

## **Garden City Board of Trustees Action: April 4, 2016**

The Garden City Board of Trustees convened at its annual organizational meeting on Monday, April 4, 2016 in which the Board took the following action:

### **Organizational Procedure**

During the annual organizational meeting, which is held the first Monday in April, the following re-elected Trustees took their oaths of office:

- Deputy Mayor Brian C. Daughney
- Trustee Robert A. Bolebruch
- Trustee Theresa A. Trouvé
- Trustee John M. Delany

Mayor Nicholas Episcopia made numerous appointments, all ratified by the Board:

### **Deputy Mayors:**

- Deputy Mayor: Brian C. Daughney
- Second Deputy Mayor: Richard V. Silver

### **Departmental Assignments:**

- Police Commissioner: Stephen S. Makrinos
- Fire Commissioner: John A. DeMaro
- Commissioner of Public Works: Richard V. Silver
- Commissioner of Finance: Robert A. Bolebruch
- Commissioners of Building & Planning: Theresa Trouvé, John M. Delany
- Environmental Advisory Board: Brian C. Daughney

### **Liaison Officers:**

- Cultural & Recreational Affairs: Richard V. Silver
- Garden City Public Library Board: John M. Delany
- Planning Commission: Theresa Trouvé, John M. Delany
- Architectural Design Review Board: Theresa Trouvé, John M. Delany
- Zoning Board of Appeals: Theresa Trouvé, John M. Delany
- Business Community: John M. Delany
- Garden City Historical Society: Stephen S. Makrinos
- Garden City Board of Education: Theresa A. Trouvé
- Senior Citizen Affairs: Theresa Trouvé

### **Committee/Commission Appointments:**

#### **Traffic Commission:**

- Richard V. Silver (Chair)
- Brian C. Daughney
- Stephen S. Makrinos
- John M. Delany

**Finance and Audit Committee:**

- Robert A. Bolebruch (Chair)
- Theresa A. Trouvé
- John M. Delany

**Committee to Fill Vacancies on Boards and Commissions:**

- Stephen S. Makrinos (Chair)
- Robert A. Bolebruch
- Theresa A. Trouvé

**Board of Ethics:**

- Allen S. Mathers (Chair)
- Charles P. Menges, Jr.
- Maureen Clancy

**Executive Staff Compensation:**

- Brian C. Daughney (Chair)
- Stephen S. Makrinos
- John A. DeMaro

**Legal Committee:**

- Brian C. Daughney (Chair)
- John A. DeMaro
- John M. Delany

**Public Information Committee:**

- John A. DeMaro (Chair)
- John M. Delany
- Stephen S. Makrinos

**Schedule of Regular Board Meetings:**

Trustees unanimously approved the following schedule of regular meetings of the Board of Trustees. (Special meetings can be called at any time.):

- First and Third Thursdays: May, June, October, November, December and March
- Second Thursday: January
- Third Thursday: April and September
- First Thursday and Third Tuesday: February
- Annual Meeting: First Monday in April
- July and August: July 21 and August 18, 2016

**Official Newspaper:**

- The Board unanimously designated the *Garden City News* the official newspaper.

**Appointment of Independent Auditor:**

- The Board appointed Albrecht, Viggiano, Zurek & Company, P.C. to provide an audit of fiscal statements and required Justice Court audit

**Appointment of Bond Counsel:**

- The Board appointed Hawkins, Delafield & Wood to provide legal services in connection with bond issues.

**Appointment of Village Assessor:**

- The Board appointed Thomas Donato to provide assessment services

**Appointment of Village Counsel:**

- The Board appointed Bee Ready Fishbein Hatter & Donovan, LLP to provide general legal services on retainer.
- The Board appointed Bond, Schoeneck & King, PLLC to provide legal services in connection with labor matters on retainer. This was renewed for 2016-17 per the prior agreement.
- The Board appointed Bond, Schoeneck & King, PLLC to provide legal services in litigated labor matters. This was renewed for 2016-17 per the prior agreement.
- The Board appointed Cullen & Dykman, LLP to provide tax litigation services and other transitional services

**Appointment of Public Relations Consultant:**

- The Board appointed Carisa Giardino to serve as the Village's public relations consultant.

**Appointment of Electrical Inspection Services:**

- The Board appointed certified electrical inspectors.

**Annual Review of Policies:**

- The Board approved the following policies:
  - (a) Purchasing/Procurement
  - (b) Fixed Assets
  - (c) Investment
  - (d) Fund Balance

**Designation of Depositories for Village Funds:**

- TD Bank, Capital One, J.P. Morgan/Chase Bank

- This authorizes the Mayor or Deputy Mayor and one Trustee to sign checks in the absence of Village Treasurer and Deputy Treasurer

**Appointment of Acting Village Justices:**

- Brian T. Deveney
- Merrill S. Biscone

**Appointment of Village Historian:**

- William Bellmer

**Appointment of Village Clerk**

- Karen M. Altman

**Appointment of Member, Board of Police Commissioners:**

- Kenneth O. Jackson
- Stephen S. Makrinos

**Appointment to the Planning Commission:**

- Sean O'Brien (term to expire April 1, 2019)

**Appointment to Environmental Advisory Board:**

- Laurence J. Quinn (term to expire April 6, 2020)

**Appointment to the Architectural Design Review Board:**

- Barbara M. Ruggiero (term to expire April 1, 2019)
- Chairman: Hugh S. Lacy (term to expire April 1, 2019)
- Vice Chairman: Donald A. Hickey, Jr.

**Appointment to the Board of Appeals:**

- Brian Paradine (term to expire April 5, 2021)

**Appointment to the Board of Commissioners of Cultural and Recreational Affairs:**

- Timothy Stapleford (term to expire April 6, 2020)
- Kristina Russo (term to expire April 6, 2020)

### **Appointment to the Water Authority of Western Nassau:**

- John A. Ardito (term to expire April 3, 2017)

### **Appointment to the Civic Beautification Committee:**

- Althea Robinson (chair)
- Kathleen Auro
- Janet Curtin
- Suzanne Alvey

### **Public Hearing: Budget for 2016-17**

The Board held a public hearing on the tentative budget for 2016-17. A brief presentation detailed the \$57,943,195 spending plan, which reduces the Village-wide tax rate to \$47.03.

Trustee Robert Bolebruch, Finance Commissioner, praised Village staff for their diligence and highlighted Village Treasurer Irene Woo's dedication and professional style, which he said is evident in every aspect of this, her first budget as Village Treasurer. "I could not have been more proud of our results," he said.

Following the public hearing, the Board adopted the budget by a vote of 8-0.

### **Resolutions:**

The Board unanimously approved the following resolutions:

- Adoption of Budget
- Collection of Taxes
- Fix 2016 Tax Rate

### **Approval of Minutes:**

The Board of Trustees unanimously approved the minutes for the following meetings:

- March 10, 2016 (Budget Session)
- March 17, 2016 (Regular Meeting)

### **New Business**

#### **Formal Agenda:**

- **Set Date For Public Hearing:** The Board set the date of April 21, 2016 for a public hearing on a proposed local law to adopt Chapter 185 of the Village Code Regarding Wireless Telecommunications Projects.

#### **Deferred Agenda:**

- **Engagement of Consultant Renewal:** Quest Computer Products, Inc. Authorization was requested to renew the professional services contract with Quest Computer

Products, Inc. for maintenance and propriety systems and enhancements at an hourly rate of \$145 per hour, increased from an hourly rate of \$140 per hour. Authorization, however, was not approved until such time as the wording on the agreement is changed to reflect the change of the wording in Section 3, subject to the review by Trustee DeMaro. After such changes, the Village will be authorized to execute the agreement.

## **Consent Calendar:**

The Board of Trustees unanimously approved the following items on the Consent Calendar:

### **Finance**

#### **Payment of Invoices:**

- \$72,105.54 to Cullen and Dykman for their quarterly billing ending February 29, 2016, which includes items such as general transition legal services, general tax certiorari proceedings, small claims tax assessment procedures.
- \$5,979.10 to Sive, Paget & Riesel, P.C. for work done February 1-29, 2016, on the Remedial Cost Recovery for Groundwater Containment at Village Water Wells 13 and 14 in conjunction with litigation against Genesco.

#### **Tax Certiorari Settlements:**

- JPMorgan Chase, with regard to property located at 82 Seventh Street, a bank, which results in a refund of \$14,500 and a new assessment of \$43,500. This is for tax years 2007/08 through current year, 2015/16.
- JPMorgan Chase, with regard to property located at 81 Clinton Avenue, a bank, which results in a refund of \$21,000 and a new assessment of \$23,000. This is for tax years 2007/08 through current year, 2015/16.

#### **LIPA PILOT Receivable Write-Off:**

- The Board approved a \$56,354.22 write-off of a portion of a Sundry Accounts Receivable in regards to a LIPA PILOT (Payment in Lieu of Taxes) for the 2015/2016 fiscal year. This is due to the LIPA Reform Act, which restricts PILOT payments not to exceed a 2 percent cap from previous year. The original PILOT amount was \$738,714.46, however, \$682,360.24 was remitted.

#### **Fund Transfers:**

- \$3,000 from the following accounts: \$2,000 from Justice Court-Part Time Help and \$1,000 from Justice Court-Overtime to Justice Court-Printing, Postage and Stationery to fund postage for Citations and Maintenance of the Sealer Machine.
- \$8,000 from the following accounts: \$6,344 from Snow Removal-Contractual Services and \$1,656 from Snow-Removal-Maintenance of Equipment to Central Garage-Maintenance of Plant to repair damaged yard overhead garage doors on multiple dates.

- \$10,997 from Contingent to Building-Maintenance of Plant for maintenance of the Library boiler, circulator pump and elevator door emergency. The initial allocation of \$30,000 from the Library Budget was insufficient for this purpose.
- \$65 from Clerk-Treasurer-Travel and Training to Elections-Regular to fund an additional Election Inspector required for scannable machines.
- \$523.35 transferred from the following accounts: \$75 from Elections-Delivery and Return of Machines, \$54.37 from Elections-Legal Advertising and \$393.98 from Clerk-Treasurer-Travel and Training to Elections-Printing, Postage and Stationery to fund the purchase of scannable ballots.

**Village Counsel:**

- The Board authorized the continued engagement of the firm of Meyer, Suozzi, English & Klein, P.C. to provide legal expertise for zoning change applications based upon the fees on file in the Clerk's Office. (Expenses associated with zoning applications will be reimbursed to the Village by the applicant.)

**Clerk's Office:**

- The Board adopted a salary schedule for part-time and seasonal salary employees, effective May 1, 2016. (No increases in salaries)
- The Board approved a date change for the first Board meeting in May. The Thursday, May 5, 2016 meeting date has been changed to Wednesday, May 4, 2016.

**Sick Leave:**

- The Board approved sick leave for two employees in the Recreation and Public Works Departments.

**Public Works:**

- The Board approved \$6,640 of additional contract work to fund emergency repairs on Hampton Road and Garden Street. Island Cable Co. of New Jersey performed the directional drilling work.

**Police:**

- The Board approved the attendance of two police officers at the Empire State Law Enforcement Traffic Safety Conference, to be held April 21-22, 2016 in

Syracuse, New York for a total cost of \$600. (Due to generous grant funding, there is no course or registration fee. The only expense is lodging.)

**Building:**

- The Board approved an amended fee schedule, which includes language clarification, landscape plan submissions and a minor change to the Zoning Board of Appeals fee structure to match the other fees which were amended on March 17, 2016 for fees within the Building Department. These changes take effect immediately.

**Recreation:**

- The Board approved an amended fee schedule, which includes language that residents are allowed to remove one tree per year with no \$30 fee assessment. Additional trees may be removed upon inspection and approval by the Village Arborist at a fee of \$30 each. The cost of these resident tree removals is the responsibility of the homeowners.
- The Board approved a professional service contract with 7 Star Service, of Littleton, Colorado, for \$8,777.20 to provide customer service training for Recreation and other Village employees.

**Fire:**

- The Board approved a \$40,324.95 change order for Construction Consultants/LI to perform additional contract work at Garden City Fire Headquarters. The total amount is from contingency. The contract will be increased from the previously approved amount of \$1,132,823.99 to \$1,173,148.94. This does not increase the budget of the project or the amount originally bonded.

**Bid Awards:**

- Mold Removal at Well #7 - Granulated Activated Carbon (GAC) Filter Building: The Board awarded the bid to M. K. Cleaning, Inc., d/b/a Servpro (only bidder) in the amount of \$60,428.56. Six vendors were invited to bid; one bid was received. (This bid is the first bid of this type.)
- Tree Planting 2016: The Board awarded the bid to Northport Tree Co. (low bidder) in the amount of \$39,625. Consistent with the Village's Arbor Restoration Plan, 144 trees are to be planted through the Village replacing trees that were removed due to overall declining condition and poor health. There will be 18 different species of trees providing bio diversity in the total

Village tree inventory of over 12,000 trees. Forty vendors were invited to bid; five bids were received. (This bid was renewed in March 2015 for \$37,415.24.)

- Street Sweeper Parts 2016:

(a) The Board awarded the bid for Item Nos. 1-12, Item Nos. 15-20, Item No. 22, Item Nos. 24-25 and Item Nos. 27-31 to ODB (low bidder) at an approximate cost of \$24,444.66.

(b) The Board rejected low bid for Item No. 14 from Newark Brush Co., LLC as both Dirt Shoe Short and Long must come from the same vendor.

(c) The Board awarded the bid for Item Nos. 13-14, Item Nos., 21, 23 and 26 to Long Island Sanitation Equipment, Co. (overall low bidder) at an approximate cost of \$646.72.

(d) The Board awarded the bid for Item Nos. 32-33 to Newark Brush Co., LLC (low bidder) at an approximate cost of \$534.

**Total Bid Award for Street Sweeper Parts: \$25,625.38**

Eight vendors were invited to bid; four bids were received.

(This bid was renewed in 2015 for \$25,465.90.)

- Fertilizer, Turface, Grass Seed and Lime :

(a) The Board awarded the bid for Item No. 1 (240 bags) 22-0-22 Fertilizer to Nassau Suffolk Turf Services (low bidder) at an approximate cost of \$7,110.10.

(b) The Board rejected the low bid for Item No. 2 from SiteOne Landscape Supply as they did not meet the specifications.

(c) The Board awarded the bid for Item No. 2 (110 bags) Rye/Blue Grass Seed to All Pro Horticulture (second low bidder) at an approximate cost of \$9,900.

(d) The Board awarded the bid for Item No. 3 (15 pallets) Turface Game Saver to Pollack Paint and Field (low bidder) at an approximate cost of \$5,400.

(e) The Board awarded the bid for Item No. 4 (100 pounds) Rain Out to Pioneer Athletics (only bidder) at an approximate cost of \$2,700.

(f) The Board awarded the bid for Item No. 5 (50 bags) Farmingdale Deluxe Grass Seed Mix to SiteOne Landscape Supply (low bidder) at an approximate cost of \$4,069.

(g) The Board rejected the low bid for Item No. 6 from Pollack Paint and Field as they did not meet the specifications.

(h) The Board awarded the bid for Item No.6 (15 pallets) Lime Pellets to The Garden Department, Corp. (second low bidder) at an approximate cost of \$5,076.

(i) The Board awarded the bid for Item No. 7 (576 gallons) Holganix Blend Super Concentrate to Nassau Suffolk Turf Services (low bidder) at an approximate cost of \$13,547.52.

(j) The Board rejected the low bid for Item No. 8 from SiteOne Landscape Supply as they did not meet the specifications.

(k) The Board awarded the bid for Item No. 8 (24 gallons) Sweet Iron to Nassau Suffolk Turf Services (low bidder) at an approximate cost of \$2,587.20.

(l) The Board awarded the bid for Item No. 9 (240 gallons) 30-0-0 Liquid Fertilizer to Nassau Suffolk Turf Services (low bidder) at an approximate cost of \$2,815.34.

**Total Bid Award for Fertilizer, Turface, Grass Seed and Lime: \$53,205.16**

Fifteen vendors were invited to bid; seven bids were received.

(This bid was renewed in 2015 for \$36,042.12.)

**Tabled:**

- The Board voted 6-2 in favor of tabling the following Consent Calendar item so that the Fire Department can further look into this fee with respect to it being reimbursable by insurance companies: *Amend the Fee Schedule. This fee schedule will include an addition to the "Fire Department Response" - Rescue Extinguishing System with a charge of \$1,500. If approved, this fee will be effective immediately.*

**Permits:**

- The Board granted the William Bradford Turner Post, No. 265, American Legion Auxiliary permission to conduct its Memorial Day Parade on Monday, May 30, 2016, beginning at 10:00 a.m.
- The Board granted the William Bradford Turner Post, No. 265, American Legion Auxiliary permission to conduct a ceremony on Veterans Day, Friday, November 11, 2016 in the area surrounding the Veterans Memorial at the Library on Seventh Street.

**Solicit:**

- The Board granted Nicholas A. Sampogna, of Elmont, permission to operate a mobile knife and tool sharpening business in Garden City.

### **Mayor's Recommendation:**

- An independently appointed Fact-Finder has validated the Village of Garden City's approach to CSEA labor negotiations. The New York State Public Employment Relations Board appointed Stephen M. Bluth to assist the Village and its CSEA "Rank and File" bargaining unit in resolving their impasse. Mr. Bluth independently assessed facts presented by both parties at recently held hearings and subsequently provided his recommendation for a new successor contract, which affects approximately 170 Village employees. Mayor Episcopia urged the Board of Trustees to adopt Mr. Bluth's recommendations in their entirety. Unless the CSEA accepts Mr. Bluth's recommendations, the bargaining impasse process will move to its final stage, legislative imposition. The Mayor will request a public hearing at which both parties will be given an opportunity to explain their positions with respect to Mr. Bluth's findings and recommendations.

### **Executive Session:**

- The Board entered into an executive session to discuss a matter of litigation and a matter of real estate and to seek an opinion of counsel.

*The next Board of Trustees meeting is scheduled for Thursday, April 21, 2016 at 8 p.m. at Village Hall.*