

BOARD OF TRUSTEES

FEBRUARY 25, 2020

A 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 February 25, 2020 at 8:00 p.m.

Present: Mayor Theresa A. Trouvé, Trustees Robert A. Bolebruch, Stephen S. Makrinos, John M. Delany, Louis M. Minuto, Mark A. Hyer, Colleen E. Foley and Brian C. Daughney.

Also Present: Ralph V. Suozzi, Village Administrator
Karen M. Altman, Village Clerk
Kenneth O. Jackson, Chairman, Board of Police Commissioners
Irene Woo, Village Treasurer
Giuseppe Giovanniello, Superintendent of Building Department
Joseph DiFrancisco, Superintendent of Public Works
Thomas Stryko, Chief Fire Department
Paul Blake, Chairman, Board of Commissioners of Cultural and Recreational Affairs
Kenneth Gray, Bee Ready Fishbein Hatter & Donovan, LLP

Attendance: Approximately 34

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

Mayor Trouvé called the meeting to order and called upon Ralph Suozzi along with the Department Heads who spoke about their agenda items.

Mayor Trouvé 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 February 6, 2020 were reviewed, and on motion of Trustee Makrinos were approved as presented. (Trustee Minuto abstained).

FORMAL AGENDA

1. Set Date for Public Hearing - "A Proposed Local Law to Amend Chapter 12 of the Village Code in relation to the Code of Ethics". After discussion, Trustee Daughney introduced the following resolution and moved its adoption:

RESOLUTION NO. 22-2020

RESOLVED, that the Board of Trustees hold a public hearing on a proposal to enact a Local Law entitled, "A Proposed Local Law to Amend Chapter 12 of the Village Code in relation to the Code of Ethics".

FURTHER RESOLVED, that the Clerk be and she hereby is authorized and directed to publish and post a notice of a public hearing with regard to the adoption of such local law to be held at the Village Hall, 351 Stewart Avenue, in said Village at 8:00 p.m. on the 19th day of March, 2020.

The adoption of the foregoing resolution was duly put to a vote which resulted as follows:

AYES: 8
NOES: 0

The resolution was declared adopted.

NEW BUSINESS

Trustee Delany requested that item #3b (Finance - Request to Close Capital Projects and Transfer Funds - Parks Shade Structures - \$101,200) be removed from the Consent Calendar.

Trustee Daughney requested that item #7 (Human Resources - Salary Adjustment - Commissioner Kenneth Jackson) be removed from the Consent Calendar.

CONSENT CALENDAR

FINANCE

1. Appropriation of Termination Reserve. Requested authorization to appropriate \$14,651.10 from Account OA.8670.0000 - Reserve for Compensated Absences to Account OA.9000.1220 Termination Payout, for the retirement of Michael Scheriff, Motor Equipment Operator, Sanitation Worker, Department of Public Works.

On motion of Trustee Hyer and unanimously carried, the aforesaid recommendation was approved and the Treasurer was authorized to make the necessary transfer of funds.

2. Tax Certiorari Settlements. Requested authorization to settle the following tax certioraris:

(a) Garden City Realty Associates, LLC. Requested authorization for the proposed settlement with Garden City Realty Associates, LLC, 1461 Franklin Avenue, with regard to an office building located at 1461 Franklin Avenue, Garden City, Account No. 04212-0-001, which would result in a refund of \$8,850 and a new assessment of \$24,500. This is for tax years 2013/14 through current fiscal year 2019/20, effective 2020/21.

Trustee Hyer offered the following resolution and moved its adoption:

RESOLUTION NO. 23-2020

WHEREAS, Garden City Realty Associates, LLC, an office building, has commenced proceedings pursuant to the Real Property Tax Law to review the assessment on property located at 1461 Franklin Avenue in the Village of Garden City for the tax years 2013/14 through 2019/20, effective 2020/21; and

WHEREAS, the petitioner, after discussion with the Village Assessor and Village Counsel, has offered to settle these proceedings; and

WHEREAS, the Village Assessor and Village Counsel have recommended that these matters be settled upon the terms and conditions set forth below;

NOW, THEREFORE, BE IT RESOLVED, that Village Counsel is hereby authorized to settle such proceedings by stipulation and consenting to an order directing a refund of \$8,850, and a new assessment of \$24,500, for tax years 2013/14 through 2019/20, effective 2020/21, for the property described on the Village Assessment Roll as 1461 Franklin Avenue, Account No. 04212-0-001.

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.

(b) Blackstone Realty, LLC, n/k/a 1527 Franklin Avenue, LLC. Requested authorization for the proposed settlement with Blackstone Realty, LLC n/k/a 1527 Franklin

Avenue, LLC, with regard to property located at 1527 Franklin Avenue, Garden City, Account Nos. 04196-0-001 and 04206-0-001, which would result in a refund of \$28,000 and a new assessment of \$40,000. This is for tax years 2013/14 through current fiscal year 2019/20, effective 2020/21.

Trustee Hyer offered the following resolution and moved its adoption:

RESOLUTION NO. 24-2020

WHEREAS, Blackstone Realty, LLC, n/k/a 1527 Franklin Avenue, LLC, has commenced proceedings pursuant to the Real Property Tax Law to review the assessment on property located at 1527 Franklin Avenue in the Village of Garden City for the tax years 2013/14 through 2019/20, effective 2020/21; and

WHEREAS, the petitioner, after discussion with the Village Assessor and Village Counsel, has offered to settle these proceedings; and

WHEREAS, the Village Assessor and Village Counsel have recommended that these matters be settled upon the terms and conditions set forth below;

NOW, THEREFORE, BE IT RESOLVED, that Village Counsel is hereby authorized to settle such proceedings by stipulation and consenting to an order directing a refund of \$28,000, and a new assessment of \$40,000, for tax years 2013/14 through 2019/20, effective 2020/21, for the property described on the Village Assessment Roll as 1527 Franklin Avenue, Account Nos. 04196-0-001 and 04206-0-001.

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.

(c) Northside Management Group. Requested authorization for the proposed settlement with Northside Management Group, with regard to a two-story retail building located at 166 Seventh Street, Garden City, Account No. 02890-0-001, which would result in a refund of \$40,000 and a new assessment of \$14,500. This is for tax years 2011/12 through current fiscal year 2019/20, effective 2020/21.

Trustee Hyer offered the following resolution and moved its adoption:

RESOLUTION NO. 25-2020

WHEREAS, Northside Management Group, has commenced proceedings pursuant to the Real Property Tax Law to review the assessment on property located at 166 Seventh Street in the Village of Garden City for the tax years 2011/12 through 2019/20, effective 2020/21; and

WHEREAS, the petitioner, after discussion with the Village Assessor and Village Counsel, has offered to settle these proceedings; and

WHEREAS, the Village Assessor and Village Counsel have recommended that these matters be settled upon the terms and conditions set forth below;

NOW, THEREFORE, BE IT RESOLVED, that Village Counsel is hereby authorized to settle such proceedings by stipulation and consenting to an order directing a refund of \$40,000, and a new assessment of \$14,500, for tax years 2011/12 through 2019/20, effective 2020/21, for the property described on the Village Assessment Roll as 166 Seventh Street, Account No. 02890-0-001.

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.

3. Request to Close Capital Project and Transfer Funds. Board authorization is requested to close out certain Capital Projects for which there is no debt service, and the remaining funds transferred to the General Fund. The following transfers are requested:

(a) St. Paul's Field Renovation OH.7140.2408 \$75,450

On motion of Trustee Hyer and unanimously carried, the aforesaid recommendation was approved and the Treasurer was authorized to make the necessary transfer of funds.

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

(a) \$40,000 to Account 0A.9950.9000 Capital Projects (to fund 0H.5110.2010 Road Repairs), from Account 0A.1990.4000 Contingent, for the alterations at Parking Fields 7N and 7S as per settlement of lawsuit.

On motion of Trustee Hyer and unanimously carried, the aforesaid recommendation was approved and the Treasurer was authorized to make the necessary transfer of funds.

SICK LEAVE

PUBLIC WORKS

1. Sick Leave - Ortiz. Board authorization is requested to pay Igmar Ortiz, Motor Equipment Operator, Sanitation Department through March 19, 2020, 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 Hyer and unanimously carried, the aforesaid authorization was approved.

VILLAGE ADMINISTRATOR

1. Transfer of funds and Ratification of a retired Fire Department Member to be granted benefits pursuant to Section 207-a(2) of the General Municipal Law. Requested ratification for a retired Fire Department Member to be granted benefits pursuant to Section 207a-(2) of the General Municipal Law.

(a) Transfer of Funds. Board authorization is requested to transfer the following: \$16,070.38 to Account 0A.3410.1210 Retroactive Payment and \$41,783.29 to Fire Department - Regular Salary, from Account 0A.1990.4000 Contingent, to fund Firefighter section 207-a (2) benefits.

On motion of Trustee Hyer and unanimously carried, the aforesaid recommendation was approved and the Treasurer was authorized to make the necessary transfer of funds.

Trustee Hyer offered the following resolution and moved its adoption:

RESOLUTION NO. 26-2020

WHEREAS, Vincent DiBona ("Mr. DiBona") was employed by the Village of Garden City as a firefighter from September 10, 2002 to January 20, 2019; and

WHEREAS, on or about August 14, 2017, Mr. DiBona applied to the New York State and Local Police and Fire Retirement System ("Retirement System") for a performance of duty disability retirement; and

WHEREAS, the Retirement System granted Mr. DiBona's application for performance of duty disability retirement on January 15, 2019; and

WHEREAS, Mr. DiBona sent a letter to the Village requesting benefits pursuant to Section 207-a(2) of the New York State General Municipal Law;

WHEREAS, the Village has determined to grant Mr. DiBona's request for benefits pursuant to Section 207-a(2) of the New York State General Municipal Law.

NOW, THEREFORE BE IT RESOLVED, that Mr. DiBona's request for benefits pursuant to Section 207-a(2) of the New York State General Municipal Law is hereby granted retroactive to January 21, 2019, the date following his last date on the payroll.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

The resolution was declared adopted.

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

FIRE

State and Municipal Facilities Capital Program (SAM) - Dormitory Authority of the State of New York (DASNY) - Apply for Grant - Self-Contained Breathing Apparatus. Board authorization is requested for the Fire Department to apply for a grant with the State and Municipal Facilities Capital Program (SAM) - Dormitory Authority of the State of New York (DASNY), for the purchase of sixty (60) outdated Self-Contained Breathing Apparatus units for use in the Fire Department in the amount of \$250,000. The Fire Department previously acquired sixty (60) SCBAs for firefighter use. The units were purchased in 2002 and are now obsolete with repair parts discontinued. New York State Senator Thomas' Office has advised that it will work with the Village to obtain grant funds for replacement of the obsolete units. The first step in this process is the filing of a "Preliminary Application". Village Counsel has reviewed this application and approves it as to form.

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

PUBLIC WORKS

1. Engagement of Professional Services - Barry W. Naumann. Board authorization is requested to engage Barry W. Naumann, 43 Aspen Road, Mastic Beach, New York, to provide services in the area of inventory control and related services on an hourly basis, not to exceed eighteen (18) hours of work billed per week, unless additional hours of work within the scope is authorized in advance. The terms of the contract are from March 2, 2020 to June 12, 2020. Village Counsel has approved this contract as to form. Funds are available in Account 0A.1640.4460.

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

2. Engagement of Professional Services - Consumer Confidence Report - H2M Water. Board authorization is requested to engage H2M Water, 538 Broad Hollow Road,

Melville, New York, to prepare the 2019 Annual Water Supply Statement/Consumer Confidence Report at a cost of \$3,000. Funds are available in Account 0F.8310.4460.

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

AWARD OF BIDS

1. Infield Conditioner. Renewal of Contract Award for Infield Conditioner, for an additional year at the same prices and conditions with Pioneer Manufacturing Company, 4529 Industrial Parkway, Cleveland, Ohio, on an “as needed basis”, based upon unit costs on file with the Village Clerk at an estimated cost for of \$2,718.40. This amount could be more or less depending upon what items are needed throughout the year. Funds are available in Account 0A.7140.4040.

On motion of Trustee Hyer and unanimously carried, the aforesaid recommendation was approved.

2. Ballfield Clay. Renewal of Contract Award for Ballfield Clay, for an additional year at the same prices and conditions with Partac Peat Corporation, One Kelsey Park, Great Meadows, New Jersey, on an “as needed basis”, based upon unit costs on file with the Village Clerk at an estimated cost of \$20,000. This amount could be more or less depending upon what items are needed throughout the year. Funds are available in Account 0A.7140.4030.

On motion of Trustee Hyer and unanimously carried, the aforesaid recommendation was approved.

3. Liquid Chlorine. Renewal of Contract Award for Liquid Chlorine, for an additional year at the same prices and conditions with Autochem Corp., 296 West Montauk Highway, Hampton Bays, New York, on an “as needed basis”, based upon unit costs on file with the Village Clerk at an estimated cost of \$27,400. This amount could be more or less depending upon what items are needed throughout the year. Funds are available in Account 0C.7149.4010.

On motion of Trustee Hyer and unanimously carried, the aforesaid recommendation was approved.

CLERK’S OFFICE

Annual Village Election - March 18, 2020. Board authorization is requested to appoint a Translator for the March 18, 2020 Village Election. At the February 6, 2020, Board of Trustees Meeting, approval was given for the appointment of Ms. Olga B. Santoli as a Translator for the Village Election, however, Ms. Santoli has since advised the Village Clerk that that she is now unable to work on the day of the Village Election.

Trustee Hyer offered the following resolution and moved its adoption:

RESOLUTION NO. 27-2020

RESOLVED, that pursuant to Section 15-116 of the Election Law, the following person is hereby appointed as a Translator for the Village Election:

Francis Ajavon
137 Maplewood Avenue
Hempstead, New York

The compensation is hereby fixed as follows: Translator at a rate of one hundred fifty dollars (\$150) per day.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

The resolution was declared adopted.

EXTERNAL COMMUNICATIONS

PERMIT:

Kristin Lynch Graham, President, Sacred Heart Academy, 47 Cathedral Avenue, Hempstead, New York, requesting to hold a 5K Run/Walk on Saturday, September 19, 2020, between the hours of 9:00 a.m. and 11:00 a.m. They would like to hold their race through portions of the Village of Garden City. The streets that will need to have portions closed are the following; First Street, Cathedral Avenue, Sixth Street and Hilton Avenue. This route has been reviewed by the Garden City Police and Fire Departments and is subject to the fees and insurance certificate as required by the Village.

On motion of Trustee Hyer 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, a check in the amount of \$2,500 (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.

Following discussion, the following items were acted upon:

Agenda Item #3b of the Consent Calendar

Request to Close Capital Project and Transfer Funds. Board authorization is requested to close out a certain Capital Project for which there is no debt service, and the remaining funds transferred to the General Fund. The following transfer is requested:

Parks Shade Structures	OH.7110.2035	\$101,200
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On motion of Trustee Delany and unanimously carried, the aforesaid recommendation was to table this item in order to allow for Mr. Blake to provide more information to the Board regarding shade structures and shade trees.

Agenda Item #7 of the Consent Calendar

HUMAN RESOURCES

Exempt Staff Compensation - Jackson. Board authorization was requested that the following resolution be approved by the Board of Trustees with regard to Exempt Staff Compensation.

On motion of Trustee Delany the following resolution was offered:

RESOLUTION NO. 28-2020

RESOLVED, that as part of the Village's annual salary review, the following annual salary adjustment be made to certain Exempt Staff salary, effective January 1, 2020.

	<u>Total Annual Salary</u>
Police Commissioner Kenneth O. Jackson	\$250,000

The vote on the foregoing resolution was as follows:

AYES: 7
NOES: 1 (Trustee Daughney)

The resolution was declared adopted.

BOARD OF TRUSTEES

1. Presentation - PKAD Architecture & Design - Fire Department Evaluation of Fire Station 2. Mr. Frank Gucciardo from PKAD Architecture & Design, 107 Center Street, Bay Shore, New York gave a power point presentation with regards to his findings relating to Fire Station No. 2.

2. Presentation by Beyer Blinder Belle, Architects & Planners, LLP, 120 Broadway, New York, New York. Mr. Carlos J. Cardoso, AIA, Ms. Hilary Bingnear from Beyer Blinder Belle, Architects & Planners, LLP, 120 Broadway, New York, and Mr. Walter Beal, Project Executive, CNY Group, 1440 Broadway, New York, New York presented a power point presentation to the Board “Transform St. Paul’s with YOUR Vision” which included information about future “focus groups”.

Work Sessions

1. Traffic Commission Matters. The Board of Trustees had a brief discussion regarding updated policies and procedures.

2. Leaf Blowers. The Board of Trustees had a brief discussion regarding the use of leaf blowers within the Village.

Mayor Trouvé recognized the following:

Judy Courtney, Three Tremont Street
Jeanette McLaughlin, 127 Manor Road
Steve Ilardi, President, EPOA, 139 Meadow Street
Brian Pinnola, 56 Kingsbury Road
Walter Beal, 81 Salisbury Avenue
Steve Gray, 44 Cambridge Avenue
Bob Orosz, 28 Grove Street
Cyril Smith, 133 Pine Street
George Salem, 24 St. Paul’s Place

There being no further business, on motion duly made, the meeting adjourned at 10:45 p.m.