

BOARD OF TRUSTEES

JULY 16, 2020

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 (due to the Coronavirus Pandemic) on July 16, 2020 at 8:00 p.m.

Present: Mayor Theresa A. Trouvé, Trustees Robert A. Bolebruch, Stephen S. Makrinos, John M. Delany (left at 11:05 p.m.), 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
Joseph DiFrancisco, Superintendent of Public Works
Giuseppe Giovanniello, Superintendent of Building Department
Thomas Stryko, Chief Fire Department
Peter A. Bee, Bee Ready Fishbein Hatter & Donovan, LLP

Attendance: Approximately 45 (via Zoom)

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

Mayor Trouvé stated that the first item on the agenda was a request from Chief Thomas Stryko of the Garden City Fire Department for the approval of Garden City Volunteer Firefighters Anthony J. DellaRatta, 121 Wellington Road, Matthew X. Marooney, 175 Kensington Road, Jonathan D. Torres, 287 Bedell Terrace, West Hempstead and Trey E. Wehrum, 108 Ninth Street. The Volunteer Fire Department formally accepted them into the Department at their July 2020 monthly meeting.

On motion of Trustee Delany and unanimously carried, Anthony J. DellaRatta, Matthew X. Marooney, Jonathan D. Torres, and Trey E. Wehrum were approved by the Village Board of Trustees to be Volunteer Firefighters for the Garden City Fire Department.

Mayor Trouvé stated that the next items on the agenda were two presentations.

Garden City Library Children's Room - H2M Architects and Engineers. Mr. Saverio Belfiore, AIA, CSI, Vice-President, Deputy Market Director, Education and Katie Stone, RA, LEED AP, Project Architect, of H2M Architects and Engineers, 538 Broad Hollow Road, Melville, New York gave a power point presentation with regard to the Garden City Library Children's Room. After much discussion by the Mayor and Board of Trustees, the following took place:

TEMPORARILY SUSPEND THE RULES AND PROCEDURES

On motion of Trustee Delany the following resolution was offered:

RESOLUTION NO. 105-2020

RESOLVED, to temporarily suspend the Rules and Procedures of the Board of Trustees, to add an item to this meeting, specifically a Transfer of Funds for the Garden City Library Children's Room Project, authorization to engage H2M Architects and Engineers and authorization for the Garden City Library to utilize funds from their Capital Reserve Account for the completion of the Project.

The vote on the foregoing resolution was as follows:

AYES: 8

NOES: 0

The resolution was declared adopted.

1. Garden City Library Children's Room - Transfer of Funds. Board authorization was requested to transfer funds as follows; \$105,000 to Account 0H.7410.2011 Capital Projects - Library Children's Room from Account 0A.1990.4000 Contingent for the Garden City Library Children's Room Project.

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. Garden City Library Children's Room - Engage H2M Architects and Engineers. Board authorization is requested to engage H2M Architects and Engineers, 538 Broad Hollow Road, Melville, New York, for the Garden City Library Children's Room Project at a cost of \$845,220. Funds are available in Account 0H-7410-2011 Capital Projects - Library Children's Room Project, (includes the Library appropriation in the amount of \$140,000 from Legislative Aid to be transferred into the account). In the event there are cost overruns (above the \$845,220 Proposal), this special reserve fund, containing \$71,011.71, that exists in the Garden City Library Reserve for Capital Improvements Account would be made available to pay the additional costs. In the event the project comes in at budget or below the budgeted amount, this special reserve fund would be utilized for supply/enhance technology in the Workshop Room area in the Children's Project.

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

Garden City Fire Station 2 - PKAD Architecture and Design. Mr. Frank Gucciardo of PKD Architecture and Design, 107 Center Street, Bay Shore, New York gave a power point presentation with regard to Garden City Fire Station 2.

Mayor Trouvé 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 June 18, 2020 were reviewed, and on motion of Trustee Minuto were approved as presented.

NEW BUSINESS

FORMAL AGENDA

SITE PLAN APPROVAL

1. Application for Final Site Plan Approval - 555 Stewart Avenue. Mayor Trouvé stated that the Village is in receipt of an application for a Final Site Plan approval in connection with an application to construct a proposed 150-unit multiple residence building in a R-T Zone as submitted with two (2) buildings at four (4) stories.

Trustee Delany offered the following resolution and moved its adoption:

RESOLUTION NO. 106-2020

WHEREAS, on July 10, 2018, the Board of Trustees of the Village of Garden City ("Board") heretofore granted an application by 550 Stewart Acquisitions, LLC ("550") for approval of a use permit, for development of a 150 unit multiple residence, inclusive of 15 affordable housing units, in a R-T Zone. at premises 555 Stewart Avenue in the Village (the "Premises"), subject to various conditions as stated in the resolution of approval of that application ("2018 Resolution"); and

WHEREAS, 555 Stewart Garden City LLC ("555") has succeeded to the interest of 550 Stewart Acquisitions, LLC, with respect to the proposed development of the Premises; and

WHEREAS, this Board previously has granted amendments of the 2018 Resolution to extend the time in which the applicant was required to comply with various conditions

of the 2018 Resolution, which most recent extension, granted on May 7, 2020, expires on August 7, 2020; and

WHEREAS, on January 9, 2020, this Board granted an amendment to the 2018 Resolution, to permit consideration of a site plan which varied from the site plan originally identified in the 2018 Resolution; and

WHEREAS, site plans, and revisions thereto (“Site Plan”), thereafter were been submitted by Kevin Walsh, Esq., Walsh Markus McDougal & DeBellis, LLP, 229 Seventh Street, Garden City, New York, as attorney for the applicant, for review by various Village boards and agencies, seeking final site plan approval for a proposed 150-unit multiple residence project in a R-T Zone, with two (2) buildings at a maximum height of four (4) stories each; and

WHEREAS, the Site Plan documents so submitted, and reviewed by the Architectural Design Review Board, the Planning Commission and the Zoning Board of Appeals, contain minor variations from the site plans authorized by the January 9, 2020 resolution, in respect of the allocation of units among the proposed market rate units, and in respect of calculations of floor area, lot area, and open space; and

WHEREAS, the Architectural Design Review Board, at its meeting on February 26, 2020, approved the Site Plan at its February 26, 2020 meeting; and

WHEREAS, the Planning Commission, at its meeting approved the Site Plan at its meeting on March 11, 2020; and

WHEREAS, the Zoning Board of Appeals approved the variances necessary for the Site Plan at its meeting on June 30, 2020; and

WHEREAS, with the exception of those aspects of the Site Plan which vary from the site plan authorized in the 2018 Resolution as previously amended, 555 has timely complied with all of the conditions of the 2018 Resolution for obtaining various approvals from Village boards and agencies, except for final site plan approval from the Board of Trustees; and

WHEREAS, pursuant to Article XII(A) of Chapter 200 of the Code of the Village of Garden City, the Board of Trustees must review site plans and recommendations of the Planning Commission; and

WHEREAS, pursuant to Chapter 200 of the Village Code, Kevin Walsh, Esq., attorney for 555, has requested Board approval of the Site Plan; and

WHEREAS, the Board of Trustees has reviewed the Site Plan pursuant to Section 200-82.5 of the Village Code; and

WHEREAS, the Board of Trustees, as Lead Agency pursuant to the State Environmental Quality Review Act (SEQRA) previously conducted and completed the necessary environmental impact review process with respect to the project and proposed site plans, which review included a Negative Declaration pursuant to SEQRA; and

WHEREAS, the Board further finds and concludes that the minor revisions in the Site Plan which are at variance with the site plan authorized by the 2018 Resolution as previously amended, are Type II Actions which require no further environmental impact review, and in any event would not have any significant adverse environmental impacts such as to require reconsideration of the SEQRA determinations previously made;

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. Paragraph 8 of the conditions set forth in the 2018 Resolution, as previously amended, is further amended, to require that the total number of units shall remain at the previously approved one hundred fifty (150) units, fifteen (15) of which shall be affordable units,. The allocation of such rate units be revised as follows (a) there shall be sixty-six (66) one bedroom units instead of the sixty-seven (67) previously specified, (b) there shall be seventy-two (72) two bedroom units instead of the seventy-four (74) previously specified, (c) there shall be (12) three bedroom units, instead of the nine (9) previously specified,

and (d) of the fifteen required affordable units the unit allocation shall remain as previously specified as two (2) one bedroom units, twelve (12) two bedroom units and one (1) three bedroom unit.

2. Provided that the same complies with all applicable Village Code provisions and has obtained all necessary approvals from the Board of Appeals, the floor area of the Site Plan shall not exceed 1.127%, the lot coverage shall not exceed 35.61%, and the open space shall be at least 21.10%.
3. The 2018 Resolution, as previously amended, shall be further amended, to authorize the applicant to submit the Site Plan, in the place and stead of the site plans referenced in the January 9, 2019 resolution.
4. In all other respects the terms and conditions of the 2018 Resolution, as previously amended, shall remain in effect;
5. All development and use of the subject property shall be in compliance with applicable provisions of the Village Code, the laws and regulations of the Village of Garden City, and the terms and conditions of this resolution; and
6. The Site Plan and this resolution shall be transmitted by the Village to the Nassau County Planning Commission for its review and recommendation, and this resolution shall be considered effective unless and until (a) within thirty days after a complete submission, the Nassau County Planning Commission recommends denial of this application or modification of this resolution, and (b) subsequent to any such negative recommendation by the said Commission, the Board of Trustees fails to adopt a resolution to act contrary to such recommendation as provided in General Municipal Law §239-m;

IT IS FURTHER RESOLVED, subject to the foregoing, the Board of Trustees of the Incorporated Village of Garden City approves the Site Plan submitted by 555, through its attorney, Kevin Walsh, Esq., Walsh Markus McDougal & DeBellis, LLP, 229 Seventh Street, Garden City, New York for development of 555 Stewart Avenue for a 150-unit multiple residence in a R-T Zone as submitted with two (2) buildings at four (4) stories.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

The resolution was declared adopted.

2. Set Date for Public Hearing - "A Proposed Local Law establishing certain parking regulations in Parking Field 7N". After discussion, Trustee Delany introduced the following resolution and moved its adoption:

RESOLUTION NO. 107-2020

RESOLVED, that the Board of Trustees hold a public hearing on a proposal to enact a Local Law entitled, "A Proposed Local Law establishing certain parking regulations in Parking Field 7N".

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 via Zoom video/audio (due to the Coronavirus Pandemic) on the 13th day of August 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.

CONSENT CALENDAR

FINANCE

1. Deferred Compensation Report. The Deferred Compensation Report, which was prepared by PKF O'Connor Davies, LLP, 500 Mamaroneck Avenue, Harrison, New York, for the period of December 2016 and December 2017, was received and has been reviewed by the Audit Committee.

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

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

(a) 520 Franklin Avenue Owner, LLC. Requested authorization for the proposed settlement with 520 Franklin Avenue Owner, LLC, 520 Franklin Avenue, with regard to a medical office building located at 520 Franklin Avenue, Garden City, Account No. 02856-0, (various accounts/parcels, not all grieved) which would result in a refund of \$285,000 and a new assessment of \$257,883. This is for tax years 2013/14 through current fiscal year 2019/20, effective 2020/21.

Trustee Foley offered the following resolution and moved its adoption:

RESOLUTION NO. 108-2020

WHEREAS, 520 Franklin Avenue Owner, LLC, a medical office building, has commenced proceedings pursuant to the Real Property Tax Law to review the assessment on property located at 520 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 \$285,000, and a new assessment of \$257,883, for tax years 2013/14 through 2019/20, effective 2020/21, for the property described on the Village Assessment Roll as 520 Franklin Avenue, Account No. 02856-0 (various accounts/parcels, not all grieved).

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) 601 Franklin Avenue Owner, LLC f/k/a 601 Franklin Association, LLC. Requested authorization for the proposed settlement with 602 Franklin Avenue Owner, LLC f/k/a 601 Franklin Association, LLC, with regard to property located at 601 Franklin Avenue, Garden City, Account No. 02248-1, (various accounts/parcels, not all grieved) which would result in a refund of \$5,000 and a new assessment of \$98,000. This is for tax years 2013/14 through current fiscal year 2019/20, effective 2020/21.

Trustee Foley offered the following resolution and moved its adoption:

RESOLUTION NO. 109-2020

WHEREAS, 602 Franklin Avenue Owner, LLC f/k/a 601 Franklin Association, LLC, has commenced proceedings pursuant to the Real Property Tax Law to review the assessment on property located at 602 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 \$5,000, and a new assessment of \$98,000, for tax years 2013/14 through 2019/20, effective 2020/21, for the property described on the Village Assessment Roll as 602 Franklin Avenue, Account No. 02248-1(various accounts/parcels, not all grieved).

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. Transfer of Funds - Fiscal Year 2019/2020. Requested authorization to transfer funds as follows:

(a) \$3,736.38 to Account 0A.5182.1010 Street Lighting - Regular Salary, from Account 0A.5182.4060 Street Lighting - Electricity, additional funds needed to cover shortage.

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

(b) \$2,495.07 to Account 0A.8120.1010 Sanitary Sewers - Regular Salary, from Account 0A.8120.4460 Sanitary Sewers - Contractual Services, for additional funds needed to cover shortage.

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

(c) \$2,461.16 to Account 0A.8120.1020 Sanitary Sewers - Sewer Overtime, from Account 0A.8120.4460 Sanitary Sewers - Contractual Services and \$521.68 from Account 0A.8120.4030 Sanitary Sewers - Maintenance of Plant, additional funds needed to cover shortage.

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

(d) \$2,210.94 to Account 0A.8170.1010 Street Cleaning - Regular Salary, from Account 0A.8170.4020 Street Cleaning - Maintenance of Plant, additional funds needed to cover shortage.

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

(e) \$288,990 to Account 0A.9015.8000 Fire and Police - Retirement, from Account 0A.9030.8000 Payment to State for Social Security, additional payment for bill covering April 2018 - March 2019 period.

On motion of Trustee Foley 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. Board authorization is requested to pay Police Officers Louis Matos and Thomas Schade through August 13, 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 Foley and unanimously carried, the aforesaid authorization was approved.

2. Sick Leave - Wiggins. Board authorization is requested to pay Jana Wiggins through July 20, 2020, 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 Police Benevolent Association, which became effective June 1, 2014.

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

PUBLIC WORKS

3. Sick Leave - Two Employees. Board authorization is requested to pay Barry Parkhill, Motor Equipment Operator, Street Department and Vincent Zaccaro, Motor Equipment Operator, Street Department through August 13, 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 Foley and unanimously carried, the aforesaid authorization was approved.

AGREEMENTS

1. MTA/LIRR - Agreement for Advance Payment Condemned Parcel - MTA/LIRR. Board authorization is requested for a resolution authorizing the Mayor to execute a certain "Agreement for Advance Payment" accepting the sum of \$119,000 in connection with the acquisition by the MTA/LIRR of certain property known as "Parcel #69". At the February 8, 2018 Board of Trustees Meeting, this Board authorized the acceptance of \$126,000 for the MTA/LIRR's acquisition of a parcel of land shown on the Nassau County Tax Maps as Section 33, Bl 505, Lots 1 - 6 (referred to as "Parcel #69" by the MTA/LIRR). However, subsequent to agreement on the value of the Village's loss (caused by the MTA/LIRR "taking" in connection with its "Third Track" Project), the Village reclaimed certain large signage from the parcel and moved it to a different location. The MTA/LIRR valued the sign in its original price, and as a result of the Village retaining the sign, the MTA/LIRR is now only offering \$119,000. This resolution authorizes the Mayor to accept the reduced amount.

On motion of Trustee Foley the following resolution was offered:

RESOLUTION NO. 110-2020

WHEREAS, this Board did previously (on February 8, 2018) did authorize the Mayor to execute an "Agreement for Advance Payment" in the sum of \$126,000 in connection with the MTA/LIRR acquisition of a certain parcel of land shown on the Nassau County Tax Maps as Sec 33, Bl 505, Lots 1 - 6 (a/k/a "Parcel #69"); and

WHEREAS, said sum of \$126,000 included the value of certain large-sized signage; and

WHEREAS, said signage was subsequently retrieved and used by the Village at another site; and

WHEREAS, the value of the loss incurred by the Village due to the MTA/LIRR acquisition of the parcel was thereby reduced; and

WHEREAS, the MTA/LIRR is currently proposing to compensate the Village in the sum of \$119,000; and

WHEREAS, this Board has determined to accept such offer in lieu of litigating the value thereof;

NOW THEREFORE IT IS RESOLVED that the Mayor be, and she hereby is, authorized to execute a certain "Agreement for Advance Payment" in connection with the Parcel for the sum of \$119,000, a copy of which is on file with the Village Clerk.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

The resolution was declared adopted.

2. LexisNexis Coplogic Solutions, Inc. - MV104A Auto Accident Reports - Agreement. Board authorization is requested to enter into an agreement with LexisNexis Coplogic Solutions, Inc., 1000 Alderman Drive, Alpharetta, Georgia, who will provide MV104A (Auto Accident) reports to the public via an online service. The Police Department and/or Village will not incur any costs for this service. Village Counsel has approved this agreement as to form.

On motion of Trustee Foley the aforesaid authorization was approved and the Village was authorized to execute the agreement.

3. Adelphi University - Renew Agreement - Use of Parking Fields at Community Park. Board authorization is requested for the Village to execute a License Agreement with Adelphi University for use of the Village's parking facilities at Garden City Community Park for a one-year term beginning September 14, 2020 through May 21, 2021. This is the same agreement as last year except for the changes in the dates. Village Counsel has reviewed this agreement and has approved it as to form.

On motion of Trustee Foley the aforesaid authorization was approved and the Village was authorized to execute the agreement.

RECREATION

1. Tree Planting Contract - Change Order - Louis Barbato Landscaping. Board authorization is requested to ratify a Change Order in the amount of \$4,142.95 with Louis Barbato Landscaping, 1600 Railroad Avenue, Holbrook, for eighteen (18) additional trees needed to be planted throughout the Village. This increases the amount of the Tree Planting Contract awarded at the October 3, 2019 Board of Trustees Meeting from \$38,960 to \$43,102.95. Funds are available in Account 0H.7140.2001.

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

2. Acceptance of Maintenance Bond - St. Paul's Comfort Station. Board authorization is requested to accept Maintenance Bond No. 0226727 from B & B Contracting Group, LLC, 247 West 35th Street, New York, New York, who was the contractor for the renovation of the St. Paul's Comfort Station. This Maintenance Bond in the amount of \$258,560.03 guarantees for eighteen (18) months the completed work from the date of acceptance of the Bond. Village Counsel has reviewed the Maintenance Bond and approves it as to form.

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

3. St. Paul's Sprinkler System - Authorization for Repairs. Board authorization is requested to make repairs to the 110-zone Sprinkler System at St. Paul's.

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

4. St. Paul's Sprinkler System - Transfer of Funds. Board authorization is requested to transfer funds in the amount of \$56,400 from Account 0A.1990.4000 Contingent to Account 0A.7140.4030 Recreation - Maintenance of Plant in order to repair the St. Paul's Sprinkler System at St. Paul's.

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

5. St. Paul's Sprinkler System - Engage Byrne & Son Irrigation. Board authorization is requested to engage Byrne & Son Irrigation, 4 Belford Avenue, Bay Shore, New York to repair the St. Paul's Sprinkler System at a cost of \$56,400. Funds are available in Account 0A.7140.4030.

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

PUBLIC WORKS

1. Notice of Amend Village Fee Schedule. Board authorization is requested to approve new and amended fees as outlined below for the Public Works Department: (Complete Fee Schedule is on file with the Village Clerk).

- Right of Way - Communications, Electric, Gas and Other - Amended Fee
- Right of Way - Water and Sewer Service - Amended Fee
- Water and Sewer Service - New Fee
- Sidewalk, Drop Curb and Apron Permit - Amended Fee
- Dumpster/Roll-Off Containers - (Placed within right-of-way) - Amended Fee
- Materials in Street/Public Areas - Amended Fee
- Crane - New Fee
- Scaffolds and Pedestrian Bridges - New Fee
- Road and Parking Lot Closures - New Fee
- Portable Restroom - (Placed within right-of-way) - New Fee
- Soil borings and Monitoring Wells - New Fee
- Fence - placed within right-of-way - New Fee
- Recycling Containers - New Fee

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

2. Notice of Probable Violation - 110 Cherry Valley Avenue. Board authorization is requested to pay the penalty to the New York State Department of Public Service. On January 14, 2020 while work was being performed at the Village Dump, a utility gas line was inadvertently damaged by Village employees. The Village has received a "Notice of Probable Violation" from the New York State Department of Public Service demanding payment of \$2,500 as a result of causing the damage. Village Counsel has reviewed the matter with the Superintendent of Public Works, and Village Clerk and all recommend payment.

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

3. St. Paul's Window Protection - Additional Window Replacements - Talty Construction, Inc. Board authorization is requested to engage Talty Construction, Inc., 108 Powell Avenue, Rockville Centre, New York for additional window replacements at St. Paul's for an amount not to exceed \$6,600 (approximately ten windows). Funds are available in Account 0H.7140.2103.

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

AWARD OF BIDS

1. Rehabilitation of Paving Stones on Franklin Avenue, Seventh Street and New Hyde Park Road - Graci Paving Associates - Withdraw Bid. Board authorization is

requested to accept the letter submitted by second low bidder of Graci Paving Associates in which they withdraw their bid. This bid was awarded on May 21, 2020.

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

2. Rehabilitation of Paving Stones on Franklin Avenue, Seventh Street and New Hyde Park Road - Reject Bids - Rebid. Board authorization is requested to reject the remainder of the bids for the Rehabilitation of Paving Stones on Franklin Avenue, Seventh Street and New Hyde Park Road and to re-bid the project.

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

3. Requisition No. 20-2, Dated July 16, 2020, Purchase of Materials for the Public Works Department.

Bulk Liquid Caustic Soda. Award bid for the purchase of Bulk Liquid Caustic Soda, or Village approved equal, from Univar USA, Inc., 200 Dean Sievers Place, Morrisville, Pennsylvania, low bidder on an “as needed basis” based upon a unit cost of \$1.1915 per gallon, estimated cost of \$56,000. Funds are available in Account 0F.8330.4010. A total of eight invitations to bid were sent and four bids were received. A Notice to Bidders was sent to Bid Reporter and Bid Specs were advertised on New York State Contract Reporter.

On motion of Trustee Foley the following resolution was offered:

RESOLUTION NO. 111-2020

RESOLVED, that Requisition No. 20-2, dated July 16, 2020, filed under separate cover, be made a part of these minutes and that materials be purchased for the Public Works Department in accordance with the recommendations hereinabove set forth, as per specifications and requirements in said requisition, at prices not exceeding those indicated.

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.

4. Board Room Digital Display System. Reported that a tabulation of bids had been circulated to each member of the Board for the Board Room Digital Display System and recommended that the bid be awarded to JVN Systems, Inc., 100A East Jefryn Boulevard, Deer Park, New York, low bidder, at a cost of \$20,415.16. Funds are available in Account 0A.1230.2000. He added that specification pickups reached a total of two companies and three bids were received. A Notice to Bidders was sent to Dodge and Analytics and CMD Group and Bid Specifications were advertised on New York State Contract Reporter.

On motion of Trustee Foley the following resolution was offered:

RESOLUTION NO. 112-2020

RESOLVED, that the proposal of JVN Systems, Inc., 100A East Jefryn Boulevard, Deer Park, New York, at a cost of \$20,415.16, 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 JVN Systems, Inc., 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.

BOARD OF TRUSTEES

1. St. Paul's - CNY Construction - Increase Funding. Board authorization is requested to increase the funding for CNY Construction, 214 West 39th Street, New York, New York, by \$326,000 to continue the Construction Management Services for the Stabilization Work at St. Paul's, as outlined in their agreement with the Village. Funding is available in the Capital Projects Account. This is a continuation of the services originally approved at the March 28, 2019 Board of Trustees Meeting.

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

2. Temporary Permits - Goods and Services. Board authorization is requested to authorize the Clerk to issue permits for outdoor retail sales of goods and/or services in Village Parking Lots and/or rights of way, on terms and conditions comparable to those established for bars/restaurants. The Clerk advises that numerous retail establishments have requested the opportunity for outdoor sales of goods/services comparable to that now being afforded to bars/restaurants in business areas of the village. This Resolution would afford the Clerk the discretion to provide for same on comparable terms and conditions, as well as afford the Clerk the discretion to make some modifications to individual permits based on the nature of the goods/services being sold and the locations/hours being sought by individual retail establishments.

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

3. Pursuant to the authority granted by Resolution No. 58-2020, the Mayor has authorized the following Agreements/Contracts to be executed without further Resolution of the Board:

- Engineering Services - Advanced Oxidation Process (AOP) Treatment. Engage H2M Architects and Engineers, 538 Broad Hollow Road, Melville, New York, to provide engineering services for AOP Treatment at Well Nos. 7, 8, 10, 11, 12, 13 and 14 at a cost of \$1,758,000. Refer to Resolution No. 58-2020. (Public Works)
- Engineering Services - Advanced Oxidation Process (AOP)/Volatile Organic Compound (VOC) Treatment. Engage H2M Architects and Engineers, 538 Broad Hollow Road, Melville, New York, to provide engineering services for AOP/VOC Treatment at Well Nos. 15 and 16 at a cost of \$635,200. Refer to Resolution No. 58-2020. (Public Works)
- Nassau County Department of Health Fees - Pilot Testing of New Wellhead Treatment Systems. This is for anticipated fees in the amount of \$60,000 (\$10,000 per well site) associated with the Pilot Testing of new Wellhead Treatment Systems for the removal of 1,4-Dioxane at Well Nos. 7, 8, 9, 10, 12, (12B), 13, 14, 15 and 16. Refer to Resolution No. 58-2020. (Public Works)

4. Pursuant to the authority granted by Resolution No. 64-2020, the Mayor has authorized the following Agreements/Contracts to be executed without further Resolution of the Board:

- Renewal of Bid - Cold Water Meters - Rio Supply, Inc., 100 Allied Parkway, Sicklerville, New Jersey for items to be ordered on an "as needed basis" based upon unit cost. (Public Works)
- Renewal of Bid - Fire Hydrants and Repair Kits - Ferguson Waterworks, 300 Oser Avenue, Hauppauge, New York for items to be ordered on an "as needed basis" based upon unit costs. (Public Works)

- Garden City Senior Center - Engage Donnelly Mechanical Corp., 96-59 222 Street, Queens Village, New York, at an amount not to exceed \$24,540 for “Phase I” of the design layout of the Garden City Senior Center. (Public Works)
- Engagement of Professional Services - DAK Services of NY Inc., 23 Westwind Drive, Bohemia, New York, for an additional year with no changes to the terms or compensation for the period July 18, 2020 to July 17, 2021. (Public Works)

Mayor Trouvé recognized the following:

John Cantwell, 215 Kilburn Road

Richard Corrao, 197 Meadbrook Road

Walter McKenna, 67 Hilton Avenue

James Kumpel, 224 Kensington Road

There being no further business, on motion duly made, the meeting adjourned at 11:30 p.m.