

BOARD OF TRUSTEES

JANUARY 12, 2023

A meeting of the Board of Trustees of the Village of Garden City in the County of Nassau, New York, was held via Zoom video/audio (with Trustees, Department Heads and Village Counsel and audience present in the Board Room) at 351 Stewart Avenue in said Village on January 12, 2023, at 7:30 p.m.

Present: Mayor Cosmo Veneziale, Trustees Bruce J. Chester, Terence P. Digan, Mary Carter Flanagan, Charles P. Kelly, Lawrence N. Marciano, Jr., Thomas J. O'Brien, and Bruce A. Torino.

Also Present: Ralph V. Suozzi, Village Administrator
Karen M. Altman, Village Clerk
Kenneth O. Jackson, Chairman, Board of Police Commissioners
Irene Woo, Village Treasurer (via Zoom)
Giuseppe Giovanniello, Superintendent of Building Department
Paul Blake, Chairman, Board of Commissioners of Cultural and Recreational Affairs (via Zoom)
Matthew F. Pearn, Chief Fire Department
Gerard Fishberg, Cullen and Dykman, LLP

Attendance: Approximately 20 in person and 27 (via Zoom)

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

Mayor Veneziale called the meeting to order and stated that Governor Hochul recently made comments regarding the potential development of building sites located in proximity to commuter railroad stations. Accordingly, he has directed the Village Administrator, Building Superintendent, Village Engineer and Village Counsel to commence the process of identifying Village sites that may be impacted by the Governor's proposal. This action is intended to create an inventory of Village "Open Spaces" and will also include zoning land use and site area profiles.

Mayor Veneziale then called upon Ralph Suozzi along with the Department Heads who spoke about their agenda items.

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

The minutes of the regular meeting held on December 15, 2022 were reviewed, and on motion of Trustee Chester were approved as presented.

NEW BUSINESS

FORMAL AGENDA

1. Stewart Avenue - Widening of Roadway - Ratify Proposal - L.K. McLean Associates, P.C. This item was deferred from the December 15, 2022 Board of Trustees Meeting for further discussion. Board authorization is requested to ratify the proposal submitted by L.K. McLean Associates, P.C., 437 South Country Road, Brookhaven, New York, to prepare photo renderings that depict a widening to increase the overall roadway width from 30 feet to 35 feet on the eastbound and westbound travel lanes of Stewart Avenue from Franklin Avenue to Clinton Road, at a lump sum fee of \$2,500. Funds are available in Account OH.5110.2010.

On motion of Trustee Torino, the aforesaid authorization was ratified. Vote: AYES: 7; NOES: 1 (Trustee Kelly).

CONSENT CALENDAR

Trustee Flanagan requested that Item #10 (Public Works - St. Paul's Building - Clean Up Services - Island Wide Building Services - \$48,600 and additional funding for the purchase of wood and materials to safeguard the areas - \$5,000) be removed from the Consent Calendar for discussion.

FINANCE

1. Set Date - Annual Tax Lien Sale. Reported that a detailed account of all 2022 Village tax arrears had been filed, pursuant to the provisions of Section 1438 of the Real Property Tax Law, including a description of the lands on which such taxes remain unpaid as the same were placed on the original rolls, that the Members of the Board compared such account with the original 2022 Tax Rolls and found the same to be a true and correct record of the Village taxes remaining unpaid for said year, and the Tax Collection Account of the Village Clerk was ordered credited with the amount thereof, namely \$949,496.07.

On motion of Trustee Torino the following resolution was offered:

RESOLUTION NO. 1-2023

RESOLVED, that a Tax Sale of all property on which the 2022 Village Tax remains unpaid, as shown on the tax rolls of the Village of Garden City, is hereby ordered to be held in the Village Hall on the 17th day of March, 2023, commencing at 10:00 a.m., and that such sale be conducted by the Treasurer in the manner provided and prescribed by Section 1454 of the Real Property Tax Law of the State of New York and Section 180-1 of the Village of Garden City Code, and that such real property be sold subject to the provisions of the New York State and Federal Soldiers' and Sailors' Civil Relief Acts, as amended, insofar as the same may be applicable to the owners of any of said real estate; and

FURTHER RESOLVED, that the Treasurer is hereby directed to publish in the Village's official newspaper, for three consecutive weeks ending on or before March 10, 2023, a list of the real property upon which the 2022 Village Tax is unpaid, with the amount of the tax, interest and other charges thereon, together with a notice that said real property will be sold at public auction, at the same time and place stated above, to discharge the tax, interest, fees and charges due at the time of sale; and

FURTHER RESOLVED, that the Village Treasurer on behalf of the Village is authorized and directed to reject any and all bids for parcels of lands listed in the annual tax lien sale to be held as set forth herein and, and to bid in and purchase the same for the Village.

The vote on the foregoing resolution was as follows:

AYES: 8

NOES: 0

The resolution was declared adopted.

2. Audit Report. The Village has received the final Audit Report for the fiscal year ended May 31, 2022 from PKF O'Connor Davies. The Village's Financial Statements and the Audit Report were reviewed with the Village's Finance and Audit Committee.

On motion of Trustee Torino and unanimously carried, the Independent Auditor's Report was accepted.

3. Appropriation of Termination Reserves. Board authorization is requested to appropriate \$17,385.73 from Account 0A.8670.0000, Reserve for Compensated Absences, to Account 0A.9000.1220 Termination Payout, for employees who have left Village service, Brendan Holloway, Police Aide (\$2,046.46) and Jana Wiggins. Police Officer (\$15,339.27).

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

SICK LEAVE

POLICE

1. Sick Leave - Three Employees. Board authorization is requested to pay Police Sergeant Keith Wehr, Police Officer Kyle Lucia and Police Communications Operator Katelyn McKay through February 2, 2023, or such earlier date as they may be able to return to work 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, 2020 and the provisions of the contract between the Incorporated Village of Garden City and the Civil Service Employees' Association, which became effective June 1, 2021.

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

2. Sick Leave - Smith. Board authorization is requested to pay Donald Smith through January 16, 2023, or such earlier date as he may be able to return to work 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, 2021.

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

PUBLIC WORKS

3. Sick Leave - Four Employees. Board authorization is requested to pay John Valentine, Motor Equipment Operator, Street Department, Salvatore Cardinale, Laborer, Street Department, Sean Gillece, Motor Equipment Operator, Sanitation Department and Ronald Scagnelli, Auto Mechanic Aide, Village Shop through February 2, 2023, 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, 2021.

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

RECREATION

4. Sick Leave - Two Employees. Board authorization is requested to pay Robert Vaughn, Laborer, Recreation and Parks Department and Kevin Jackowski, Maintenance Helper, Recreation and Parks Department through February 2, 2023, 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, 2021.

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

HUMAN RESOURCES

1. Village of Garden City Deferred Compensation 457(b) Plan - Memorandum of Understanding (MOU) - Nationwide. Board authorization is requested to approve the final Nationwide Retirement Services' MOU memorializing the Request For Proposal (RFP) for Administrative Services provided for the Village of Garden City Deferred Compensation 457(b) Plan. The RFP process was concluded at the February 23, 2021, Board of Trustees meeting to engage Nationwide Retirement Services as the Administrative Service Provider

for the Plan. The specific terms of the MOU continued to be modified and this final form includes an additional decrease of the recordkeeping fee by two (2) basis points. The MOU is the last administrative piece of this transaction and this approval does not have a budgetary impact as all fees related to the Plan are paid by the Plan. Village Counsel has approved this Agreement and approves it as to form.

On motion of Trustee Torino and unanimously carried, the aforesaid authorization was approved and the Memorandum of Understanding can be executed.

PUBLIC WORKS

1. Emerging Contaminant Removal at Hilton Park Plant - Well Nos. 15 and 16 - Change Orders - Philip Ross Industries, Inc. Board authorization is requested to approve the following Change Orders submitted by Philip Ross Industries, Inc., 88 Duryea Road, Melville, New York. The original contract amount was \$7,496,000; the revised contract amount is \$7,893,663.75. Funds are available in Account OF.1073.0000.

- a) Change Order No. 2 - *Credit*. No longer requiring the existing well discharge heads to be refurbished - credit amount of \$600.
- b) Change Order No. 5 to replace the existing pneumatic valves with new motorized butterfly valves at a cost of \$256,363.75.

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

2. Village Hall First Floor Renovations - 2022 - Change Orders - GTX Construction Associates, Corp. Board authorization is requested to approve the following Change Orders submitted by GTX Construction Associates, Corp., 80 Henry Street, Freeport, New York. The Board of Trustees awarded this bid, in the amount of \$241,500, at the October 13, 2022 Board of Trustees Meeting. Funds are available in Account OH.1620.2047.

- a) Change Order No. 1 for firestopping of approximately twenty (20) locations at a cost of \$4,000.
- b) Change Order No. 2 for demolition and an additional wall at a cost of \$1,500 (\$3,250 minus a credit of \$1,750).
- c) *Credit* - Plywood subfloor for a credit amount of \$4,500.

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

3. Village Hall HVAC System - Change Orders - Intricate Tech Solutions, LTD. Board authorization is requested to approve the following Change Orders submitted by Intricate Tech Solutions, LTD, 98 Mahan Street, West Babylon, New York. The Board of Trustees awarded this bid, in the amount of \$729,000, at the July 21, 2022 Board of Trustees Meeting. With the addition of Change Order No. 1, approved on December 15, 2022, the total cost to date is \$764,480.38. Funds are available in Account OH.1620.2051.

- a) Change Order No. 3 for the addition of one (1) Honeywell TruFresh ERV 200 cfm, at a cost of \$18,223.03.
- b) Change Order No. 9 for nighttime work for all drilling at a cost of \$17,767.50.

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

4. Water Main Improvements on Meadow Street, Grove Street, Commander Avenue and Lindbergh Street - Change Orders - A.I.I. Allen Industries, Inc. Board authorization is requested to approve Change Order Nos. 1 and 2, in the amounts of \$7,383.54 and \$39,780, respectively, submitted by A.I.I. Allen Industries, Inc., 510 Broadway, Amityville, New York, for additional work related to Water Main Improvements on Meadow Street, Grove Street, Commander Avenue and Lindbergh Street. The Board of Trustees awarded this bid on April 22, 2021, for a total cost of \$3,063,529. Funds are available in Account OH.1052.0000.

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

5. Engagement of Professional Services - Meadow Street Drainage Improvements - L.K. McLean Associates. Board authorization is requested to engage L. K. McLean Associates, P.C., 437 South Country Road, Brookhaven, New York for engineering services associated with Meadow Street Drainage Improvements identified as Conceptual Plan for Meadow Street, Alternative 2, for a total cost of \$62,300. Funds are available in Account 0H.5110.2010.

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

6. Professional Rate Services Renewal - Atlantic Wells, Inc. - Mechanical Well Contractor. Board authorization is requested to engage Atlantic Wells, Inc., 58 Fairfields Lane, Huntington Station, New York, Mechanical Well Contractor for Well Pump and Booster Pump Service Calls for 2023, as per rates on file in the Village Clerk's Office. Funds are available in Account 0F.8320.4020.

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

AWARD OF BIDS

1. DPW Yard Garage Door Replacements - Tierney & Courtney Overhead Door Sales Co., Inc. Board authorization is requested to award the bid to Tierney & Courtney Overhead Door Sales Co., Inc., 355 Willis Avenue, Mineola, New York, low bidder for a total cost of \$418,470. Funds are available in Account 0H.1640.2090.

Specifications reached a total of two companies and two bids were received. A Notice to Bidders was sent to Dodge Data & Analytics and CMD Group and the bid specifications were advertised on New York State Contract Reporter. The total budgeted amount for this item is \$522,500.

On motion of Trustee Torino the following resolution was offered:

RESOLUTION NO. 2-2023

RESOLVED, that the proposal of Tierney & Courtney Overhead Door Sales Co., Inc., 355 Willis Avenue, Mineola, New York, at an amount of \$418,470, be and the same hereby is accepted, this being the lowest and best bid received; and

FURTHER RESOLVED, that the Village Administrator/Mayor and Clerk be and they hereby are authorized on behalf of the Village to execute a contract with Tierney & Courtney Overhead Door Sales Co., Inc., for this work, pursuant to the terms and conditions set forth in the request for bid and in the proposal submitted by said Company, the form of contract to be approved by Village Counsel.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

The resolution was declared adopted.

2. Second Street Manhole Renovations - 2022 - Bancker Construction Corp. Board authorization is requested to award the bid to Bancker Construction Corp., 171 Freeman Avenue, Islip, New York, low bidder, at a cost of \$322,540. Funds are available in Account 0H.8120.2020.

Specifications reached a total of three companies and three bids were received. A Notice to Bidders was sent to Dodge Data & Analytics and CMD Group and bid specifications were advertised on New York State Contract Reporter. The total budgeted amount for this item is \$350,000.

On motion of Trustee Torino the following resolution was offered:

RESOLUTION NO. 3-2023

RESOLVED, that the proposal of Bancker Construction Corp., 171 Freeman Avenue, Islip, New York, at an amount of \$322,540, be and the same hereby is accepted, this being the lowest and best bid received; and

FURTHER RESOLVED, that the Village Administrator/Mayor and Clerk be and they hereby are authorized on behalf of the Village to execute a contract with Bancker Construction Corp., for this work, pursuant to the terms and conditions set forth in the request for bid and in the proposal submitted by said Company, the form of contract to be approved by Village Counsel.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

The resolution was declared adopted.

3. Mixed Broken Asphalt Rubbish Removal - Rescind Bid - Expedite Trucking and Container Services. Board authorization is requested to rescind the low bid awarded to Expedite Trucking and Container Services, 5013 56th Street, Maspeth, New York, as they have been unable to meet the insurance requirements. This bid was awarded at the August 18, 2022 Board of Trustees Meeting. The Village will retain the bid deposit.

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

4. Mixed Broken Asphalt Rubbish Removal - Rebid Project. Board authorization is requested to rebid this Project.

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

EXTERNAL COMMUNICATIONS

PERMITS:

1. Dr. Michael Spinelli, St. Joseph's School, requesting authorization to hold their Annual Run for Tomorrow's Hope, on Saturday, April 1, 2023 beginning at 8:30 a.m. The route will be as depicted on the map that was sent to the Village which is subject to change after review with the Clerk's Office, Police and Fire Departments.

On motion of Trustee Torino 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:

2. Mr. Anthony Sampogna, 102 Rosalind Road, Yaphank, New York, requesting a permit for the year 2023 to operate a mobile knife and tool sharpening business in Garden City.

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

Agenda Item #10 of the Consent Calendar

PUBLIC WORKS

St. Paul's Building - Engage Consultant - Clean Up Services - Proposal - Island Wide Building Services. Board authorization is requested to approve the proposal submitted by Island Wide Building Services, 204 West Hoffman Avenue, Lindenhurst, New York, to clean the interior of St. Paul's School, 295 Stewart Avenue, for a total cost of \$48,600. Funds are available in Account 0A.1620.4460.

On motion of Trustee Torino, the aforesaid authorization was approved. The vote was as follows: AYES: 5; NOES: 3 (Trustees Flanagan, Kelly and Marciano).

St. Paul's Building - Clean Up Services - Additional Funding - Wood and Materials. Board authorization is requested to approve additional funding for the purchase of wood and materials to safeguard the areas of the St. Paul's Building at a cost of \$5,000. Funds are available in Account 0A.1620.4460.

On motion of Trustee Torino, the aforesaid authorization was approved. The vote was as follows: AYES: 5; NOES: 3 (Trustees Flanagan, Kelly and Marciano).

Mayor Venezia recognized the following:

Ed Finnernan, 301 Franklin Avenue
Leo Stimmler, 67 Huntington Road
Richard Williams, 411 Stewart Avenue
Paul Rothenbiller, 216 Kensington Road
Bill Daly, 196 Roxbury Road
Steve Ilardi, 139 Meadow Street
Robert Vassalotti, 32 Brixton Road
Bob Orosz, 28 Grove Street

There being no further business, on motion duly made, the meeting adjourned at 10:34 p.m.