

# AGENDA

OCTOBER 6, 2016

8:00 P.M.

- I. Call to Order (Pledge of Allegiance and Moment of Silence)
- II. Oath of Office - Special Police Officer - Trustee Makrinos  
John Morelli, Special Police Officer
- III. Citizens Comment on Agenda Items (limited to four minutes per person) and does not include Items on the General Communications.
- IV. Board Approval - Volunteer Firefighter - Michael P. Zervos.
- V. Approval of Minutes - September 8, 2016
- VI. New Business
  - A. Formal Agenda
    1. Appointment - Member Civic Beautification Committee - Patricia Siler, 15 Rockaway Avenue, for a term to expire April 3, 2017.
    2. Consideration of a Proposed Local Law to Adopt Chapter 8 of the Village Code Regarding the change of office to one year for the Village Clerk.
      - *Set Public Hearing - October 20, 2016*
    3. Consideration of a Proposed Local Law to Amend the Zoning Code to Permit a Hotel use in the Commercial "CR" Zone so as to Allow the Construction of a Marriott Residence Inn and Related Improvements.
      - I. *SEQRA Compliance*
        - a) *Classification (Staff Recommendation: unlisted)*
        - b) *Declaration of Lead Agency (Staff Recommendation: BOT)*
        - c) *Determination of Significance (Staff Recommendation Negative Declaration with reasoned elaboration)*
      - II. *Set Public Hearing - October 20, 2016*
    4. Consideration of a Proposed Local Law to Amend Chapter 61 of the Village Code concerning the growing and maintenance of bamboo on properties in the Village.
      - I. *SEQRA Compliance (Staff Recommendation: Type II)*
      - II. *Set Public Hearing - October 20, 2016*

NEXT BOARD OF TRUSTEES MEETING - OCTOBER 20, 2016

5. Consideration of a Proposed Local Law to Amend Chapter 63 of the Village Code concerning brush, grass and weeds.
  - I. *SEQRA Compliance (Staff Recommendation: Type II)*
  - II. *Set Public Hearing - October 20, 2016*
  
6. Consideration of a Proposed Local Law to Amend Chapter 185 of the Village Code regarding Wireless Telecommunications Projects.
  - I. *SEQRA Compliance (Staff Recommendation: Type II)*
  - II. *Set Public Hearing - October 20, 2016*

B. Consent Calendar

Departmental Communications:

Finance

1. Payment of Invoices:

- a) Bond, Schoeneck & King, PLLC, 1010 Franklin Avenue, Garden City - \$10,015.
  - *This billing reflects work done from July 1 - July 31, 2016, with respect to legal services for general labor matters.*
  
- b) Bond, Schoeneck & King, PLLC, 1010 Franklin Avenue, Garden City - \$376.43.
  - *This billing reflects work done for May, June and July, 2016, with respect to disbursements for retainer matters.*
  
- c) Bond, Schoeneck & King, PLLC, 1010 Franklin Avenue, Garden City - \$6,874.44.
  - *This billing reflects work done for May, June and July, 2016, with respect to disbursements for hourly matters.*
  
- d) Bee Ready Fishbein Hatter & Donovan, LLP, 170 Old Country Road, Mineola, New York - \$2,025.
  - *This billing is for reimbursement of invoices for Cohen Law Group for the month of June, 2016, regarding the Wireless Ordinance Project.*
  
- e) Meyer, Suozzi, English & Klein, P.C., 990 Stewart Avenue, Garden City, New York \$4,917.01.
  - *This billing reflects legal services rendered through August 31, 2016, to provide legal expertise for zoning change applications.*
  
- f) Cullen and Dykman, LLP, 100 Quentin Roosevelt Boulevard, Garden City, New York \$55,642.94.
  - *This billing reflects work done for quarter ending August 31, 2016 for General Transition Legal Services (\$236.25), General Tax Certiorari Proceedings (\$13,995), Small Claims Tax Assessment Proceedings (\$8,859.19), National Union Chartis (\$32,336.50) and Ferrara (216).*

- g) Pillsbury Winthrop Shaw Pittman, LLP, 1540 Broadway, New York, New York - \$738.
- *This billing reflects work done through August 31, 2016, with respect to insurance coverage issues with MHANY Management and the ACORN Litigation.*
- h) Reynolds, Caronia, Gianelli & LaPinta, P.C., 200 Vanderbilt Parkway, Hauppauge, New York (Anthony LaPinta, Fair Housing Compliance Officer) - \$9,842.50.
- *This billing reflects professional services rendered from August 1, 2016 through August 31, 2016, with respect to legal issues as the Fair Housing Compliance Officer with regard to MHANY Management Inc., and the ACORN Litigation. This includes services rendered by Professor Nolon with regard to MHANY Management, Inc., and the ACORN Litigation.*
- i) Sive, Paget & Riesel, P.C., 460 Park Avenue, New York, New York - \$6,939.10.  
(Budgeted Item)
- *This billing reflects work done from August 1, 2016 through August 31, 2016, on the Remedial Cost Recovery for Groundwater Containment at Village Water Wells 13 and 14 in conjunction with litigation against Genesco.*
- j) Jones Day, 250 Vesey Street, New York, New York - \$50,759.78.
- *This billing is related to the Rehearing Petition, in the MHANY Management, Inc., and the ACORN Petition, for the period through July 31, 2016.*
2. a) Transfer of Funds - \$21,000 from Clerk - Treasurer - Regular Salary, to 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 Board of Trustees Meeting of September 8, 2016.
- b) Payment of Invoice - Adecco Employment Services, 175 Broadhollow Road, Melville, New York, in the amount of \$21,000.
- *This is for the placement of Secretary to the Board of Trustees.*
3. Purchase of Software - Muncity Software Consulting Services 54 Elizabeth Street, Red Hook, New York - \$57,825.
- *This is for the purchase and implementation of tax billing and assessments system 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 2016/2017 Capital Project. This agreement has been reviewed by Counsel.*
4. Engagement of Consultant - Michael Haberman Associates, Inc., 125 Front Street, Mineola, New York - \$11,200.
- *This is for assistance in the implementation of software and verification of Garden City assessment roll conversion to the Property Assessment System (PAS). This agreement has been reviewed by Counsel.*

5. Transfer of Funds.

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

Sick Leave

6. Six Employees - Police (4), Fire (1) and Public Works (1) Departments.

Police

7. Defense and Indemnification of a Police Officer.

- *The Village was served with a Notice Pursuant to CPLR 3402(b), Third Party Summons and Third-Party Complaint, and it has been determined that the Officer was within the scope of his public service and in the discharge of his duties and was not in violation of any rule or regulation of the Village of Garden City at the time the alleged acts/omissions occurred and the damages were allegedly sustained. It is requested that defense and indemnification of the Police Officer 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 be approved.*

8. Purchase Computers for Police Vehicles - Advanced Electronic Design, Inc., 344 John Dietsch Boulevard, North Attleboro, Massachusetts - \$17,043 - Declare Sole Source.
- *This purchase is exempt from competitive bidding requirements. The equipment already being used by the Police Department necessitates the use of additional equipment from the same provider. This equipment has proven to be an exemplary product used in the Police function particularly due to its reliability, functionality and durability.*
- Capital Budget.**

Public Works

9. Emergency Repair of Well #16 - A.C. Schultes, Inc., 664 South Evergreen Avenue, Woodbury, New York - \$15,620.
- *This is for the pump removal and televised 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 are associated with the pump pulling, TV inspection and recommended cleaning of the screen and casing. **Water Fund Operating Budget.***

10. Emergency Replacement of Well #16 Pump and Well Column Repair - A.C. Schultes, Inc. 664 South Evergreen Avenue, Woodbury, New York - \$36,186.
- *This is for the emergency replacement of the Well #16 pump and the replacement of 140' of uncoated column pipe and stainless steel shafting coupling. The contractor was on site for the Well #14 Rehabilitation so they were able to investigate and perform the repairs. **Water Fund Operating Budget.***

#### Recreation

11. Additional Contract Work - Landtek Group, Inc., 235 County Line Road, Amityville, New York - \$10,977.25.
- *There are some modifications to fencing that should be considered. All dugouts were originally designed to have openings at both ends of the dugouts and no gates. In addition, pedestrian openings in the fence were in the original design without gates. Although the original fencing design is the standard, we have requested pricing the close the opening nearest home plate in all four dugouts and install lockable swing in gates on all other openings mentioned. **Capital Budget.***
12. Strategic Plan Initiative #1.4 - Cluett and Fieldhouse Renovation - Fieldhouse Floor Over Pour - Milburn Flooring Mills, 20 35<sup>th</sup> Street, Copaigue, New York - \$143,490.
- *One of the major improvements contained in the Strategic Plan is the overall upgrade of the interior of Cluett Hall and the Fieldhouse. This request is specific to the Fieldhouse as it pertains to the existing floor which is now over twenty (20) years old and in need of rehabilitation. This is to supply and install under the existing NJPA cooperative purchasing Contract. Work can be completed prior to the beginning of the intramural basketball season in the first week of December.*

#### External Communications

##### Parade

13. The Turkey Trot Race Committee, Inc., requesting to hold its annual Turkey Trot Race on Thanksgiving Day, Thursday, November 24, 2016.
14. Garden City Teacher's Association, requesting 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 at 9:00 a.m.

##### Solicit

15. American Legion Auxiliary, William Bradford Turner Post, Unit No. 265, requesting authorization to distribute Poppies throughout Garden City for the month of November and on Veterans Day, Friday, November 11, 2016 in the area surrounding the Veterans Memorial at the Library on Seventh Street. This distribution would be limited to an hour before and after the 11:00 a.m. service that will be held at that location.

Block Parties:

16. 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.
17. Ash Street between Magnolia Avenue and St. James Street South, Saturday, October 15, 2016 from 10:00 a.m. to 11:00 p.m. (Ran date October 22).

On-Street Parking

18.
  - (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 E. 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)

Presentation - Multi-Use Field - Community Park.

19. Mr. Kevin McAndrew, Cameron Engineering, 100 Sunnyside Boulevard, Woodbury, New York.
    - *Strategic Plan - Year 2017/18. Mr. McAndrew will give a brief update on the preliminary concept design of the Multi-use field at Community Park. He will present two options that were previously discussed in the recent focus group meeting and will discuss the preliminary estimates associated with each option.*
- VII. Reports - Department Heads, Village Counsel, Village Administrator, Trustees and Mayor.
- VIII. Public Participation (limited to four minutes each).

BOARD OF TRUSTEES MEETING - OCTOBER 6, 2016

GENERAL COMMUNICATIONS

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