

BOARD OF TRUSTEES

OCTOBER 6, 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 October 6, 2016 at 8:00 p.m.

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

Absent: Trustee Brian C. Daughney.

Attendance: Approximately 30

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 an Oath of Office for a Special Police Officer.

Trustee Makrinos administered the Oath of Office to John Morelli, Special Police Officer of the Garden City Special Police 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, Michael P. Zervos, 240 East Miller Avenue, East Garden City, New York. The Volunteer Fire Department formally accepted him into the Department at their October 2016 monthly meeting.

On motion of Mayor Episcopia and unanimously carried, Michael P. Zervos was approved by the Village Board of Trustees to be a Volunteer Firefighter for the Garden City Fire Department.

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 September 8, 2016 were reviewed, and on motion of Trustee Bolebruch were approved as presented.

NEW BUSINESS

FORMAL AGENDA

APPOINTMENT BY THE MAYOR

1. Patricia Siler, 159 Rockaway Avenue, Garden City, New York is hereby appointed as a Member of the Civic Beautification Committee, for a term ending on April 3, 2017. Mrs. Siler fills the unexpired term of Janet Curtin, who resigned on September 18, 2016.

On motion of Trustee Trouvé the following resolution was offered:

RESOLUTION NO. 165-2016

RESOLVED, that the appointment of Patricia Siler, 159 Rockaway Avenue, Garden City, New York, as a Member of the Civic Beautification Committee, for a term ending on April 3, 2017, be and the same hereby is approved.

The vote on the foregoing resolution was as follows:

AYES: 7
NOES: 0

Carried.

PROPOSED LOCAL LAWS

1. Proposed Local Law - To Adopt Chapter 8 of the Village Code Regarding the Change of Office to a One Year Term for the Village Clerk. Village Counsel, Peter A. Bee, Esq., introduced a proposed local law which would adopt a new Chapter of the Village Code (Chapter 8) Regarding the Change of Office to a One Year Term for the Village Clerk. The following actions were taken:

A. Classification of Action.

On motion of Trustee DeMaro the following resolution was offered:

RESOLUTION NO. 166-2016

WHEREAS, the Board of Trustees of the Village of Garden City is considering a local law to adopt Chapter 8 of the Village Code concerning the term of office of the Village Clerk; 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 a Type II Action pursuant to the State Environmental Quality Review Act (SEQRA), and accordingly, no further environmental review is required.

The vote on the foregoing resolution was as follows:

AYES: 7
NOES: 0

The resolution was declared adopted.

B. Setting of Public Hearing.

On motion of Trustee DeMaro the following resolution was offered:

RESOLUTION NO. 167-2016

WHEREAS, the Board of Trustees of the Village of Garden City is considering a local law to adopt Chapter 8 of the Village Code regarding the change of office to one year for the Village Clerk; and

WHEREAS, the proposed action is a Type II Action pursuant to the State Environmental Quality Review Act (SEQRA), and accordingly, no environmental review shall be conducted; and

NOW THEREFORE, BE IT RESOLVED, that the Board of Trustees shall hold a public hearing on said proposed local law on October 20, 2016, at 8:00 p.m. at Village Hall, 351 Stewart Avenue, Garden City, New York, 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 Village Clerk is hereby directed to provide such public notice of hearing as is required by law.

The vote on the foregoing resolution was as follows:

AYES: 7
NOES: 0

The resolution was declared adopted.

2. Proposed Local Law - Amend the Zoning Code to Permit a Hotel Use in the Commercial "CR" Zone. Village Counsel, Peter A. Bee, Esq., introduced a proposed local law which would amend the Zoning Code. Copies of the proposed local law were distributed to the Board Members prior to the meeting. The following actions were taken:

A. Setting of Public Hearing.

On motion of Trustee Delany the following resolution was offered:

RESOLUTION NO. 168-2016

WHEREAS, the Board of Trustees ("Board") of the Village of Garden City has received an application to amend the Village Code in respect to adding hotel uses as permitted uses in the Village C-R District; and

WHEREAS, consideration of such proposed legislation requires a public hearing before the Board of Trustees; and

WHETHER, the Board wishes to schedule such public hearing to obtain community input with respect to the proposed Code amendment as required law, prior to making any determination whether to enact such proposed law;

NOW THEREFORE, BE IT RESOLVED, that the Board of Trustees shall hold a public hearing at the Village Hall, on October 20, 2016 at 8:00 p.m. with respect to a proposed local law to amend the Code of the Village of Garden City in relation to uses permitted in the C-R District; and

BE IT FURTHER RESOLVED, that the Village Clerk shall cause notice of such public hearing to be given as required by law; and

BE IT FURTHER RESOLVED, that the Village Counsel shall take such steps as are required by law to transmit to the Nassau County Planning Commission a full statement of the proposed local law.

The vote on the foregoing resolution was as follows:

AYES: 7
NOES: 0

The resolution was declared adopted.

3. Proposed Local Law - Amend Chapter 61 of the Village Code Concerning the Growing and Maintenance of Bamboo on Properties in the Village. Village Counsel, Peter A. Bee, Esq., introduced a proposed local law which would amend Chapter 61 of the Village Code. The following actions were taken:

A. Classification of Action.

On motion of Trustee Delany the following resolution was offered:

RESOLUTION NO. 169-2016

WHEREAS, the Board of Trustees of the Village of Garden City is considering a local law to amend to Amend Chapter 61 of the Village Code Concerning the Growing and

Maintenance of Bamboo on Properties in the Village; 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 a Type II Action pursuant to the State Environmental Quality Review Act (SEQRA), and accordingly, no further environmental review is required.

The vote on the foregoing resolution was as follows:

AYES: 7
NOES: 0

The resolution was declared adopted.

B. Setting of Public Hearing.

On motion of Trustee Delany the following resolution was offered:

RESOLUTION NO. 170-2016

WHEREAS, the Board of Trustees of the Village of Garden City is considering a local law to amend to Amend Chapter 61 of the Village Code Concerning the Growing and Maintenance of Bamboo on Properties in the Village, which local law has been classified as a Type II Action pursuant to SEQRA

NOW THEREFORE, BE IT RESOLVED, that the Board of Trustees shall hold a public hearing on said proposed local law on October 20, 2016, at 8:00 p.m. at Village Hall, 351 Stewart Avenue, Garden City, New York, 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 Village Clerk is hereby directed to give such notice of the public hearing as is required by law.

The vote on the foregoing resolution was as follows:

AYES: 7
NOES: 0

The resolution was declared adopted.

4. Proposed Local Law - To Amend Chapter 63 of the Village Code Concerning Brush, Grass and Weeds. Village Counsel, Peter A. Bee, Esq., introduced a proposed local law which would amend Chapter 63 of the Village Code. The following actions were taken:

A. Classification of Action.

On motion of Trustee Trouvé the following resolution was offered:

RESOLUTION NO. 171-2016

WHEREAS, the Board of Trustees of the Village of Garden City is considering a local law to amend to Amend Chapter 63 of the Village Code Concerning Brush, Grass and Weeds; 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; and

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 a Type II Action pursuant to the State Environmental Quality Review Act (SEQRA), and accordingly, no further environment review is required.

The vote on the foregoing resolution was as follows:

AYES: 7
NOES: 0

The resolution was declared adopted.

B. Setting of Public Hearing.

On motion of Trustee Trouvé the following resolution was offered:

RESOLUTION NO. 172-2016

WHEREAS, the Board of Trustees of the Village of Garden City is considering a local law to amend to Amend Chapter 63 of the Village Code Concerning Brush, Grass and Weeds, 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 October 20, 2016, at 8:00 p.m. at Village Hall, 351 Stewart Avenue, Garden City, New York, 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 Village Clerk is hereby directed to give such notice of the public hearing as is required by law.

The vote on the foregoing resolution was as follows:

AYES: 7
NOES: 0

The resolution was declared adopted.

5. Proposed Local Law - To Amend Chapter 185 of the Village Code Regarding Wireless Telecommunications Projects. Village Counsel, Peter A. Bee, Esq., introduced a proposed local law which would amend Chapter 185 of the Village Code. Copies of the proposed local law and a completed Part 1 Short Form EAF and proposed Parts 2 and 3 Short Form EAF were distributed to the Board Members prior to the meeting. The following actions were taken:

A. Classification of Action.

On motion of Trustee Bolebruch the following resolution was offered:

RESOLUTION NO. 173-2016

WHEREAS, the Board of Trustees of the Village of Garden City is considering a local law to amend to Amend Chapter 185 of the Village Code Regarding Wireless Telecommunications Projects; and

WHEREAS, the Board of Trustees was provided with a copy of the proposed local law a completed Part 1 Short-Form EAF and proposed Parts 2 and 3 of the 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: 7
NOES: 0

The resolution was declared adopted.

B. Declaration of Lead Agency.

On motion of Trustee Bolebruch the following resolution was offered:

RESOLUTION NO. 174-2016

WHEREAS, the Board of Trustees of the Village of Garden City is considering a local law to Amend Chapter 185 of the Village Code Regarding Wireless Telecommunications Projects in the Village, which local law has been classified as an Unlisted Action pursuant to SEQRA, and

WHEREAS, the Board of Trustees has classified the proposed local law as an Unlisted Action for purposes of SEQR; 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: 7
NOES: 0

The resolution was declared adopted.

C. SEQRA Determination.

On motion of Trustee Bolebruch the following resolution was offered:

RESOLUTION NO. 175-2016

WHEREAS, the Board of Trustees of the Village of Garden City is considering a local law to amend Chapter 185 of the Village Code concerning the review of applications for telecommunications projects in the Village; and

WHEREAS, the Board of Trustees has declared adoption of the proposed local law to be an Unlisted Action for purposes of the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Board of Trustees, being the only agency with authority to undertake, fund or approve the local law, has declared itself Lead Agency for purposes of SEQRA; and

WHEREAS, the Board of Trustees, as Lead Agency, has prepared and discussed a Short Environmental Assessment Form, Parts 1, 2 and 3; and

WHEREAS, the adoption of the proposed local law will not itself result in any environmental impacts because the law would not authorize any particular telecommunications project anywhere in the Village, and any environmental impacts of such

use on any particular site are required to be the subject of appropriate study on a site specific basis at the time any application is made to the Board of Trustees or other Village agency for permission for such use on a specific site;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees hereby finds and concludes that:

- (a) the Board is the Lead Agency with respect to the proposed local law to amend Chapter 185 of the Village Code;
- (b) the proposed local law is an Unlisted Action, as defined in the State Environmental Quality Review Act and its implementing regulations (SEQRA);
- (c) the Board has considered the following factors, and makes the following conclusions, in respect to its review of the environmental impacts of the proposed action:
 - (i) the proposed action would not result in any substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels, nor any substantial increase in solid waste production, nor create a substantial increase in the potential for erosion, flooding, leaching or drainage problems;
 - (ii) the proposed action would not result in the removal or destruction of large quantities of vegetation or fauna, substantial interference with the movement of any resident or migratory fish or wildlife species, impacts on a significant habitat area, substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species, or other significant adverse impacts to natural resources;
 - (iii) the proposed action would not impair the environmental characteristics of any Critical Environmental Area;
 - (iv) the proposed action would not conflict with the community's current plans or goals as official approved or adopted;
 - (v) the proposed action would not impair the character or quality of important historical, archeological, architectural or aesthetic resources or of existing community or neighborhood character;
 - (vi) the proposed action would not result in a major change in the use of either the quantity or type of energy;
 - (vii) the proposed action would not create a hazard to human health;
 - (viii) the proposed action would not create a substantial change in the use, or intensity of use, of land, including agricultural, open space or recreational resources, or in its capacity to support existing uses;
 - (ix) the proposed action would not encourage or attract large numbers of persons to any place for more than a few days, compared to the number who would come to such place without such action;
 - (x) the proposed action would not create changes in two or more elements of the environment, no one of which would have a significant impact on the environment, but when taken considered together would result in a substantial adverse impact on the environment;
 - (xi) the proposed action would not create substantial adverse impacts when considered cumulatively with any other actions, proposed or in process; and
 - (xii) the proposed action would not result in substantial adverse impact with respect to any relevant environmental consideration, including noise, aesthetics, traffic, air quality, water quality or adequacy of water supply, drainage, soil conditions, or quality of life in the community in general and the immediate neighborhood in particular; and

BE IT FURTHER RESOLVED, that adoption of the proposed local law would not have a significant adverse environmental impact; and

BE IT FURTHER RESOLVED, that no further environmental review is required with respect to adoption of the proposed local law; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor, or his designee, is authorized to execute on behalf of the Village Board of Trustees the Short Environmental Assessment Form Negative Declaration, and such other documents as may be necessary for compliance with legal requirements pursuant to SEQRA and the General Municipal Law.

The vote on the foregoing resolution was as follows:

AYES: 7
NOES: 0

The resolution was declared adopted.

D. Setting of Public Hearing.

On motion of Trustee Bolebruch the following resolution was offered:

RESOLUTION NO. 176-2016

WHEREAS, the Board of Trustees of the Village of Garden City is considering a local law to amend to Amend Chapter 185 of the Village Code concerning review of applications for telecommunications projects; and

WHEREAS, the Board of Trustees wishes to hold a public hearing to obtain community input with respects to the proposed Code amendment as required by law, prior to making any determination whether to enact such proposed law;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees shall hold a public hearing on said proposed local law on October 20, 2016, at 8:00 p.m. at Village Hall, 351 Stewart Avenue, Garden City, New York, 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 Village Clerk shall cause notice of such public hearing to be given as required by law; and

IT IS FURTHER REVOLVED , that the Village Clerk shall take such steps as are required by law to transmit to the Nassau County Planning Commission a full statement of the proposed local law.

The vote on the foregoing resolution was as follows:

AYES: 7
NOES: 0

The resolution was declared adopted.

CONSENT CALENDAR

On motion of Mayor Episcopia, and unanimously carried, he requested to temporarily suspend the Rules and Procedures of the Board of Trustees.

Mayor Episcopia advised that there was a request from a resident to hold a block party on Saturday, October 8, 2016 on Osborne Road, and he requested that this item be included on this agenda for approval.

On motion of Trustee Makrinos and unanimously carried, the aforesaid request was approved and this item will be added to the agenda for consideration of approval.

FINANCE

1. 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 July 2016, with respect to legal services for general labor matters as follows:

(a) General Labor Matters - Hourly	\$ 5,676.50
(b) Edward Galazka 207a	56.00
(c) Joseph Campbell 207a	41.00
(d) P.O. Angelo Barone Disability Retirement	562.50
(e) Stay of Chief's Matrix Arbitration/Response/Deinhardt	79.50
(f) Paul Brower Discipline Arbitration	29.50
(g) Construction IPC	279.50
(h) Det. Sgt. Bartkowski Disability Retirement	2,756.00
(i) Firefighters Layoffs Arbitration	281.50
(j) Joseph T. Cieslewicz Article 78	<u>253.00</u>
Total	\$10,015.00

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

2. Payment of Invoice - Bond, Schoeneck & King, PLLC - Legal Services - Disbursements - Retainer Labor Matters. Requested authorization to pay the claim of Bond, Schoeneck & King, PLLC, 1010 Franklin Avenue, Suite 200, Garden City, New York, for professional services. This billing reflects work done during the months of May, June and July 2016 at a cost of \$376.43, with regard to hourly retainer disbursements for legal services.

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

3. Payment of Invoice - Bond, Schoeneck & King, PLLC - Legal Services - Disbursements - Hourly Labor Matters. Requested authorization to pay the claim of Bond, Schoeneck & King, PLLC, 1010 Franklin Avenue, Suite 200, Garden City, New York, for professional services. This billing reflects work done during the months of May, June and July 2016, at a cost of \$6,874.44, with regard to hourly labor matters for legal services.

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

4. Payment of Invoice - Bee Ready Fishbein Hatter & Donovan, LLP - Legal Services - Reimbursement of Disbursement - Cohen Law Group - Wireless Ordinance Project. 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 \$2,025 for the reimbursement of the actual costs incurred with regard to Cohen Law Group, 413 South Main Street, Pittsburgh, Pennsylvania, for the month of June, 2016 regarding the Wireless Ordinance Project.

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

5. 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 August 1 through August 31, 2016, to provide legal expertise for zoning change applications in the amount of \$4,917.01.

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

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

(a) General Transition Legal Services	\$ 236.25
(b) General Tax Certiorari Proceedings	13,995.00
(c) Small Claims Tax Assessment Proceedings	8,859.19
(d) National Union (Chartis)	32,336.50
(e) Joseph Ferrara Assessment	<u>216.00</u>
Total	\$55,642.94

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

7. Payment of Invoice - Pillsbury Winthrop Shaw Pittman, LLP - Insurance Coverage Counsel MHANY - (ACORN) Litigation. Requested authorization to pay the claim of Pillsbury Winthrop Shaw Pittman, LLP, 1540 Broadway, New York, New York, for professional services. This billing reflects work done through August 31, 2016 at a cost of \$738, in connection with the MHANY Management Inc., et al, (ACORN) litigation pending against the Village of Garden City.

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

8. Reynolds, Caronia, Gianelli & LaPinta - Fair Housing Compliance Officer - MHANY Management - ACORN. Requested authorization to pay the claim of Reynolds, Caronia, Gianelli & LaPinta, 200 Vanderbilt Parkway, Suite C-17, Hauppauge, New York, in the amount of \$9,842.50. This billing reflects services rendered from August 1 through August 31, 2016, with respect to legal issues as Fair Housing Compliance Officer with MHANY Management Inc., and the ACORN Litigation Case. This includes services rendered by Professor John Nolon with regard to MHANY Management Inc., and the ACORN Litigation.

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

9. 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 August 1 through August 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 \$6,939.10.

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

10. Payment of Invoice - Jones Day - Special Counsel MHANY - (ACORN) Litigation. Requested authorization to pay the claim of Jones Day, 250 Vesey Street, New York, for professional services at a cost of \$50,759.78. This billing reflects services rendered through July 31, 2016 with respect to the Rehearing Petition in the MHANY Management, Inc., and the ACORN Petition.

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

11 Transfer of Funds.

\$21,000 from Account 0A1325.1010 - Clerk - Treasurer - Regular Salary to Account 0A1325.4160 - Clerk - Treasurer - Consulting Fees, to fund the placement fee to Adecco Employment Services for hiring the Secretary to the Board of Trustees, which was approved at the September 8, 2016 Board of Trustees Meeting.

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.

12. Payment of Invoice - Adecco Employment Services - Secretary to the Board of Trustees. Requested authorization to pay the claim of Adecco Employment Services, 175 Broadhollow Road, Melville, New York, in the amount of \$21,000. This billing is for the placement of the Secretary to the Board of Trustees.

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

13. Purchase of Software - Muncity Software Consulting Associates. Requested authorization for the purchase and implementation of tax billing and assessments system at from Muncity Software Consulting Services, 54 Elizabeth Street, Red Hook, New York, at a cost of \$57,825. This cost includes base software, installation and training, data conversion and first year annual maintenance and support. This is an approved Finance Department 2016/17 Capital Project. Village Counsel has reviewed this agreement and has approved it as to form.

On motion of Trustee Trouvé the aforesaid authorization was approved and the Mayor was authorized to execute the agreement.

14. Engagement of Consultant - Michael Haberman Associates, Inc. - Implementation of Software - Assessment Roll Conversion. Requested authorization to engage the services of Michael Haberman Associates, Inc., 125 Front Street, Mineola, New York, for assistance in the implementation of software and verification of Garden City Assessment Roll Conversion to the Property Assessment System (PAS) at a cost not to exceed \$11,200. Village Counsel has reviewed this agreement and has approved it as to form.

On motion of Trustee Trouvé the aforesaid authorization was approved and the Mayor was authorized to execute the agreement.

15. Transfer of Funds. Requested authorization to transfer funds as follows:

(a) \$27,450 from Account 0A3620.1010 - Safety Inspection - Regular Salary, to Account A3620.4460 - Safety Inspection - Contractual Services, to fund temporary consultant until permanent salaried employee vacancy is filled.

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.

SICK LEAVE

POLICE

1. Sick Leave - Four Employees. Requested authorization to pay Detective Angelo Barone, Detective Sergeant James Bartkowski, Police Officer John Florio and Police Officer Keith Wehr through November 3, 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.

FIRE

2. Sick Leave - Vincent DiBona. Requested authorization to pay Firefighter Vincent T. DiBona through November 3, 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 Professional Fire Fighters Association, which became effective June 1, 2004.

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

PUBLIC WORKS

3. Sick Leave - Michael Ardis. Requested authorization to pay Michael Ardis, Sanitation Worker, Sanitation Department through November 3, 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.

POLICE

1. Defense and Indemnification of Police Officer Anthony Baker. The Police Commissioner has recommended Village Defense and Indemnification of Police Officer Anthony Baker of the Garden City Police Department regarding the allegations contained in a certain Notice of Claim dated August 26, 2016, filed against the Village of Garden City, the Village of Garden City Police Department and Police Officer Baker of the Village of Garden City Police Department, and which relate to a certain Garden City Police Blotter Entry #GC-4535-16, dated June 9, 2016.

Trustee Trouvé offered the following resolution and moved its adoption:

RESOLUTION NO. 177-2016

WHEREAS, a Notice of Claim was received by the Incorporated Village of Garden City on or about September 1, 2016, regarding Police Blotter Entry #GC-4535-16 dated June 9, 2016 alleging negligence on the part of Police Officer Baker in the operation of a police vehicle; and

WHEREAS, Police Officer Baker has requested "Defense and Indemnification for any legal action stemming from Blotter #GC-4535-16, dated June 9, 2016";

NOW, THEREFORE, BE IT RESOLVED, that the Garden City Village Board of Trustees finds that, based upon the investigation of the Police Commissioner and his recommendation regarding same to date, and subject to any further determination to the contrary, the allegations regarding the acts/omissions of Police Officer Baker occurred while Police Officer Baker was acting within the scope of his public service and in the discharge of his duties and were not in violation of any rule or regulation of the Village at the time the alleged acts/omissions occurred and the damages were allegedly sustained; as a result thereof, the Board adopts the recommendation of the Police Commissioner and authorizes the Defense and Indemnification of Police Officer Baker pursuant to Village Code, Chapter 9, subject to the exceptions and conditions therein and to the extent permitted by law for the above incident and arrest.

The vote on the foregoing resolution was as follows:

AYES: 7
NOES: 0

The resolution was declared adopted.

2. Sole Source Purchase - Computers Police Vehicles - Advanced Electronic Design, Inc. Requested authorization for the Village to approve the declaration of Advanced Electronic Design, Inc., 344 John Dietsch Boulevard, North Attelboro, Massachusetts as the sole source for the purchase of Computers for Police Vehicles. Authorization is also requested to pay the invoice from Advanced Electronic Design, Inc., in the amount of \$17,043. Funds are available in Account 0H.1680.2050.

Trustee Trouvé offered the following resolution and moved its adoption:

RESOLUTION NO. 178-2016

WHEREAS, the Police Department is in need of additional computers for police vehicles; and

WHEREAS, the Garden City Police Department has received a quote for the purchase of computers for police vehicles from the Sole Source Company, Advanced Electronic Design, Inc., 344 Dietsch Boulevard, North Attelboro, Massachusetts, in the amount of \$17,043; and

WHEREAS, the Police Department previously purchased computers for police vehicles from Advanced Electronic Design; and

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees finds that the equipment already being used by the Police Department necessitates the use of additional equipment from the same provider and that this equipment has proven to be an exemplary product used in the Police function particularly due to its reliability, functionality and durability, and that the Police Department requires this equipment and, further, that the purchase of this equipment is exempt from competitive bidding as a sole source purchase; and

BE IT FURTHER RESOLVED, that the Board hereby approves the purchase of Computers for Police Vehicles from Advanced Electronic Design, Inc., for a price not to exceed \$17,043.

The vote on the foregoing resolution was as follows:

AYES: 7

NOES: 0

The resolution was declared adopted.

PUBLIC WORKS

1. Emergency Repair - Well #16 - A.C. Schultes, Inc. Requested authorization to engage A.C. Schultes, Inc., 664 Evergreen Avenue, Woodbury, New York, for the pump removal and television inspection of Well #16 at Second Street and Hilton Avenue Well Site. The contractor was on site for the Well #14 rehabilitation so they were able to investigate the loss of pump pressure at Well #16. The costs (listed below) are associated with the pump pulling, tv inspection and recommended cleaning of the screen and casing. Funds are available in the Water Operating Account OF.8320.4020.

Pump Removal and Inspection: (11 hours @ \$275 an hour)	\$2,970
Initial TV Inspection	\$700
Well Cleaning: Estimated (5) days @ \$2,250 a day	\$11,250
Post Cleaning TV Inspection	\$700
Total	\$15,620

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

2. Emergency Replacement - Well #16 Pump and Well Column Repair - A.C. Schultes, Inc. Requested authorization to approve the emergency replacement of the Well #16 pump and the replacement of 140' of uncoated column pipe and stainless steel shafting and coupling. The contractor, A.C. Schultes, Inc., 664 South Evergreen Avenue, Woodbury Heights, New Jersey, was still mobilized at Well #14 at the Garden City Country Club, so the contractor was available to investigate and perform the repairs. The total cost for the Pump and Shaft Column was \$31,836 and the additional cost for the installation, chlorination and start up was \$4,350 for a total cost of \$36,186. The material to complete the work was in stock and the pump was available to be installed within ten days, so the work was authorized. Funds are available in the Water Operating Account OF.8320.4020.

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

RECREATION

1. Additional Contract Work - Community Park Field Renovation Project - Fencing - Landtek Group, Inc. Requested authorization to pay the claim of Landtek Group, Inc., 235 County Line Road, Amityville, New York, in the amount of \$10,977.25. This is for the installation of fencing to close the opening nearest home plate in all four dugouts and to install a lockable swing in gates on all other openings. Cameron Engineering Associates, LLP has reviewed the above change order and has found it to be in order. 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. Strategic Plan Initiative #1.4 - Cluett and Fieldhouse Renovation - Fieldhouse Floor Over Pour - Milburn Flooring Mills. Requested authorization to pay the claim of Milburn Flooring Mills, 20 35th Street, Copaugue, New York, in the amount of \$143,490. The scope of the work is for the complete pour over of new product, installation of lines for basketball and volleyball and new cover base. The product specified is Pulastic FL and is the only product compatible with the existing floor material, making this procedure highly specified. This supply and install work is currently available under an existing NJPA cooperative purchasing contract Number 082114-RBI. Funds are available in the Recreational Facilities Improvement Project Account OH.7140.2402. 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.

EXTERNAL COMMUNICATIONS

PERMITS:

Parades:

1. The Turkey Trot Committee of Garden City, Inc., requested to hold its 39th Annual Running of the Garden City Turkey Trot on Thanksgiving Day, Thursday, November 24, 2016 and further requested the use of the St. Paul's Fieldhouse on Wednesday, November 23 and Thursday, November 24, 2016.

On motion of Trustee Trouvé and unanimously carried, the aforesaid authorization was approved, subject to receipt of an original Certificate of Insurance, payment of the fees as per the fee schedule (50% of the combined Incorporated Village of Garden City's expenses, not to exceed \$5,000) and coordination with the Police Department.

2. Garden City Teacher's Association requested to hold a Fun/Walk 1.5 Mile Race and a timed 5K run for Charity (Garden City for a Cure), on Saturday, April 22, 2017 beginning at 9:00 a.m.

On motion of Trustee Trouvé and unanimously carried, the aforesaid authorization was approved, subject to receipt of an original Certificate of Insurance, payment of the fees as per the fee schedule (50% of the combined Incorporated Village of Garden City's expenses, not to exceed \$5,000) and coordination and approval of the route with the Garden City Police Department.

Solicit:

3. American Legion Auxiliary, William Bradford Turner Post, Unit 265, requested authorization to distribute poppies in the area surrounding the Veterans Memorial at the Library on Seventh Street on Veterans Day, Friday, November 11, 2016 and also to distribute poppies throughout Garden City for the month of November.

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

Block Parties:

4. Lutheran Church of the Resurrection, 420 Stewart Avenue, requesting authorization to use the Village grounds located within the triangle of Stewart Avenue, Clinton Road and Emmet Place, in conjunction with its Oktoberfest scheduled for Saturday, October 8, 2016 from 10:00 a.m. to 11:00 p.m. Further requesting to close a portion of Emmet Place from Stewart Avenue to the property line of the Church.

On motion of Trustee Trouvé and unanimously carried, the aforesaid authorization was approved, subject to coordination with the Police Department and receipt of an original Certificate of Insurance.

5. Ash Street between Magnolia Avenue and St. James Street South, Saturday, October 15, 2016 from 10:00 a.m. to 11:00 p.m. (Rain date October 22)

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

6. Osborne Road between Lefferts and Wetherill Roads, Saturday, October 8, 2016 from 3:00 p.m. to 10:00 p.m. (Rain date October 9)

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

On-Street Parking:

7. (a) Eva Chalas Westermann, 27 Franklin Court (1)
- (b) William J. McGarr, 23 Franklin Court East (1)
- (c) Daphne Spirakis, 20 Franklin Court West (1)
- (d) Virginia Cook, 26 Franklin Court West (1)
- (e) Patricia A. McGinnis, 15 Meadow Street (1)
- (f) Judith Stanley, 19 Meadow Street (2)
- (g) Chris Valerakis, 27 Meadow Street (1)
- (h) Patricia M. Wilson, 129 Second Street, Apt. G-1 (1)
- (i) John and Paula Hogan, 17 Franklin Court (2)
- (j) Scott Culpepper, 24 Franklin Court West (1)
- (k) James L. Nieman, 24 Franklin Court West (1)
- (l) Alexandra Spirakis, 20 Franklin Court West (1)
- (m) Michael and Erin Fleischmann, 25 Meadow Street (2)

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

Mayor Episcopia reported on communications received since the last meeting of the Board.

1. Resignation of Janet Curtin, Member Civic Beautification Committee as of September 18, 2016.

Mayor Episcopia recognized the following:

Mrs. Susan Raner, 7 Heath Place

On motion of Mayor Episcopia to go to executive session at 9:40 p.m. to discuss a matter of personnel. The Board reconvened at 11:29 p.m.

There being no further business, on motion duly made, the meeting adjourned at 11:30 p.m.