

BOARD OF TRUSTEES

MARCH 19, 2020

A meeting of the Board of Trustees of the Village of Garden City in the County of Nassau, New York, was held via FreeConference Call (held due to the Coronavirus Pandemic) on March 19, 2020 at 8:15 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
Thomas Stryko, Chief Fire Department
Paul Blake, Chairman, Board of Commissioners of Cultural and Recreational Affairs
Peter A. Bee, Bee Ready Fishbein Hatter & Donovan, LLP

Attendance: None

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

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

Mayor Trouvé stated that due to the circumstances of conducting this meeting via a conference call, the public hearing with regard to “A Proposed Local Law to Amend Chapter 12 of the Village Code in Relation to the Code of Ethics” will be adjourned to the next Board of Trustees Meeting, in order to allow public input.

Mayor Trouvé stated that due to the circumstances of conducting this meeting via a conference call, the work session regarding the desirability of eliminating the minimum parking requirements for uses in the downtown “business” area, and if desired to direct Counsel to prepare a Local Law to such effect will be adjourned to the next Board of Trustees Meeting in order to allow the public input.

Mayor Trouvé stated that the next item on the agenda was approval of the minutes of the last meetings of the Board of Trustees.

The minutes of the special meeting held on March 4, 2020 were reviewed, and on motion of Trustee Delany were approved as presented.

The minutes of the Board of Assessment Review meeting held on March 5, 2020 were reviewed, and on motion of Trustee Delany were approved as presented.

The minutes of the regular meeting held on March 5, 2020 were reviewed, and on motion of Trustee Delany were approved as presented.

The minutes of the special meeting (budget) held on March 10, 2020 were reviewed, and on motion of Trustee Delany were approved as presented.

NEW BUSINESS

CONSENT CALENDAR

TEMPORARILY SUSPEND THE RULES AND PROCEDURES

On motion of Trustee Delany the following resolution was offered:

RESOLUTION NO. 36-2020

RESOLVED, to temporarily suspend the Rules and Procedures of the Board of Trustees, to add an item to the consent calendar of the agenda, specifically to engage PKAD Architecture & Design, 107 Center Street, Bay Shore, New York to work on the plans and specifications for the Fire Station #2 Renovations Project.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

The resolution was declared adopted.

FINANCE

1. Appropriation of Termination Reserve. Requested authorization to appropriate \$12,126.50 from Account 0A.8670.0000 - Reserve for Compensated Absences to Account 0A.9000.1220 Termination Payout, for the retirement of Joanne Kastalek, Garden City Library, Principal Typist Clerk, (\$11,997.14) and Michel Popple, Motor Equipment Operator, Department of Public Works, Street Department (\$129.36).

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

2. Appropriation of Revenue - Water. Board authorization is requested to appropriate \$5,350 from Account 0F.2770.2000 Water - Miscellaneous Revenues, to Account 0F.8310.4460 Water Administration - Contractual Services. This is a reimbursement to the Village from costs incurred due to an emergency repair of a water leak.

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

3. Bond Resolution - Authorizing the Preparation of Preliminary Plans and Specifications in Connection with the Proposed Replacement of Fire Station 2. Board authorization is requested Authorizing the Preparation of Preliminary Plans and Specifications in Connection with the Proposed Replacement of Fire Station 2 for an amount not to exceed \$500,000, as provided by Counsel.

On motion of Trustee Delany the following resolution was offered:

RESOLUTION NO. 37-2020

BOND RESOLUTION OF THE VILLAGE OF GARDEN CITY, NEW YORK, ADOPTED MARCH 19, 2020, AUTHORIZING THE PREPARATION OF PRELIMINARY PLANS AND SPECIFICATIONS IN CONNECTION WITH THE PROPOSED REPLACEMENT OF FIRE STATION 2, IN THE VILLAGE, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$500,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$500,000 TO FINANCE SAID APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF GARDEN CITY, IN THE COUNTY OF NASSAU, NEW YORK, HEREBY RESOLVES (by the favorable

vote of not less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Garden City, in the County of Nassau, New York (herein called the "Village"), is hereby authorized to preparation of preliminary plans and specifications in connection with the proposed replacement of Fire Station 2, in the Village. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$500,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of \$500,000 bonds of the Village to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Village in the principal amount of \$500,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

- (a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 62 of the Law, is five (5) years.
- (b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.
- (c) The proposed maturity of the bonds authorized by this resolution will not exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and Section 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to executing agreements for credit enhancement, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately, and the Village Clerk is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in the "*Garden City News*," and "*Garden City Life*," two newspapers each having general circulation in said Village, which newspapers are hereby designated as the official newspapers of the Village for such publication.

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

AYES: 8
NOES: 0

The resolution was declared adopted.

4. Fire Station No. 2 Renovations Project - PKAD. Requested authorization to engage PKAD Architecture & Design, 107 Center Street, Bay Shore, New York to work on the plans and specifications for the Fire Station #2 Renovations Project, in the amount of \$300,000.

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

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

(a) \$1,200 to Account 0A.1362.4000 Tax - Advertising, from Account 0A.1670.4000 Metered Postage, for funds needed to cover the cost of legal ads for the unpaid 2019 Village Taxes.

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

(b) \$60 to Account 0A.1450.4300 Election - Legal Advertising, from Account 0A.1230.1010 Administration - Regular Salary, for funds needed to cover the cost of legal ads for the Village's 2020 Election.

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

(c) \$100 to Account 0A.1450.4070 Election - Printing, Postage and Stationery, from Account 0A.1230.1010 Administration - Regular Salary, for funds needed to cover the costs of materials for the Village's 2020 Election.

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

SICK LEAVE

POLICE

1. Sick Leave - Two Employees. Requested authorization to pay Police Officers Louis Matos and Eduardo Rodriguez through April 6, 2020, 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, 2014.

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

RECREATION

2. Sick Leave - Two Employees. Requested authorization to pay David Thilbourg, Senior Maintainer, Recreation Department (ratify the sick leave from March 5 2020 to March 19, 2020) and Robert Vaughn, Laborer, Recreation Department through April 6, 2020 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 Delany and unanimously carried, the aforesaid authorization was approved.

PUBLIC WORKS

3. Sick Leave - Ortiz. Requested authorization to pay Igmarr Ortiz, Motor Equipment Operator, Sanitation Department, through April 6, 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 Delany and unanimously carried, the aforesaid authorization was approved.

POLICE

1. Attendance at New York State Bureau of Weights and Measures - Truck Scale Calibration. Requested authorization for Police Officer Peter Hudak to attend the New York State Bureau of Weights and Measures for Truck Scale Calibration, scheduled for May 14 through May 16, 2020, in Syracuse, New York, at an approximate cost of \$600, funding is available in Account 0A.3120.4120.

On motion of Trustee Delany and unanimously carried, Police Officer Peter Hudak was authorized to attend the aforesaid conference and to be reimbursed for such expenses as he may incur in connection therewith.

2. Attendance at New York State Association of Chiefs of Police – 2020 Annual Training. Requested authorization for Commissioner Kenneth O. Jackson and Inspector Steven Braun to attend the New York State Association of Chiefs of Police 2020 Annual Training, scheduled for July 18 through July 23, 2020, in Glen Falls, New York, at an approximate cost of \$2,800, funding is available in Account 0A.3120.4120.

On motion of Trustee Delany and unanimously carried, Police Officer Peter Hudak was authorized to attend the aforesaid conference and to be reimbursed for such expenses as he may incur in connection therewith.

PUBLIC WORKS

1. Amend Water Rate Schedule. Requested authorization to amend the Water Rate Schedule to include the following rates effective immediately:

6" Meters	Minimum Quarterly Rate	\$2,080
8" Meters	Minimum Quarterly Rate	\$3,372

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

AWARD OF BIDS

1. St. Paul's School - Vine Removal - Greenvelvet Landscape Contractors, Inc. (a) Reject low bid from Greenvelvet Landscape Contractors, Inc., 31 Moffitt Boulevard, Bay Shore, New York, as they were nonresponsive.

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

(b) Reported that a tabulation of bids had been circulated to each Member of the Board for the St. Paul's School Vine Removal Contract and recommended that the bid be awarded to Dom's Lawnmaker, Inc., 101 Harbor Road, Port Washington, New York, third low bidder, for a total cost of \$78,864. The cost of this bid is \$16,864 over the estimate however, additional funding is available in Account 0H.7140.2103.

A total of five invitations to bid were sent and five bids were received. Bid specifications were advertised on New York State Contract Reporter.

On motion of Trustee Delany the following resolution was offered:

RESOLUTION NO. 38-2020

RESOLVED, that the proposal of Dom's Lawnmaker, Inc., 101 Harbor Road, Port Washington, New York, at a cost of \$78,864, be and the same hereby is accepted, this being the lowest and best bid received.

FURTHER RESOLVED, that the Village Administrator and Clerk be and they hereby are authorized on behalf of the Village to execute a contract with Dom's Lawnmaker, 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; and

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

The resolution was declared adopted.

2. General Requirements Contract for Various Civil/Site Reconstruction, Highways, Drainage, Parking Lots and Parks - 2019-2020. Reported that a tabulation of bids had been circulated to each Member of the Board for the General Requirements Contract for Various Civil/Site Reconstruction, Highways, Drainage, Parking Lots and Parks - 2019-2020 and recommended that the bid be awarded to The LandTek Group, Inc., 235 County Line Road, Amityville, New York, overall low bidder, for an approximate cost of \$200,000, per "unit" costs on an "as needed basis".

Specification pickups reached a total of twelve companies and four bids were received. A Notice to Bidders was sent to Dodge Data & Analytics and CMD Group. Bid specifications were advertised on New York State Contract Reporter.

On motion of Trustee Delany the following resolution was offered:

RESOLUTION NO. 39-2020

RESOLVED, that the proposal of LandTek Group, Inc., 235 County Line Road, Amityville, New York, at an approximate cost of \$200,000, be and the same hereby is accepted, this being the lowest and best bid received.

FURTHER RESOLVED, that the Village Administrator and Clerk be and they hereby are authorized on behalf of the Village to execute a contract with LandTek Group, 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; and

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

The resolution was declared adopted.

3. Renewal of Contract Award for Tablet Chlorine. Recommended to renew the bid with Eagle Control Corporation, 23 Old Dock Road, Yaphank, New York, for Tablet Chlorine at an estimated cost of \$36,000, based upon unit costs on file with the Village Clerk, on an “as needed basis” for an additional year at the same prices and under the same conditions. This amount could be more or less depending upon what items are needed throughout the year. Funds are available in Account OF.8330.4010.

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

JUSTICE COURT

1. Credit Card Agreement – World Pay, LLC, d/b/a GovPayNet. Board authorization is requested for the Village to execute an agreement with World Pay, LLC, d/b/a GovPayNet, in order for them to provide online, in-person and by phone credit and debit card options for defendants paying fines for moving violations and Village ordinance violations. There is no cost to the Village for these services. Village Counsel has approved this agreement as to form.

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

EXTERNAL COMMUNICATIONS

PERMITS:

Street Fairs:

1. Mr. Dennis Donnelly, Executive Director, Garden City Chamber of Commerce, requested authorization to close Seventh Street, between Franklin and Hilton Avenues, to hold its Belmont Festival Street Fair Festival on Friday, June 5, 2020 (Rain Date June 12) from 6:00 p.m. to 10:00 p.m.

On motion of Trustee Delany and unanimously carried, the aforesaid authorization was approved, subject to coordination with the Police Department and receipt of an original Certificate of Insurance including Indemnification and Hold Harmless coverage.

2. Mr. Dennis Donnelly, Executive Director, Garden City Chamber of Commerce, 230 Seventh Street, Garden City, requesting that the Friday Night Promenades begin on Friday, June 12, 2020 and end on September 11, 2020. Seventh Street will close at 5:45 p.m. and reopen after cleanup at approximately 10:45 p.m. Street closure will be between Franklin and Hilton Avenues.

On motion of Trustee Delany and unanimously carried, the aforesaid authorization was approved, subject to coordination with the Police Department and receipt of an original Certificate of Insurance including Indemnification and Hold Harmless coverage.

Solicit:

3. Mr. Nicholas A. Sampogna, 1316 Herald Avenue, Elmont, New York, requesting a permit for the year 2018 to operate a mobile knife and tool sharpening business in Garden City.

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

BOARD OF TRUSTEES - Work Session.

1. Library's Internal Review of the Children's Section. There was a brief discussion regarding the Library's internal review of the Children's Section.

There being no further business, on motion duly made, the meeting adjourned at 9:05 p.m.