the reimbursement of the actual costs incurred with regard to Crown Castle (Right of Way, through May 31, 2016.

On motion of Trustee Trouvé and unanimously carried, the aforesaid authorization was approved.

7. Bond, Schoeneck & King, PLLC - General Labor Matters. Requested authorization to pay the claim of Bond, Schoeneck & King, PLLC, 1010 Franklin Avenue, Suite 200, Garden City, New York, for work done during the month of May 2016, with respect to legal services for general labor matters as follows:

(a) General Labor Matters - Hourly	\$ 4,132.00
(b) Edward Galazka 207a	827.00
(c) Firefighters IPC	2,747.00
(d) P.O. Bartkowski Disability Retirement	185.50
(e) FF Recall Stay of Arbitration (Deinhardt)	4,055.50
(f) FF Joseph T. Cieslewicz 207a	279.50
(g) Paul Brower Potential Discipline	109.00
(h) Firefighters IPC	736.00
(i) Nancy Sherwood Disability Accommodation	1,000.50
(j) Construction IPC	241.00
(k) Firefighters Layoffs Arbitration	5,128.00
(l) FF Joseph T. Cieslewicz Article 78	<u>5,333.00</u>
Total	\$24,774.00

On motion of Trustee Trouvé and unanimously carried, the aforesaid authorization was approved.

8. Bond Resolution - Refunding Serial Bonds - 2016. Requested authorization for the Refunding of Serial Bonds - 2016. This will result in a debt service savings for the Village of approximately \$128,000 per the Refunding Financial Plan provided by Fiscal Advisor.

Trustee Trouvé offered the following resolution and moved its adoption:

RESOLUTION NO. 132-2016

REFUNDING BOND RESOLUTION OF THE VILLAGE OF GARDEN CITY, NEW YORK, ADOPTED JULY 21, 2016, AUTHORIZING THE REFUNDING OF CERTAIN OUTSTANDING SERIAL BONDS OF SAID VILLAGE, STATING THE PLAN OF REFUNDING, APPROPRIATING AN AMOUNT NOT TO EXCEED \$3,300,000 FOR SUCH PURPOSE, AUTHORIZING THE ISSUANCE OF REFUNDING BONDS IN

THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$3,300,000 TO
FINANCE SAID APPROPRIATION, AND MAKING CERTAIN
OTHER DETERMINATIONS RELATIVE THERETO

Recitals

WHEREAS, the Village of Garden City, in the County of Nassau, New York (herein called the "Village"), has heretofore issued on July 27, 2006 its \$4,785,000 Public Improvement Serial Bonds-2006 (the "2006 Bonds"), which are currently outstanding in the principal amount of \$1,075,000 (the "Outstanding 2006 Bonds"), and mature on May 15 in each of the years and in the principal amounts and bear interest payable semiannually on May 15 and November 15 in each year to maturity, as follows:

<u>Year of Maturity</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
2017	\$200,000	4.20%
2018	\$200,000	4.20%
2019	\$225,000	4.20%
2020	\$225,000	4.20%
2021	\$225,000	4.20%

WHEREAS, the 2008 Bonds maturing on or before May 15, 2016 are not subject to redemption prior to maturity; and the Bonds maturing on or after May 15, 2017 are subject to redemption prior to maturity, at the option of the Village, on May 15, 2016 and thereafter on any date, in whole or in part, and if in part, in any order of their maturity and in any amount within a maturity (selected by lot within a maturity), at par, plus accrued interest to the date of redemption; and

WHEREAS, the Village has heretofore issued on January 24, 2008 its \$7,770,000 Public Improvement Serial Bonds-2008 (the "Outstanding 2008 Bonds" and, together with the Outstanding 2006 Bonds, the "Outstanding Bonds"), which are currently outstanding in the principal amount of \$3,040,000 (the "Outstanding 2008 Bonds"), and mature on May 1 in each of the years and in the principal amounts and bear interest payable semiannually on May 1 and November 1 in each year to maturity, as follows:

<u>Year of Maturity</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
2017	\$600,000	3-3/8%
2018	\$475,000	3-3/8%
2019	\$490,000	3.40%
2020	\$490,000	3.50%
2021	\$490,000	3.50%
2022	\$495,000	3.60%

WHEREAS, the 2008 Bonds maturing on or before May 1, 2018 are not subject to redemption prior to maturity; and the Bonds maturing on or after May 1, 2019 are subject to redemption prior to maturity, at the option of the Village, on May 1, 2018 and thereafter on any date, in whole or in part, and if in part, in any order of their maturity and in any amount within a maturity (selected by lot within a maturity), at par, plus accrued interest to the date of redemption; and

WHEREAS, Sections 90.00 and 90.10 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), authorize the Village to refund all or a portion of the outstanding unredeemed maturities of the Outstanding Bonds by the issuance of new bonds, the issuance of which will result in present value debt service savings for the Village, and the Board of Trustees has determined that it may be advantageous to refund all or a portion of the Outstanding Bonds; and WHEREAS, in order effectuate the refunding, it is now necessary to adopt this Refunding Bond Resolution;

NOW, THEREFORE, be it RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF GARDEN CITY, NEW YORK (by the favorable vote of at least two-thirds of all the members of said Board of Trustees), AS FOLLOWS:

Section 1. In this resolution, the following definitions apply, unless a different meaning clearly appears from the context:

- (a) “Bond To Be Refunded” or “Bonds To Be Refunded” means all or any portion of the aggregate Outstanding Bonds, as shall be determined in accordance with Section 8 hereof.
- b) “Escrow Contract” means the contract to be entered into by and between the Village and the Escrow Holder pursuant to Section 10 hereof.
- (c) “Escrow Holder” means the bank or trust company designated as such pursuant to Section 10 hereof.
- (d) “Outstanding Bonds” shall mean the outstanding unredeemed maturities of the 2006 Bonds and the 2008 Bonds.
- (e) “Present Value Savings” means the dollar savings which result from the issuance of the Refunding Bonds computed by discounting the principal and interest payments on both the Refunding Bonds and the Bonds To Be Refunded from the respective maturities thereof to the date of issue of the Refunding Bonds at a rate equal to the effective interest cost of the Refunding Bonds. The effective interest cost of the Refunding Bonds shall be that rate which is arrived at by doubling the semi-annual interest rate (compounded semi-annually) necessary to discount the debt service payments on the Refunding Bonds from the maturity dates thereof to the date of issue of the Refunding Bonds and to the agreed upon price including estimated accrued interest.
- (f) “Redemption Dates” mean May 15, 2016 and any date thereafter with respect to the 2006 Bonds; and May 1, 2018 and any date thereafter with respect to the 2009 Bonds; as shall be determined by the Village Treasurer in accordance with Section 8.
- (g) “Refunding Bond” or “Refunding Bonds” means all or a portion of the \$3,300,000 Refunding Serial Bonds-2016 of the Village of Garden City, authorized to be issued pursuant to Section 2 hereof.
- (h) “Refunding Bond Amount Limitation” means an amount of Refunding Bonds which does not exceed the principal amount of Bonds To Be Refunded plus the aggregate amount of unmatured interest payable on such Bonds To Be Refunded, to and including the applicable Redemption Date, plus redemption premiums payable on such Bonds To Be Refunded as of such Redemption Date, as hereinabove referred to in the Recitals hereof, plus costs and expenses incidental to the issuance of the Refunding Bonds including the development of the Refunding Financial Plan, and of executing and performing the terms and conditions of the Escrow Contract and all fees and charges of the Escrow Holder as referred to in Section 10 hereof.

Section 2. The Board of Trustees of the Village (herein called the “Board of Trustees”), hereby authorizes the refunding of the Bonds To Be Refunded, and appropriates an amount not to exceed \$3,300,000 to accomplish such refunding. The plan of financing said appropriation includes the issuance of the Refunding Bonds in the principal amount of not to exceed \$3,300,000 and the levy and collection of a tax upon all the taxable real property within the Village to pay the principal of and interest on said Refunding Bonds as the same shall become due and payable. Bonds of the Village in the maximum principal amount of \$3,300,000 and designated substantially as “REFUNDING SERIAL BONDS-2016” are hereby authorized to be issued pursuant to the provisions of the Law. The

proposed financial plan for the refunding in the form attached hereto as **Exhibit A** (the “Refunding Financial Plan”) prepared for the Village by its Financial Advisor, Capital Markets Advisors, LLC, and hereby accepted and approved, includes the deposit of all the proceeds of said Refunding Bonds with an Escrow Holder pursuant to an Escrow Contract as authorized in Section 10 hereof, the payment of all costs incurred by the Village in connection with said refunding from such proceeds and, to the extent required, the investment of a portion of such proceeds by the Escrow Holder in certain obligations. The principal of and interest on such investments, together with the balance of such proceeds to be held uninvested, if any, shall be sufficient to pay (i) the principal of and interest on the Bonds To Be Refunded becoming due and payable on and prior to each applicable Redemption Date and (ii) the principal of and premium on the Bonds To Be Refunded which are to be called for redemption prior to maturity on any such Redemption Date.

Section 3. The Bonds To Be Refunded referred to in Section 1 hereof are all or a portion of the Outstanding Bonds issued pursuant to various bond resolutions duly adopted by the Board of Trustees on their respective dates, authorizing the issuance of bonds of the Village to finance various purposes of the Village. In accordance with the Refunding Financial Plan, the Refunding Bonds authorized in the aggregate principal amount of not to exceed \$3,300,000 shall mature in amounts and at dates to be determined. The Village Treasurer, the chief fiscal officer of the Village, is hereby authorized to approve all details of the Refunding Financial Plan not contained herein.

Section 4. The issuance of the Refunding Bonds will not exceed the Refunding Bond Amount Limitation. The Refunding Bonds shall mature not later than the maximum period of probable usefulness (“PPU”) permitted by law at the time of original issuance of the Bonds to be Refunded, as set forth in **Exhibit B** annexed hereto and hereby made a part hereof, for the objects or purposes financed with the proceeds of the Bonds to be Refunded, commencing at the date of issuance of the first bond or bond anticipation note issued in anticipation of the sale of such bonds.

Section 5. The aggregate amount of estimated Present Value Savings is set forth in the proposed Refunding Financial Plan attached hereto as **Exhibit A**, computed in accordance with subdivision two of paragraph b of Section 90.10 of the Law. Said Refunding Financial Plan has been prepared based upon the assumption that the Refunding Bonds will be issued in the aggregate principal amount, and will mature, be of such terms and bear such interest as set forth therein. The Board of Trustees recognizes that the principal amount of the Refunding Bonds, the maturities, terms and interest rates, the provisions, if any, for the redemption thereof prior to maturity, and whether or not any or all of the Refunding Bonds will be insured, and the resulting present value savings, may vary from such assumptions and that the Refunding Financial Plan may vary from that attached hereto as **Exhibit A**.

Section 6. The Refunding Bonds may be sold at public or private sale.

- (a) If the Bonds are sold at private sale, the Village Treasurer, as the chief fiscal officer of the Village, is hereby authorized to execute a purchase contract on behalf of the Village for the sale of said Refunding Bonds, provided that the terms and conditions of such sale shall be approved by the State Comptroller.
- (b) In the event that the Refunding Bonds are sold at public sale pursuant to Section 57.00 of the Law, the Village Treasurer is hereby authorized and directed to prepare or have prepared a Notice of Sale, a summary of which shall be published at least once in (a) “THE BOND BUYER,” published in the City of New York and (b) the official newspaper(s) of the Village having general circulation within said Village, not less than five (5) nor more than thirty (30) days prior to the date of said sale. A copy of such notice shall be sent not less than eight (8) nor more than thirty (30) days prior to the date of said sale to (1) the State Comptroller, Albany, New York 12236; (2) at least two banks or trust companies having a place of business in the county in which the Village is located, or, if only one bank is located in such County,

then to such bank and to at least two banks or trust companies having a place of business in an adjoining county; (3) "THE BOND BUYER," 1 State Street Plaza, New York, New York 10004; and (4) at least 10 bond dealers.

- (c) Prior to the issuance of the Refunding Bonds, the Village Treasurer shall file with the Board of Trustees all requisite certifications, including a certificate approved by the State Comptroller setting forth the Present Value Savings to the Village resulting from the issuance of the Refunding Bonds. In connection with such sale, the Village authorizes the preparation of an Official Statement and approves its use in connection with such sale, and further consents to the distribution of a Preliminary Official Statement prior to the date said Official Statement is distributed. The Village Treasurer is hereby further authorized and directed to take any and all actions necessary to accomplish said refunding, and to execute any contracts and agreements for the purchase of and payment for services rendered or to be rendered to the Village in connection with said refunding, including the preparation of the Refunding Financial Plan referred to in Section 2 hereof.

Section 7. Each of the Refunding Bonds authorized by this resolution shall contain the recital of validity prescribed by Section 52.00 of the Law and said Refunding Bonds shall be general obligations of the Village, payable as to both principal and interest by a general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said Refunding Bonds and provision shall be made annually in the budget of the Village for (a) the amortization and redemption of the Refunding Bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 8. Subject to the provisions of this resolution and of the Law, and pursuant to the provisions of Section 21.00 of the Law with respect to the issuance of bonds having substantially level or declining annual debt service, and Sections 50.00, 56.00 to 60.00, 90.00, 90.10 and 168.00 of the Law, the powers and duties of the Board of Trustees relative to determining the amount of Bonds To Be Refunded, prescribing the terms, form and contents and as to the sale and issuance of the Refunding Bonds, and executing an arbitrage certificate relative thereto, and as to executing the Escrow Contract described in Section 10, the Official Statement referred to in Section 6 and any contracts for credit enhancements in connection with the issuance of the Refunding Bonds and any other certificates and agreements, as to making elections to call in and redeem all or a portion of the Bonds to be Refunded, and as to any determinations relating to the investment of the proceeds of the Refunding Bonds, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 9. The validity of the Refunding Bonds authorized by this resolution may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 10. Prior to the issuance of the Refunding Bonds, the Village shall contract with a bank or trust company located and authorized to do business in New York State, for the purpose of having such bank or trust company act as the Escrow Holder of the proceeds, inclusive of any premium from the sale of the Refunding Bonds, together with all income

derived from the investment of such proceeds. Such Escrow Contract shall contain such terms and conditions as shall be necessary in order to accomplish the Refunding Financial Plan, including provisions authorizing the Escrow Holder, without further authorization or direction from the Village, except as otherwise provided therein, (a) to make all required payments of principal, interest and redemption premiums to the appropriate paying agent with respect to the Bonds To Be Refunded, (b) to pay costs and expenses incidental to the issuance of the Refunding Bonds, including the development of the Refunding Financial Plan, and costs and expenses relating to the execution and performance of the terms and conditions of the Escrow Contract and all of its fees and charges as the Escrow Holder, (c) at the appropriate time or times to cause to be given on behalf of the Village the notice of redemption authorized to be given pursuant to Section 13 hereof, and (d) to invest the monies held by it consistent with the provisions of the Refunding Financial Plan. The Escrow Contract shall be irrevocable and shall constitute a covenant with the holders of the Refunding Bonds.

Section 11. The proceeds, inclusive of any premium, from the sale of the Refunding Bonds, immediately upon receipt shall be placed in escrow by the Village with the Escrow Holder in accordance with the Escrow Contract. All moneys held by the Escrow Holder, if invested, shall be invested only in direct obligations of the United States of America or in obligations the principal of and interest on which are unconditionally guaranteed by the United States of America, which obligations shall mature or be subject to redemption at the option of the holder thereof not later than the respective dates when such moneys will be required to make payments in accordance with the Refunding Financial Plan. Any such moneys remaining in the custody of the Escrow Holder after the full execution of the Escrow Contract shall be returned to the Village and shall be applied by the Village only to the payment of the principal of or interest on the Refunding Bonds then outstanding.

Section 12. That portion of such proceeds from the sale of the Refunding Bonds, together with interest earned thereon, which shall be required for the payment of the principal of and interest on the Bonds To Be Refunded, including any redemption premiums, in accordance with the Refunding Financial Plan, shall be irrevocably committed and pledged to such purpose and the holders of the Bonds To Be Refunded shall have a lien upon such moneys and the investments thereof held by the Escrow Holder. All interest earned from the investment of such moneys which is not required for such payment of principal of and interest on the Bonds To Be Refunded shall be irrevocably committed and pledged to the payment of the principal of and interest on the Refunding Bonds, or such portion or series thereof as shall be required by the Refunding Financial Plan, and the holders of such Refunding Bonds shall have a lien upon such moneys held by the Escrow Holder. The pledges and liens provided for herein shall become valid and binding upon the issuance of the Refunding Bonds and the moneys and investments held by the Escrow Holder shall immediately be subject thereto without any further act. Such pledges and liens shall be valid and binding against all parties having claims of any kind in tort, contract or otherwise against the Village irrespective of whether such parties have notice thereof. Neither this resolution, the Escrow Contract, nor any other instrument relating to such pledges and liens, need be filed or recorded.

Section 13. In accordance with the provisions of Section 53.00 and of paragraph h of Section 90.10 of the Law, the Board of Trustees hereby elects to call in and redeem all or a portion of the Bonds To Be Refunded which are subject to prior redemption according to their terms on the Redemption Date, as shall be determined by the Village Treasurer in accordance with Section 8 hereof. The sum to be paid therefor on the applicable Redemption Date shall be the par value thereof, the accrued interest to such Redemption Date and the redemption premiums, if any. The Escrow Holder is hereby authorized and directed to cause a notice of such call for redemption to be given in the name of the Village by mailing such notice at least thirty days prior to such Redemption Date, and in accordance with the terms appearing in the Bonds to be Refunded, to the registered holders of the Bonds To Be Refunded which are to be called in and redeemed. Upon the issuance of the Refunding Bonds, the election to call in and redeem the Bonds To Be Refunded which are to be called in and redeemed in accordance herewith and the direction to the Escrow Holder to cause notice thereof to be given as provided in this Section shall become irrevocable and the provisions of this Section shall constitute a covenant with the holders, from time to time, of

the Refunding Bonds, provided that this Section may be amended from time to time as may be necessary to comply with the publication requirements of paragraph a of Section 53.00 of the Law, as the same may be amended from time to time.

Section 14. This bond resolution shall take effect immediately, and the Village Clerk is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in “*The Garden City News*,” a newspaper having general circulation in the Village and hereby designated the official newspaper of said Village for such publication.

EXHIBIT A
PROPOSED REFUNDING FINANCIAL PLAN
EXHIBIT B
PERIODS OF PROBABLE USEFULNESS

(2006 Bonds)

<u>Purpose</u>	<u>Period of Probable Usefulness (Years)</u>
Water system improvements	40
Village Park (St. Paul’s property)	15
Construction of a Public Parking Facility	10
Land Acquisition and construction of parking lot	10

(2008 Bonds)

<u>Purpose</u>	<u>Period of Probable Usefulness (Years)</u>
Sewer system improvements	40
Improvements to Community Park	15
Improvements to Community Park	15
Improvements to Village Library	15
Watermain Replacement Franklin Court	40

The adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

AYES: 8
NOES: 0

The resolution was declared adopted.

9. Appropriation of Termination Reserve - Street Maintenance of Equipment. Requested authorization to appropriate \$78,934.37 from Account No. 0A8670 - Reserve for Compensated Absences to Account No. 0A9000.1220 - Termination Payout for payments to four employees from the Reserve maintained for that purpose.

On motion of Trustee Trouvé and unanimously carried, the aforesaid authorization was approved.

SICK LEAVE

POLICE

1. Sick Leave - Five Employees. Requested authorization to pay Detective Angelo Barone, Detective Sergeant James Bartkowski, Police Officer John Florio, Police Officer Michael Punch and Police Officer Keith Wehr through August 18, 2016 or such earlier date as they may be able to return to duty as determined by the Village medical advisor and pursuant to the provisions of the contract between the Incorporated Village of Garden City and the Police Benevolent Association, which became effective June 1, 2014.

On motion of Trustee Trouvé and unanimously carried, the aforesaid authorization was approved.

RECREATION

2. Sick Leave - Robert Schichtel. Requested authorization to pay Robert Schichtel, Laborer, Recreation and Parks Department through August 18, 2016 or such earlier date as he may be able to return to duty as determined by the Village medical advisor and pursuant to the provisions of the contract between the Incorporated Village of Garden City and the Civil Service Employees' Association, which became effective June 1, 2010.

On motion of Trustee Trouvé and unanimously carried, the aforesaid authorization was approved.

PUBLIC WORKS

3. Sick Leave - Stephen Ditzel. Requested authorization to pay Stephen Ditzel, Senior Water and Sewer Servicer, Water Department through August 18, 2016 or such earlier date as he may be able to return to duty as determined by the Village medical advisor and pursuant to the provisions of the contract between the Incorporated Village of Garden City and the Civil Service Employees' Association, which became effective June 1, 2010.

On motion of Trustee Trouvé and unanimously carried, the aforesaid authorization was approved.

4. Sick Leave - Michael Ardis. Requested authorization to pay Michael Ardis, Sanitation Supervisor, Sanitation Department through July 25, 2016 or such earlier date as he may be able to return to duty as determined by the Village medical advisor and pursuant to the provisions of the contract between the Incorporated Village of Garden City and the Civil Service Employees' Association, which became effective June 1, 2010.

On motion of Trustee Trouvé and unanimously carried, the aforesaid authorization was approved.

PERSONNEL

Executive Staff Compensation. It was requested that the following resolution be approved by the Board of Trustees with regard to Executive Staff Compensation.

On motion of Trustee Trouvé the following resolution was offered:

RESOLUTION NO. 133-2016

RESOLVED, that as part of the Village's annual salary review, the following annual salary adjustments be made to certain Executive Staff salary, effective June 1, 2016.

	<u>Total Annual Salary</u>
Police Commissioner Kenneth O. Jackson	\$226,261

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

The resolution was declared adopted.

FIRE

1. Engagement of Cleaning Service - Fire Headquarters - Above N Beyond Office Cleaning, LLC - Clean Fire Headquarters. Requested authorization to engage Above N Beyond Office Cleaning, LLC, 420 Garden Boulevard, Garden City, New York at the rate of \$480 per month to clean Fire Headquarters, not to exceed \$5,400 (for the remainder of the 2016/17 fiscal year). Funds are available in Account OH.3410.4030. The proposed action is a Type II Action under SEQRA and, accordingly, no further environmental review is required.

On motion of Trustee Trouvé and unanimously carried, the aforesaid authorization was approved.

2. Engagement of Cleaning Service - Fire Headquarters - Above N Beyond Office Cleaning, LLC - Fire Headquarters - Floor. Requested authorization to engage Above N Beyond Office Cleaning, LLC, 420 Garden Boulevard, Garden City, New York at the rate of \$3,400 per year, to strip/wax and maintain the newly installed vinyl tile flooring at Fire Headquarters. Funds are available in Account OH.3410.4030. The proposed action is a Type II Action under SEQRA and, accordingly, no further environmental review is required.

On motion of Trustee Trouvé and unanimously carried, the aforesaid authorization was approved.

3. Improvements to Garden City Fire Headquarters - Additional Contract Work - Bar Boy Products. Requested authorization for additional contract work for the Garden City Headquarters with Bar Boy Products, 250 Merritts Road, Farmingdale, New York in the amount of \$1,935 for a Manitowas Ice Maker with bin. This decreases the previously awarded contract with Bar Boy Products, as we needed to substitute an item because the work counter was unable to fit through door openings at Fire Headquarters. This substitution resulted in a decrease of \$1,940 which in turn will be used to purchase the above requested ice machine. Funds are available in the Capital Budget. The proposed action is a Type II Action under SEQRA and, accordingly, no further environmental review is required.

On motion of Trustee Trouvé and unanimously carried, the aforesaid authorization was approved.

RECREATION

1. Cooperative Purchasing Membership - Keystone Purchasing Network. Requested authorization for the Village to become a member of the Keystone Purchasing Network. In order to procure, with favorable pricing, two portable pitcher's mounds for the Community Park Field Improvement Project, membership is required with Keystone Purchasing Network, a cooperative organization that has previously administered a bid for the products we require. Village Counsel has approved this membership as to form.

On motion of Trustee Trouvé the following resolution was offered:

RESOLUTION NO. 134-2016

WHEREAS, the Central Susquehanna Intermediate Unit d/b/a Keystone Purchasing Network (KPN) is a cooperative organization which provides members with access to contracts bid on a competitive basis by other government agencies, including contracts advertised directly by KPN; and

WHEREAS, the Incorporated Village of Garden City wishes to have access to contracts accessible through KPN; and

WHEREAS, the Board of Trustees of the Incorporated Village of Garden City finds that membership in KPN shall benefit the Village by providing greater access to competitive pricing on goods and services; and

WHEREAS, membership in KPN is free of charge and will not result in any surcharge, premium or mark-up being added to the goods or services acquired through KPN's contracts; and

NOW THEREFORE, BE IT RESOLVED, that the Board of Trustees hereby authorizes the Village to join as a member of KPN and, further, directs the Mayor to execute any and all forms and agreements necessary to enroll the Village in KPN's membership, subject to prior review and approval by Village Counsel as to form.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

The resolution was declared adopted.

2. Procurement of Pitcher's Mounds - Sportsfield Specialities. Requested authorization to purchase through the Cooperative (Keystone Purchasing Network), an 18' pitcher's mound for \$17,295 and a 10' pitcher's mound for \$9,830 for a total cost of \$27,125, from Sportsfield Specialities, 41155 NY-10, Delhi, New York. Funds are available in Account OH.7140.2190.

On motion of Trustee Trouvé the following resolution was offered:

RESOLUTION NO. 135-2016

WHEREAS, the Village of Garden City Department of Recreation and Parks ("DRP") has need for the installation of two (2) pitcher's mounds in the Village's baseball fields to be delivered to Community Park Maintenance at 52 Cherry Valley Avenue; and

WHEREAS, on July 21, 2016, the Board of Trustees authorized the Village to join the Central Susquehanna Intermediate Unit d/b/a Keystone Purchasing Network (KPN); and

WHEREAS, the Village, through KPN, has the opportunity to utilize a contract with Sportsfield Specialities, pursuant to which the DRP will be able to purchase an 18' diameter portable pitcher's mound for \$17,295, and a 10' diameter little league pitcher's mound for \$9,830 (for a total price of \$27,125); and

WHEREAS, the contract with Sportsfield Specialities was bid on a competitive basis through KPN; and

WHEREAS, the DRP has requested authorization from the Board of Trustees for the Village to enter into a contract with Sportsfield Specialities for the purchase and installation of the above-described pitcher's mounds at the above-stated pricing; and

WHEREAS, the purchase and installation of the pitcher's mounds is a Type II Action pursuant to SEQRA, and therefore, no further environmental review is required;

NOW THEREFORE, be it resolved, that the Board of Trustees hereby authorizes the Village to enter into a contract with Sportsfield Specialities for the purchase of the above-described pitcher's mounds and, further, directs the Mayor to execute any and all necessary forms and agreements necessary to effectuate that transaction, subject to prior review and approval by Village Counsel as to form.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

The resolution was declared adopted.

3. Additional Contract Work - Community Park Field Renovation Project - Gate - Landtek Group, Inc. Requested authorization to pay the claim of Landtek Group, Inc., 235 County Line Road, Amityville, New York, in the amount of \$957.80. This is to install a 6' chain link, single main gate on the right field line of Field #4. The original plans called for a double gate which is not necessary at this location. This is within the approved contingency budget. The proposed action is a Type II Action under SEQRA and, accordingly, no further environmental review is required.

On motion of Trustee Trouvé and unanimously carried, the aforesaid authorization was approved.

4. Additional Contract Work - Community Park Field Renovation Project - Electrical Work - Landtek Group, Inc. Requested authorization to pay the claim of Landtek Group, Inc., 235 County Line Road, Amityville, New York, in the amount of \$15,037.08. This is for the installation of electrical conduit pull boxes, cutting pavement and additional new paving around the perimeter of both Field #3 and Field #4 backstops. This work was completed while the work areas were open and exposed. This is within the approved contingency budget. The proposed action is a Type II Action under SEQRA and, accordingly, no further environmental review is required.

On motion of Trustee Trouvé and unanimously carried, the aforesaid authorization was approved.

5. Amend Original Contract - Pool Liner - RenoSys. Requested authorization to amend the original contract with RenoSys, 2825 East 55th Place, Indianapolis, Indiana. The original contract was approved in the amount of \$68,097. It is requested to amend the contract to \$74,718.19 as additional work was required.

On motion of Trustee Trouvé and unanimously carried, the aforesaid authorization was approved.

6. Additional Contract Work - Pool Liner - RenoSys. Requested authorization to approve the work performed by Renosys, 2825 East 55th Place, Indianapolis, Indiana in the amount of \$6,621.19. This work was completed for the 2015 Pool Season and the invoice was not paid. Additional manpower hours were needed to complete this project in time for the opening of the 2015 pool season.

On motion of Trustee Trouvé and unanimously carried, the aforesaid authorization was approved.

7. St. Paul's Recreation Complex - Cinder Track Removal - Amend the Contract. Authorization is requested to amend the original contract for the removal of the cinder track amount of \$134,000 to \$137,275. It is anticipated that there will be considerable savings with the Parks Irrigation Project which is part of the overall Recreation Facilities Improvement Project which was previously approved by the Board with an authorized budget of \$1,045,000. Funding is available in the Capital Budget.

On motion of Trustee Trouvé and unanimously carried, the aforesaid authorization was approved.

8. St. Paul's Recreation Complex - Cinder Track Removal - Landtek Group. Requested authorization to authorize Landtek Group, Inc., 235 County Line Road, Amityville, New York, to remove an old cinder track that is beneath several soccer fields. The cost of this project is \$137,275. Funds are available in the Capital Project and is part of the Recreation Facilities Improvement Project which was previously approved by the Board of Trustees. The proposed action is a Type II Action under SEQRA and, accordingly, no further environmental review is required.

On motion of Trustee Trouvé and unanimously carried, the aforesaid authorization was approved.

AWARD OF BIDS

1. Fuel Pump System Replacement at the Garden City Municipal Yard. Recommended to award the bid for the Fuel Pump System Replacement at the Garden City Municipal Yard to Island Pump & Tank Corp., 40 Doyle Court, East Northport, New York, low bidder, for a total of \$347,900. A total of four invitations to bid were sent and two bids were received. A Notice to Bidders was sent to McGraw Hill Information Systems and Reed Construction Data.

On motion of Trustee Trouvé the following resolution was offered:

RESOLUTION NO. 136-2016

RESOLVED, that the proposal of Island Pump & Tank Corp., 40 Doyle Court, East Northport, New York, at a cost of \$347,900 be and the same hereby is accepted, this being the lowest and best bid received.

FURTHER RESOLVED, that the Mayor and Clerk be and they hereby are authorized in behalf of the Village to execute a contract with Island Pump & Tank Corp., for this work, pursuant to the terms and conditions set forth in the request for bids and in the proposal submitted by said Company, the form of contract to be approved by Village Counsel; and

FURTHER RESOLVED, that all other bids be rejected.

FURTHER RESOLVED, the proposed action is a Type II Action under SEQRA and, accordingly, no further environmental review is required; and

The vote on the foregoing resolution was as follows:

AYES: 8

NOES: 0

The resolution was declared adopted.

2. Indirect LED Tennis Court Lighting at Community Park. (a) Recommend to Reject the low bid of Eldor Contracting Corp., 30 Corporate Drive, Holtsville, New York, as they did not meet the specifications.

(b) Recommend to award the bid for the Indirect LED Tennis Court Lighting at Community Park to Palace Electrical Contractors, Inc., 3558 Park Avenue, Wantagh, New York, second low bidder, for a total of \$83,000. A total of six invitations to bid were sent and four bids were received. A Notice to Bidders was sent to McGraw Hill Information Systems and Reed Construction Data.

On motion of Trustee Trouvé the following resolution was offered:

RESOLUTION NO. 137-2016

RESOLVED, that the proposal of Palace Electrical Contractors, Inc., 3558 Park Avenue, Wantagh, New York, at a cost of \$83,000 be and the same hereby is accepted, this being the lowest and best bid received.

FURTHER RESOLVED, that the Mayor and Clerk be and they hereby are authorized in behalf of the Village to execute a contract with Palace Electrical Contractors, Inc., for this work, pursuant to the terms and conditions set forth in the request for bids and in the proposal submitted by said Company, the form of contract to be approved by Village Counsel; and

FURTHER RESOLVED, that all other bids be rejected.

FURTHER RESOLVED, the proposed action is a Type II Action under SEQRA and, accordingly, no further environmental review is required; and

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

The resolution was declared adopted.

3. Furnish and Install Irrigation at Various Locations. Recommended to award the bid to Furnish and Install Irrigation at Various Locations to L & M Specialty, Co., Inc., 10-2 Drew Court, Ronkonkoma, New York, low bidder, for a total of \$222,238. A total of six invitations to bid were sent and two bids were received. A Notice to Bidders was sent to McGraw Hill Information Systems and Reed Construction Data.

On motion of Trustee Trouvé the following resolution was offered:

RESOLUTION NO. 138-2016

RESOLVED, that the proposal of L & M Specialty, Co., Inc., 10-2 Drew Court, Ronkonkoma, New York, at a cost of \$222,238 be and the same hereby is accepted, this being the lowest and best bid received.

FURTHER RESOLVED, that the Mayor and Clerk be and they hereby are authorized in behalf of the Village to execute a contract with L & M Specialty, Co., Inc., for this work, pursuant to the terms and conditions set forth in the request for bids and in the proposal submitted by said Company, the form of contract to be approved by Village Counsel; and

FURTHER RESOLVED, that all other bids be rejected.

FURTHER RESOLVED, the proposed action is a Type II Action under SEQRA and, accordingly, no further environmental review is required; and

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

The resolution was declared adopted.

TRUSTEE COMMUNICATIONS

Change of Board of Trustees Meeting Date. It was requested that the Regular Board of Trustees Meeting scheduled for Thursday, September 15, 2016 be changed to Thursday, September 22, 2016.

On motion of Trustee Trouvé and unanimously carried, the regularly scheduled Board of Trustees Meeting was changed from September 15, 2016 to September 22, 2016 at 8:00 p.m.**

EXTERNAL COMMUNICATIONS

PERMITS:

1. Msgr. Thomas J. Harold, Pastor, Church of Saint Anne, requesting authorization to close a section of Dartmouth Street, east of the municipal parking field to Middleton Road, on Saturday, September 17, 2016, from 1:00 p.m. to 10:00 p.m. in conjunction with its ninth annual "Spirit Day".

On motion of Trustee Trouvé and unanimously carried, the aforesaid authorization was approved.

Block Parties:

2. Garden Street between Boylston and Grove Streets, Saturday, August 13, 2016 from 1:00 p.m. to 10:00 p.m. (Rain date August 14)

On motion of Trustee Trouvé and unanimously carried, the aforesaid authorization was approved.

3. Suffolk Lane between Fourteenth and Fifteenth Streets, Saturday, August 20, 2016 from 11:00 a.m. to 11:00 p.m. (Rain date August 21)

On motion of Trustee Trouvé and unanimously carried, the aforesaid authorization was approved.

4. Jackson Street between Manor Road and Stewart Avenue, Saturday, September 10, 2016 from 12 noon to 11:00 p.m. (Rain date September 11)

On motion of Trustee Trouvé and unanimously carried, the aforesaid authorization was approved.

5. Kensington Road between Merillon and Somerset Avenues, Saturday, September 17, 2016 from 12 noon to 10:00 p.m. (Rain date September 18)

On motion of Trustee Trouvé and unanimously carried, the aforesaid authorization was approved.

Following discussion, the following items were acted upon:

Agenda Item #1 of the Consent Calendar

PUBLIC WORKS

SEQR - Lead Agency

On motion of Trustee Silver the following resolution was offered:

RESOLUTION NO. 139-2016

WHEREAS, the Village of Garden City has proposed a Bond Resolution for the Construction of Improvements to the Village Sanitary Sewer System; and

WHEREAS, pursuant to Part 617 of the Implementing Regulations pertaining to Article 8 (State Environmental Quality Review), the Village of Garden City Board of Trustees has determined that this is an Unlisted Action; and

WHEREAS, other agencies may be involved in the approval of this application;

NOW, THEREFORE, BE IT RESOLVED, that the Village of Garden City Board of Trustees intend to act as Lead Agency in the review of this action; and

BE IT FURTHER RESOLVED, that the Clerk be directed to make the proper notification of this action to other agencies.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

The resolution was declared adopted.

Short Environmental Assessment Form - Bond Resolution for the Construction of Improvements to the Village Sanitary Sewer System. Stated that Mr. Mangan has prepared a Short Environmental Assessment Form for the proposed Bond Resolution for the Construction of Improvements to the Village Sanitary Sewer System and he has determined that this action will not have a significant effect on Garden City environment and recommended that a negative declaration be prepared.

Trustee Silver introduced the following resolution and moved its adoption:

RESOLUTION NO. 140-2016

WHEREAS, a Short Environmental Assessment Form has been prepared by Director of Public Works Robert J. Mangan in connection with the proposed Bond Resolution for the Construction of Improvements to the Village Sanitary Sewer System.

WHEREAS, the Director of Public Works has concluded that the proposed Bond Resolution will not have a significant effect on the environment because there will be no impact on the environment, as more fully set forth in the Short Environmental Assessment form, copy of which has been filed in the Office of the Village Clerk and by reference made a part hereof; and

WHEREAS, the Director of Public Works has recommended that a negative declaration be prepared.

NOW, THEREFORE, BE IT RESOLVED, that this Board pursuant to the State Environmental Review Act and Part 617 of the New York State Code of Rules and Regulations, hereby determines that the proposed action will not have a significant effect on the environment; and be it further

RESOLVED, that this determination shall be a negative declaration for the purpose of Article 8 of the Environmental Conservation Law.

The adoption of the foregoing resolution was duly put to vote on roll call, which resulted as follows:

AYES: 8
NOES: 0

The resolution was declared adopted.

Agenda Item #2 of the Consent Calendar

FINANCE

Bond Resolution - Authorizing the Construction of Improvements to the Village Sanitary Sewer System. Requested authorization for the Authorization of Construction of Improvements to the Sanitary Sewer System to be funded by the issuance of bonds. The total cost of the bond for the Construction of Improvements to the Sanitary Sewer System, including financing costs and additional contingencies for unforeseen expenses is estimated to be \$200,000.

Trustee Silver offered the following resolution and moved its adoption:

RESOLUTION NO. 141-2016

BOND RESOLUTION OF THE VILLAGE OF GARDEN CITY, NEW YORK, ADOPTED JULY 21, 2016, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO THE VILLAGE SANITARY SEWER SYSTEM, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$200,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF

NOT TO EXCEED \$200,000 TO FINANCE SAID
APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF GARDEN CITY, IN THE COUNTY OF NASSAU, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Garden City, in the County of Nassau, New York (herein called the "Village"), is hereby authorized to construct improvements to the Village sanitary sewer system, including relining of various sewer lines, improvements to manholes, replacement of pump station pumps, replacement of a grinder pump, and other work ancillary or related thereto. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$200,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of \$200,000 bonds of the Village to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Village in the principal amount of \$200,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

- (a) The period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 4 of the Law, is forty (40) years.
- (b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.
- (c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and Section 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to executing agreements for credit enhancement, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to publish or cause to be published, in full, in the "*Garden City News*," a newspaper having a general circulation within said Village and hereby designated the official newspaper of the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the following form:

VILLAGE OF GARDEN CITY, NEW YORK

PLEASE TAKE NOTICE that on July 21, 2016, the Board of Trustees of the Village of Garden City, in the County of Nassau, New York, adopted a bond resolution entitled:

"Bond Resolution of the Village of Garden City, New York, adopted July 21, 2016, authorizing the construction of improvements to the Village sanitary sewer system, stating the estimated maximum cost thereof is \$200,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of not to exceed \$200,000 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 construct improvements to the Village sanitary sewer system, including relining of various sewer lines, improvements to manholes, replacement of pump station pumps, replacement of a grinder pump, and other work ancillary or related thereto; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$200,000; APPROPRIATING said amount for such purpose; and STATING the plan of financing includes the issuance of \$200,000 bonds of the Village 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 \$200,000 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 forty (40) 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: July 21, 2016

Karen M. Altman
Village Clerk

Section 8. The Village Clerk is hereby directed, after said bond resolution shall take effect, to cause said bond resolution to be published, in summary or in full, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Law.

The adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

AYES: 8
NOES: 0

The resolution was declared adopted.

Agenda Item #3 of the Consent Calendar

PUBLIC WORKS

SEQR - Lead Agency

On motion of Trustee Silver the following resolution was offered:

RESOLUTION NO. 142-2016

WHEREAS, the Village of Garden City has proposed a Bond Resolution for the Replacement of Water Meters; and

WHEREAS, pursuant to Part 617 of the Implementing Regulations pertaining to Article 8 (State Environmental Quality Review), the Village of Garden City Board of Trustees has determined that this is an Unlisted Action; and

WHEREAS, other agencies may be involved in the approval of this application;

NOW, THEREFORE, BE IT RESOLVED, that the Village of Garden City Board of Trustees intend to act as Lead Agency in the review of this action; and

BE IT FURTHER RESOLVED, that the Clerk be directed to make the proper notification of this action to other agencies.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

The resolution was declared adopted.

Short Environmental Assessment Form - Bond Resolution for the Replacement of Water Meters. Stated that Mr. Mangan has prepared a Short Environmental Assessment Form for the proposed Bond Resolution for the Replacement of Water Meters and he has

determined that this action will not have a significant effect on Garden City environment and recommended that a negative declaration be prepared.

Trustee Silver introduced the following resolution and moved its adoption:

RESOLUTION NO. 143-2016

WHEREAS, a Short Environmental Assessment Form has been prepared by Director of Public Works Robert J. Mangan in connection with the proposed Bond Resolution for the Replacement of Water Meters.

WHEREAS, the Director of Public Works has concluded that the proposed Bond Resolution will not have a significant effect on the environment because there will be no impact on the environment, as more fully set forth in the Short Environmental Assessment form, copy of which has been filed in the Office of the Village Clerk and by reference made a part hereof; and

WHEREAS, the Director of Public Works has recommended that a negative declaration be prepared.

NOW, THEREFORE, BE IT RESOLVED, that this Board pursuant to the State Environmental Review Act and Part 617 of the New York State Code of Rules and Regulations, hereby determines that the proposed action will not have a significant effect on the environment; and be it further

RESOLVED, that this determination shall be a negative declaration for the purpose of Article 8 of the Environmental Conservation Law.

The adoption of the foregoing resolution was duly put to vote on roll call, which resulted as follows:

AYES: 8
NOES: 0

The resolution was declared adopted.

Agenda Item #4 of the Consent Calendar

FINANCE

Bond Resolution - Authorizing the Replacement of the Water Meters. Requested authorization for the Authorization of the Replacement of the Water Meters to be funded by the issuance of bonds. The total cost of the bond for the Replacement of the Water Meters, including financing costs and additional contingencies for unforeseen expenses is estimated to be \$150,000.

Trustee Silver offered the following resolution and moved its adoption:

RESOLUTION NO. 144-2016

BOND RESOLUTION OF THE VILLAGE OF GARDEN CITY, NEW YORK, ADOPTED JULY 21, 2016, AUTHORIZING THE REPLACEMENT OF WATER METERS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$150,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$150,000 TO FINANCE SAID APPROPRIATION.

THE BOARD OF TRUSTEES OF THE VILLAGE OF GARDEN CITY, IN THE COUNTY OF NASSAU, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Garden City, in the County of Nassau, New York (herein called the "Village"), is hereby authorized to replace water meters, including installation of radio-controlled meter reading technology, testing of new meters and disposal of removed meters. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$150,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of \$150,000 bonds of the Village to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Village in the principal amount of \$150,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

- (a) The period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 30 of the Law, is twenty (20) years.
- (b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.
- (c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and Section 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to executing agreements for credit enhancement, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to publish or cause to be published, in full, in the "*Garden City News*," a newspaper having a general circulation within said Village and hereby designated the official newspaper of the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the following form:

VILLAGE OF GARDEN CITY, NEW YORK

PLEASE TAKE NOTICE that on July 21, 2016, the Board of Trustees of the Village of Garden City, in the County of Nassau, New York, adopted a bond resolution entitled:

“Bond Resolution of the Village of Garden City, New York, adopted July 21, 2016, authorizing the replacement of water meters, stating the estimated maximum cost thereof is \$150,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of not to exceed \$150,000 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 replace water meters, including installation of radio-controlled meter reading technology, testing of new meters and disposal of removed meters; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$150,000; APPROPRIATING said amount for such purpose; and STATING the plan of financing includes the issuance of \$150,000 bonds of the Village 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 \$150,000 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 twenty (20) 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: July 21, 2016

Karen M. Altman
Village Clerk

Section 8. The Village Clerk is hereby directed, after said bond resolution shall take effect, to cause said bond resolution to be published, in summary or in full, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Law.

The adoption of the foregoing resolution was duly put to vote on roll call, which resulted as follows:

AYES: 8
NOES: 0

The resolution was declared adopted.

Agenda Item #5 of the Consent Calendar

PUBLIC WORKS

SEQR - Lead Agency

On motion of Trustee Silver the following resolution was offered:

RESOLUTION NO. 145-2016

WHEREAS, the Village of Garden City has proposed a Bond Resolution for the Preparation of Plans and Specifications in Connection with Proposed Improvements to the Community Park Multi-Use Fields; and

WHEREAS, pursuant to Part 617 of the Implementing Regulations pertaining to Article 8 (State Environmental Quality Review), the Village of Garden City Board of Trustees has determined that this is an Unlisted Action; and

WHEREAS, other agencies may be involved in the approval of this application;

NOW, THEREFORE, BE IT RESOLVED, that the Village of Garden City Board of Trustees intend to act as Lead Agency in the review of this action; and

BE IT FURTHER RESOLVED, that the Clerk be directed to make the proper notification of this action to other agencies.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

The resolution was declared adopted.

Short Environmental Assessment Form - Bond Resolution for the Preparation of Plans and Specifications in Connection with Proposed Improvements to the Community Park Multi-Use Fields. Stated that Mr. Mangan has prepared a Short Environmental Assessment Form for the proposed Bond Resolution for the Preparation of Plans and Specifications in Connection with Proposed Improvements to the Community Park Multi-Use Fields and he has determined that this action will not have a significant effect on Garden City environment and recommended that a negative declaration be prepared.

Trustee Silver introduced the following resolution and moved its adoption:

RESOLUTION NO. 146-2016

WHEREAS, a Short Environmental Assessment Form has been prepared by Director of Public Works Robert J. Mangan in connection with the proposed Bond Resolution for the

Preparation of Plans and Specifications in Connection with Proposed Improvements to the Community Park Multi-Use Fields.

WHEREAS, the Director of Public Works has concluded that the proposed Bond Resolution will not have a significant effect on the environment because there will be no impact on the environment, as more fully set forth in the Short Environmental Assessment form, copy of which has been filed in the Office of the Village Clerk and by reference made a part hereof; and

WHEREAS, the Director of Public Works has recommended that a negative declaration be prepared.

NOW, THEREFORE, BE IT RESOLVED, that this Board pursuant to the State Environmental Review Act and Part 617 of the New York State Code of Rules and Regulations, hereby determines that the proposed action will not have a significant effect on the environment; and be it further

RESOLVED, that this determination shall be a negative declaration for the purpose of Article 8 of the Environmental Conservation Law.

The adoption of the foregoing resolution was duly put to vote on roll call, which resulted as follows:

AYES: 8

NOES: 0

The resolution was declared adopted.

Agenda Item #6 of the Consent Calendar

FINANCE

Bond Resolution - Authorizing the Preparation of Plans and Specifications in Connection with the Proposed Improvements to the Community Park Multi-Use Field. Requested authorization for Authorizing the Preparation of Plans and Specifications in Connection with the Proposed Improvements to the Community Park Multi-Use Field to be funded by the issuance of bonds. The total cost of the bond for Authorizing the Preparation of Plans and Specifications in Connection with the Proposed Improvements to the Community Park Multi-Use Field, including financing costs and additional contingencies for unforeseen expenses is estimated to be \$70,400.

Trustee Silver offered the following resolution and moved its adoption:

RESOLUTION NO. 147-2016

BOND RESOLUTION OF THE VILLAGE OF GARDEN CITY, NEW YORK, ADOPTED JULY 21, 2016, AUTHORIZING THE PREPARATION OF PLANS AND SPECIFICATIONS IN CONNECTION WITH PROPOSED IMPROVEMENTS TO THE COMMUNITY PARK MULTI-USE FIELD, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$70,400, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$70,400 TO FINANCE SAID APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF GARDEN CITY, IN THE COUNTY OF NASSAU, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Garden City, in the County of Nassau, New York (herein called the "Village"), is hereby authorized to prepare plans and specifications in connection

with proposed improvements to the Community Park multi-use field. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$70,400 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of \$70,400 bonds of the Village to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Village in the principal amount of \$70,400 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

- (a) The period of probable usefulness applicable to the object or purpose for which said \$70,400 bonds are authorized to be issued, within the limitations of Section 11.00 a. 62 of the Law, is five (5) years.
- (b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.
- (c) The proposed maturity of the bonds authorized by this resolution will not exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Village Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to executing credit enhancement agreements, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately, and the Village Clerk is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in the “*Garden City News*,” a newspaper having a general circulation in the Village and hereby designated the official newspaper of said Village for such publication.

The adoption of the foregoing resolution was duly put to vote on roll call, which resulted as follows:

AYES: 8
NOES: 0

The resolution was declared adopted.

Agenda Item #11 of the Consent Calendar

PUBLIC WORKS

Engagement of Professional Services - Upgrade SCADA System. Requested authorization to engage H2M Water, 539 Broad Hollow Road, Melville, New York, in the amount not to exceed \$39,800 to prepare the plans and specifications and construction management for the updating of the Water System SCADA (Supervisory Control and Data Acquisition) for the operation of the Village wells. Funds are available in the Water Capital Fund. H2M proposes to complete the above services in accordance with the following fee schedule:

Task	Description	Fee Type	Fee Amount
1	Preparation of Construction Documents	Lump Sum	\$18,400
2	Bidding Assistance	Lump Sum	\$2,000
3	Construction Administration	Lump sum	\$10,800
4	Construction Observation	Lump Sum	\$8,600
		Total	\$39,800

On motion of Trustee Silver and unanimously carried, the aforesaid authorization was approved.

Agenda Item #16 of the Consent Calendar

FINANCE

Transfer of Funds - 2015-2016 Budget:

- a) \$10,000 from Account 0A5182.4460 - Street Lighting - Contractual Services, to Account 0A8160.4460 - Refuse & Garbage - Contractual Services, to cover invoice for broken asphalt removal from Village Yard.

On motion of Trustee Trouvé and unanimously carried, the aforesaid recommendation was approved and the Treasurer was authorized to make the necessary transfer of funds.

b) \$4,230 total amount requested: \$2,230 from Account 0A5182.4030 - Street Lighting - Maintenance of Plant, and \$2,000 from Account 0A5182.4460 - Street Lighting - Contractual Services, to Account 0A5110.4020 - Street Maintenance - Maintenance of Equipment, to fund additional maintenance on Street Department trucks.

On motion of Trustee Trouvé and unanimously carried, the aforesaid recommendation was approved and the Treasurer was authorized to make the necessary transfer of funds.

c) \$1,892.61 total amount requested: \$1,255.85 from Account 0A1640.4030 - Central Garage - Maintenance of Plant, and \$636.76 from Account A1440.4070 - Engineer - Printing, Postage and Stationery, to Account A1640.4510 - Central Garage - Natural Gas.

On motion of Trustee Trouvé and unanimously carried, the aforesaid recommendation was approved and the Treasurer was authorized to make the necessary transfer of funds.

d) \$1,316.65 from Account 0A7110.4040 - Parks - Materials and Supplies, to Account 0A7110.2000 - Parks - Equipment, to fund the purchase of three benches for the Parks Department.

On motion of Trustee Trouvé and unanimously carried, the aforesaid recommendation was approved and the Treasurer was authorized to make the necessary transfer of funds.

The following transfers are needed to cover Salary related expenses:

e) \$2,086.28 from Account 0A5010.4080 - Street Administration - Telephone, to Account 0A1440.1010 - Engineer - Regular.

On motion of Trustee Trouvé and unanimously carried, the aforesaid recommendation was approved and the Treasurer was authorized to make the necessary transfer of funds.

f) \$999.37 from Account 0A1620.4060 - Building - Electricity, to Account A1620.1010 - Building -Regular.

On motion of Trustee Trouvé and unanimously carried, the aforesaid recommendation was approved and the Treasurer was authorized to make the necessary transfer of funds.

g) \$201.45 from Account 0A1620.4010 - Building - Materials and Supplies, to Account 0A1620.1020 - Building - Overtime.

On motion of Trustee Trouvé and unanimously carried, the aforesaid recommendation was approved and the Treasurer was authorized to make the necessary transfer of funds.

h) \$10,786.52 from Account 0A8140.4010 - Storm Sewers - Material and Supplies, to Account 0A1640.1010 - Central Garage - Regular.

On motion of Trustee Trouvé and unanimously carried, the aforesaid recommendation was approved and the Treasurer was authorized to make the necessary transfer of funds.

i) \$388.23 from Account 0A1640.4020 - Central Garage - Maintenance of Equipment, to Account 0A1640.1020 - Central Garage - Overtime.

On motion of Trustee Trouvé and unanimously carried, the aforesaid recommendation was approved and the Treasurer was authorized to make the necessary transfer of funds.

j) \$458.32 from Account 0A1680.4620 - Central Data Processing - Purchase of Software, to Account 0A1680.1010 - Central Data Processing - Regular.

On motion of Trustee Trouvé and unanimously carried, the aforesaid recommendation was approved and the Treasurer was authorized to make the necessary transfer of funds.

k) \$27.43 from Account 0A1680.4540 - Central Data Processing - Maintenance of Software, to Account 0A1680.1020 - Central Data Processing - Overtime.

On motion of Trustee Trouvé and unanimously carried, the aforesaid recommendation was approved and the Treasurer was authorized to make the necessary transfer of funds.

l) \$4,515.70 from Account 0A1980.4000 - MTA Payroll Tax, to Account 0A3620.1010 - Safety Inspection - Regular.

On motion of Trustee Trouvé and unanimously carried, the aforesaid recommendation was approved and the Treasurer was authorized to make the necessary transfer of funds.

m) \$2,038.57 from Account 0A5010.4080 - Street Administration - Telephone, to Account 0A5010.1010 - Street Administration - Regular.

On motion of Trustee Trouvé and unanimously carried, the aforesaid recommendation was approved and the Treasurer was authorized to make the necessary transfer of funds.

n) \$8,527.86 from Account 0A5182.4060 - Street Lighting - Electricity, to Account 0A5110.1010 - Street Maintenance - Regular.

On motion of Trustee Trouvé and unanimously carried, the aforesaid recommendation was approved and the Treasurer was authorized to make the necessary transfer of funds.

o) \$216.01 from Account 0A8160.4120 - Refuse and Garbage - Travel and Training, to Account 0A5110.1020 - Street Maintenance - Overtime.

On motion of Trustee Trouvé and unanimously carried, the aforesaid recommendation was approved and the Treasurer was authorized to make the necessary transfer of funds.

p) \$21.60 from Account 0A5110.4490 - Street Maintenance - Gas and Oil, to Account 0A5110.1200 - Street Maintenance - Night Differential.

On motion of Trustee Trouvé and unanimously carried, the aforesaid recommendation was approved and the Treasurer was authorized to make the necessary transfer of funds.

q) \$2,073.30 from Account 0A1620.4500 - Building - Water, to Account 0A5142.1010 - Snow Removal - Regular.

On motion of Trustee Trouvé and unanimously carried, the aforesaid recommendation was approved and the Treasurer was authorized to make the necessary transfer of funds.

r) \$2,030.57 from Account 0A5182.4030 - Street Lighting - Maintenance of Plant, to Account 0A5182.1010 - Street Lighting - Regular.

On motion of Trustee Trouvé and unanimously carried, the aforesaid recommendation was approved and the Treasurer was authorized to make the necessary transfer of funds.

s) \$2,178.07 from Account 0A8120.4460 - Sanitary Sewers - Contractual Services, to Account 0A8120.1010 - Sanitary Sewers - Regular.

On motion of Trustee Trouvé and unanimously carried, the aforesaid recommendation was approved and the Treasurer was authorized to make the necessary transfer of funds.

t) \$119.67 from Account 0A8120.4500 - Sanitary Sewers - Water, to Account 0A8120.1020 - Sanitary Sewers - Overtime.

On motion of Trustee Trouvé and unanimously carried, the aforesaid recommendation was approved and the Treasurer was authorized to make the necessary transfer of funds.

u) \$3.24 from Account No. 0A8120.4500 - Sanitary Sewers - Water, to Account 0A8120.1200 - Sanitary Sewers - Night Differential.

On motion of Trustee Trouvé and unanimously carried, the aforesaid recommendation was approved and the Treasurer was authorized to make the necessary transfer of funds.

v) \$1,518.80 from Account 0A8140.4010 - Storm Sewers - Materials and Supplies, to Account 0A8140.1010 - Storm Sewers - Regular.

On motion of Trustee Trouvé and unanimously carried, the aforesaid recommendation was approved and the Treasurer was authorized to make the necessary transfer of funds.

w) \$22,678.34 total amount requested: \$5,042.45 from Account 0A8120.4060 - Sanitary Sewers - Electricity and \$17,635.89 from Account 0A5182.4460 - Street Lighting - Contractual Services, to Account 0A8160.1010 - Refuse and Garbage - Regular.

On motion of Trustee Trouvé and unanimously carried, the aforesaid recommendation was approved and the Treasurer was authorized to make the necessary transfer of funds.

x) \$5,415.55 total amount requested: \$404.66 from Account 0A8189.4280 - Recycling - Uniforms, \$963.47 from Account 0A8160.4280 - Refuse and Garbage - Uniforms, \$675.76 from Account 0A8160.4230 - Refuse and Garbage - County and Town Services, \$364.06 from Account 0A8160.4490 - Refuse and Garbage - Gas and Oil, \$352.26 from Account 0A8160.4070 - Refuse and Garbage - Printing, Postage and Stationery and \$2,655.34 from Account 0A8120.4060 - Sanitary Sewers-Electricity, to Account 0A8160.1020 - Refuse and Garbage - Overtime.

On motion of Trustee Trouvé and unanimously carried, the aforesaid recommendation was approved and the Treasurer was authorized to make the necessary transfer of funds.

y) \$5,853.29 total amount requested: \$4,544.61 from Account 0A8189.4490 - Recycling - Gas and Oil and \$1,308.68 from Account 0A8189.4020 - Recycling - Maintenance of Equipment, to Account 0A8170.1010 - Street Cleaning - Regular.

On motion of Trustee Trouvé and unanimously carried, the aforesaid recommendation was approved and the Treasurer was authorized to make the necessary transfer of funds.

z) \$3,448.27 from Account 0A8189.4490 - Recycling-Gas & Oil, to Account 0A8189.1010 - Recycling - Regular.

On motion of Trustee Trouvé and unanimously carried, the aforesaid recommendation was approved and the Treasurer was authorized to make the necessary transfer of funds.

aa) \$4,904.61 from Account 0F8320.1010 - Source of Supply, Power and Pump - Regular, to Account 0F8310.1010 - Water Administration - Regular.

On motion of Trustee Trouvé and unanimously carried, the aforesaid recommendation was approved and the Treasurer was authorized to make the necessary transfer of funds.

bb) \$4.82 from Account 0F8330.1020 - Purification - Overtime, to Account 0F8310.1020 - Water Administration - Overtime.

On motion of Trustee Trouvé and unanimously carried, the aforesaid recommendation was approved and the Treasurer was authorized to make the necessary transfer of funds.

cc) \$0.14 from Account 0F8310.4500 - Water Administration - Water, to Account 0F8310.1210 - Water Administration - Retroactive Payment.

On motion of Trustee Trouvé and unanimously carried, the aforesaid recommendation was approved and the Treasurer was authorized to make the necessary transfer of funds.

dd) \$3,158.75 from Account 0F8320.1010 - Source of Supply, Power and Pump - Regular, to Account 0F8340.1010 - Transmission and Distribution - Regular.

On motion of Trustee Trouvé and unanimously carried, the aforesaid recommendation was approved and the Treasurer was authorized to make the necessary transfer of funds.

ee) \$3,439.23 from Account 0F8330.1020 - Purification - Overtime, to Account 0F8340.1020 - Transmission and Distribution - Overtime.

On motion of Trustee Trouvé and unanimously carried, the aforesaid recommendation was approved and the Treasurer was authorized to make the necessary transfer of funds.

ff) \$7.56 from Account 0F8340.4490 - Transmission and Distribution - Gas and Oil, to Account 0F8340.1200 - Transmission and Distribution - Night Differential.

On motion of Trustee Trouvé and unanimously carried, the aforesaid recommendation was approved and the Treasurer was authorized to make the necessary transfer of funds.

gg) \$2,241.02 from Account 0A7140.4030 - Recreation - Maintenance of Plant, to Account 0A7140.1020 - Recreation - Overtime.

On motion of Trustee Trouvé and unanimously carried, the aforesaid recommendation was approved and the Treasurer was authorized to make the necessary transfer of funds.

hh) \$6,321.88 from Account 0A7140.4060 - Recreation - Electricity, to Account 0A7140.1050 - Recreation - Administrative Services.

On motion of Trustee Trouvé and unanimously carried, the aforesaid recommendation was approved and the Treasurer was authorized to make the necessary transfer of funds.

ii) \$2,250.51 from Account 0A7140.4030 - Recreation - Maintenance of Plant, to Account 0A7140.1060 - Recreation - Maintenance Services.

On motion of Trustee Trouvé and unanimously carried, the aforesaid recommendation was approved and the Treasurer was authorized to make the necessary transfer of funds.

jj) \$969.51 from Account 0A7140.4030 - Recreation - Maintenance of Plant, to Account 0A7140.1120 - Recreation-Special Program Services Part-Time.

On motion of Trustee Trouvé and unanimously carried, the aforesaid recommendation was approved and the Treasurer was authorized to make the necessary transfer of funds.

kk) \$1,735.47 from Account 0C7149.4500 - Swimming Pool - Water, to Account 0C7149.1020 - Swimming Pool - Overtime.

On motion of Trustee Trouvé and unanimously carried, the aforesaid recommendation was approved and the Treasurer was authorized to make the necessary transfer of funds.

ll) \$2,138.73 from Account 0C7149.4500 - Swimming Pool - Water, to Account 0C7149.1070 - Swimming Pool-Operational Staff.

On motion of Trustee Trouvé and unanimously carried, the aforesaid recommendation was approved and the Treasurer was authorized to make the necessary transfer of funds.

mm) \$1,346.90 from Account 0C7149.4080 - Swimming Pool - Telephone, to Account 0C7149.1120 - Swimming Pool - Treasurer and DPW - Clerk.

On motion of Trustee Trouvé and unanimously carried, the aforesaid recommendation was approved and the Treasurer was authorized to make the necessary transfer of funds.

nn) \$522.07 from Account 0C9060.8000 - Health and Dental Insurance, to Account 0C9030.8000 - Social Security.

On motion of Trustee Trouvé and unanimously carried, the aforesaid recommendation was approved and the Treasurer was authorized to make the necessary transfer of funds.

oo) \$475.19 from Account 0C9060.8000 - Health and Dental Insurance, to Account 0C9710.7000 - Bond Interest.

On motion of Trustee Trouvé and unanimously carried, the aforesaid recommendation was approved and the Treasurer was authorized to make the necessary transfer of funds.

Agenda Item #22 of the Consent Calendar

RECREATION

Professional Service Agreement - Talent Consultant - Steve Dassa Entertainment, Requested authorization to engage the services of Steve Dassa Entertainment, 215 Division Avenue, Levittown, New York at an amount not to exceed \$9,000. Under the terms of the agreement, the “consultant” will receive 10% of the overall cost of each entertainment group the Village retains through the consultant. This year musical acts and/or performers will be retained for events at the Pool (1), Gazebo (1) and the Senior Center (7). All other performances are booked directly with the entertainers. Village Counsel has approved this agreement as to form. Funds are available in the Operating Budget.

On motion of Trustee Silver and unanimously carried, the aforesaid authorization was approved.

Agenda Item #23 of the Consent Calendar

RECREATION

Professional Contract Renewal - Facility Dude - Facility Management Program. Requested authorization to engage the services of Facility Dude, 11000 Regency Parkway, Cary, North Carolina at a cost of \$4,900. This program will allow the Maintenance Services Division to continue to track resources required to complete daily tasks. This program has improved the work order and planned maintenance system with a centralized control point and this system also supports our Strategic Plan goal to improve our playing conditions on all of our natural turf athletic fields with the establishment of planned cultural practices, an improved fertility program and more timely maintenance on all fields. Funds are available in Account OA.4170.4460.

On motion of Trustee Silver and unanimously carried, the aforesaid authorization was approved.

Agenda Item #29 of the Consent Calendar

RECREATION

Community Park Multi-Use Field - Concept and Engineering Design Services - Cameron Engineering. Requested authorization to engage the services of Cameron Engineering, 45 West 36th Street, New York, New York to provide Engineering and Phase Services for the Construction of the Multi-Use Field, including lighting at Community Park. The Strategic Plan defines this project in year two of the 2017/18 plan with an estimate of \$1,946,717. Specif scope of work for this first phase includes concept design, leading focus group meetings with representatives from all local field sports organizations, preparation of a construction cost budget estimate and presentation of the project’s scope and budget to the Board of Trustees. In addition, Cameron Engineering, will prepare contract documents and specifications, an engineer’s estimate and attend design coordination meeting with Village Staff. It is anticipated that the installation of the field, which is the replacement of the natural turf soccer field to be completed, Spring of 2017. The cost for these professional engineering services is \$70,400 including reimbursable expenses estimated at \$1,000. Funds for this service will be derived through a bond for design services. This program has improved the work order and planned

On motion of Trustee Silver and unanimously carried, the aforesaid authorization was approved.

Agenda Item #9 of the Consent Calendar

PUBLIC WORKS

Professional Service Proposal - Engineering Services - Replacement of Elevated Storage Tank - H2M Water. Requested authorization to approve the engagement of H2M Water, 528 Broad Hollow Road, Melville, New York. This is to prepare plans and specifications for the new elevated tower at the existing location, Maria Lane and Old Country Road. The preliminary cost opinion for the construction of a new tank is \$7.374 million. Funds are available in the Water Capital Fund. H2M proposes to complete the above services in accordance with the following fee schedule:

Task	Description	Fee Type	Fee Amount
1	Preparation of Design Report	Lump Sum	\$9,500
2	Preparation of Topographic Survey	Lump Sum	\$15,000
3	Soil Borings and Geotechnical Report	Lump sum	\$15,000
4	Preparation of Construction Documents	Lump Sum	\$120,000
5	Bidding Assistance	Lump Sum	\$3,000
		Total	\$162,500

On motion of Trustee Daughney and unanimously carried, the aforesaid authorization was approved.

TRUSTEE COMMUNICATIONS

******After a discussion, it was requested to remove the below approved item from the agenda to be resubmitted to the Board for consideration of an alternate date at the August 18, 2016 Board of Trustees Meeting:

Change of Board of Trustees Meeting Date. It was requested that the Regular Board of Trustees Meeting scheduled for Thursday, September 15, 2016 be changed to Thursday, September 22, 2016.

On motion of Trustee Daughney and unanimously carried, the regularly scheduled Board of Trustees Meeting was changed from September 15, 2016 to September 22, 2016 at 8:00 p.m. It was later requested to not take action on this until the August 18, 2016 Board of Trustees Meeting regarding the date change for the September Board of Trustees Meeting.

Mayor Episcopia recognized the following:

Leo Stimmler, 67 Huntington Road
Bill Bellmer, 156 Poplar Street

On motion of Mayor Episcopia to go to executive session at 8:55 p.m. to discuss an opinion of counsel and a matter of personnel. The Board reconvened at 10:05 p.m.

There being no further business, on motion duly made, the meeting adjourned at 10:06 p.m.