

BOARD OF TRUSTEES

DECEMBER 3, 2015

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 December 3, 2015 at 8:00 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
Brian S. Ridgway, Village Clerk
Robert J. Mangan, Director of Public Works
Kevin E. Ocker, Chairman, Board of Commissioners of Cultural and Recreational Affairs
Kenneth O. Jackson, Chairman, Board of Police Commissioners
Irene Woo, Village Treasurer
Joseph R. Nadolny, Chief, Fire Department
Peter A. Bee, Bee Ready Fishbein Hatter & Donovan, LLP

Attendance: Approximately 25

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

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

The minutes of the meeting held on November 19, 2015 were reviewed, and on motion of Trustee Bolebruch, were approved as presented. (Trustee Daughney abstained)

NEW BUSINESS

Trustee Daughney requested that Item #5 (Village Administrator - Approve an Upgrade of our Inter-Building Communications - \$19,614.46) and Item #6 (Village Administrator - Lightpath Service Agreement - Five Year Term) be removed for discussion.

Trustee Bolebruch requested that Item #9 (Award Bid - Tree Removal - Dragonetti Brothers Landscaping, Nursery & Florist - \$40,953) be removed for discussion.

CONSENT CALENDAR

FINANCE

1. Budget Calendar for Fiscal Year 2016-2017. Submitted a Budget Calendar setting forth a proposed schedule of meeting dates for fiscal year 2016-2017.

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

2. 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 2015, with respect to legal services for general labor matters as follows:

(a) General Labor Matters - Hourly	\$ 2,512.50
(b) Joseph Campbell 207a	88.50
(c) Fire Fighters Recall Stay Arbitration	2,981.50
(d) Christopher VanManen 207a	59.00
(e) Firefighters IPC Negotiations	6,428.50
(f) Compliance with the Deinhardt Award	3,483.00
(g) Stay of Chief's Matrix Arbitration/Deinhardt Award	1,475.00
(h) Campbell, VanManen, Galazka 207a/IPC	356.50
(i) Joseph T. Cieslewicz 207a	777.00
(j) Change in Hours of Lieutenant Tours/Arbitration	4,167.50

(k) Jeffrey Cataldi Termination	29.50
(l) Joseph Bruscak Disability Health Insurance	649.00
(m) Joseph Campbell - Arbitration Light Duty	129.50
(n) Paul Brower Potential Discipline	168.00
(o) PFFA - IPC - Taping (Case U-34294)	159.00
(p) PFFA - Michon - Potential Discipline	206.50
(q) Gerald Cadigan Potential Discipline	490.50
(r) Center for Public Safety Management (ICMA) Study	113.50
(s) Nancy Sherwood Disability Accommodation	88.50
(t) PFFA Stay Regarding Layoff Arbitration	<u>2,026.50</u>
Total	\$26,389.50

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 month of August, September and October 2015, at a cost of \$520.56, 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 - 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 August, September and October 2015, at a cost of \$216.25, with regard to hourly retainer disbursements for legal services.

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

5. 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 October 1 through October 31, 2015, on the remedial cost recovery matter for groundwater contamination at Village Water Wells 13 and 14 in conjunction with litigation against Genesco for \$10,995.50.

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

VILLAGE COUNSEL

Legislative Action - Police Officer Anthony Baker. Requested authorization to reopen Section 384-d of the Retirement and Social Security Law for Anthony Baker as set forth in Chapter 277, Laws of 2015.

Trustee Trouvé offered the following resolution and moved its adoption:

RESOLUTION NO. 211-2015

WHEREAS, Police Officer Anthony Baker (P.O. Baker) was hired by the Village of Garden City on May 24, 2011 along with two other officers; and

WHEREAS, due to a clerical error on P.O. Baker's application and miscommunication with the New York State Retirement System, P.O. Baker was not enrolled in New York State Police and Fire Retirement Plan 384d; and

WHEREAS P.O. Baker desires to join the New York State Police and Fire Retirement Plan 384d; and

WHEREAS, pursuant to New York State Constitution and the New York Municipal Home Rule Law, the Incorporated Village of Garden City previously requested the Legislature of the State of New York to enact and the Governor to approve legislation transferring the enrollment of Garden City P.O. Baker from New York State Police and Fire Retirement Plan 375i to New York State Police and Fire Retirement Plan 384d; and

WHEREAS, the Legislature and Governor did enact such legislation in the form of Chapter 277, Laws of 2015; and

WHEREAS, the New York State Police and Fireman's Retirement Plan has requested that this Board reaffirm its earlier Resolution and financial responsibilities in connection with same:

NOW, THEREFORE, BE IT RESOLVED, that the Village of Garden City hereby re-authorizes and re-approves the legislation transferring the enrollment of P. O. Baker from the NYS Police and Fire Retirement Plan 375-i to the New York State Police and Fire Retirement Plan 384-d; and it is further

RESOLVED that the Village Mayor and/or Administrator are authorized and directed to take any necessary steps directed by the Office of the New York State Comptroller or other relevant State Agency to achieve such enrollment and assure that the legislation will affect only P. O. Baker, and that there are no other Police Officers employed by the Village of Garden City who are not currently covered by the provisions of Section 384-d; and that the proposed legislation is embodied in Chapter 277 of the laws of 2015; and that all past service costs incurred due to its enactment will be borne by the Village of Garden City.

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.

POLICE

Sick Leave - Five Employees. Requested authorization to pay Detective Sergeant James Bartkowski, Detective Angelo Barone, Police Officer Anthony Baker, Police Officer John Florio and Police Officer Steven Roumeliotis through January 14, 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.

PUBLIC WORKS

1. Sick Leave - Two Employees. Requested authorization to pay John Anselmo, Labor Supervisor, Street Department and Brian Kast, Sanitation Worker, Sanitation Department through January 14, 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 Civil Service Employees' Association, which became effective June 1, 2010.

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

2. Engagement of Engineering Firm - Library Elevator Modernization - Sierra Consulting Group, Inc. Requested authorization to approve the engagement of Sierra Consulting Group, Inc., 36 Maple Place, Suite 206, Manhasset, New York, in the amount of \$7,000 to prepare plans and specifications to allow for the bidding of the Library Elevator Modernization. Funds are available in the Library Capital Budget.

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

AGREEMENT

Adelphi University - Use of Swimming Pool. Requested authorization for the Mayor to execute an agreement between Adelphi University and the Incorporated Village of Garden City for use of the Adelphi Swimming Pool by the Recreation Department for a “Learn to Swim Program”, December 5, 2015 through March 5, 2016 (make up date March 12, 2016). Village Counsel has reviewed this agreement and approved it as to form.

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

EXTERNAL COMMUNICATIONS

PERMITS:

Parade:

1. Mr. Patrick Kearney, President, The Irish American Society of Nassau, Suffolk & Queens, Inc., requested to hold its annual St. Patrick’s Day Parade on Sunday, March 5, 2016, beginning at 1:00 p.m. They are requesting to assemble in the parking lot between the Supreme Court and County Courthouses. The parade will begin in front of the Irish Monument (Courthouse Drive) near the County Courthouse. The parade will then proceed to County Seat Drive north to Old Country Road, left onto Old Country Road and right onto Mineola Boulevard continuing to Jericho Turnpike.

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

On-Street Parking:

2. William J. and Marilyn Prager, 16 Franklin Court West (2)

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

Public comments related to the Franklin Court Fence were received at the beginning of the meeting. No further discussion took place by the Trustees.

Following discussion, the following items were acted upon:

Agenda Item #5 of the Consent Calendar

VILLAGE ADMINISTRATOR

Upgrade - Inter-Building Communications. Requested authorization to approve an upgrade of our inter-building communications which will change the method and carriers we use to connect the following Village buildings for data and voice: Village Hall, Water Works, Village Maintenance Yard, Community Park and the Pool Office. This item includes the switching of internet connections by WML Enterprises, Inc., 16 Myrtle Lane, Levittown, New York, at a cost of \$15,370 as well as a new server at a cost of \$4,244.46. The total cost for these upgrades are \$19,614.46.

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

Agenda Item #6 of the Consent Calendar

VILLAGE ADMINISTRATOR

Lightpath Service Agreement. Requested authorization for a renewal service agreement upgrade for a five year term with Lightpath Services for the upgrades for Village Hall, Water Works, Village Maintenance Yard, Community Park and the Pool Office. The upgrades will be funded through the 2015/16 Capital Budget Technology Line(s) and will result in annual operating savings of more than \$31,000.

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

Agenda Item #9 of the Consent Calendar

AWARD BID

2015 - 2016 Tree Removal. Reported that a tabulation of bids had been circulated to each member of the Board for the 2015-2016 Tree Removal and recommended that the bid be awarded to Dragonetti Brothers Landscaping, Nursery & Florist, 129 Louisiana Avenue, Brooklyn, New York, low bidder, at a cost of \$40,953 for the removal of 51 trees at a cost of \$803 per tree, which includes stump grinding. He added that specification pickups reached a total of twenty seven companies and four bids were received. A Notice to Bidders was sent to Sunshine Land & Tree Inc., Valley Tree & Landscape Service, Inc., Mike Ryan Tree Service, Inc., Tree Care Inc., Bartlett Tree Experts, Peter Quatrala Tree Service, Inc., Bargain Tree Service, Koch Tree Service, Green Mansions Tree Co., Herris Brothers Tree Service, Shade Tree Cont. Inc., Tree Health Inc., North Shore Tree & Landscaping, Cheap Charlies Trees, R & G Tree Service, Inc., Garden City Irrigation, Great Outdoors Landscaping, Castle Landscapes Inc., Goldberg & Rodler, Inc., U. Arias Corp., THM Landcare, Inc., Conservation Control Corp., Anderson's Tree Service, Campos Tree Service Corp., All American General Service, Inc., Reed Construction Data and McGraw Hill Information Systems.

On motion of Trustee Bolebruch the following resolution was offered:

RESOLUTION NO. 212-2015

RESOLVED, that the proposal of Dragonetti Brothers Landscaping, Nursery & Florist, 129 Louisiana Avenue, Brooklyn, New York, at a cost of \$40,953, be and the same hereby is accepted, this being the lowest and best bid received for the pruning of trees.

FURTHER RESOLVED, that the Mayor and Clerk be and they hereby are authorized on behalf of the Village to execute a contract with Dragonetti Brothers Landscaping, Nursery & Florist, 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.

The vote on the foregoing resolution was as follows:

AYES: 8

NOES: 0

The resolution was declared adopted.

Mayor Episcopia recognized the following:

Thomas Cook, 6 Sixth Place

John Wilton, Chairman, Garden City Chamber of Commerce Merchants Group

George Salem, 24 St. Paul's Place

Rod Coyne, 28 Franklin Court

On motion of Mayor Episcopia to go to executive session at 9:20 p.m. to discuss a matter of litigation, personnel and collective bargaining. The Board reconvened at 10:20 p.m.

There being no further business, on motion duly made, the meeting adjourned at 10:22 p.m.