

APPENDIX D
Resolutions

BOARD OF TRUSTEES

DECEMBER 22, 1992

A regular 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 December 22, 1992 at 8:00 p.m.

Present: Mayor Brian T. Deveney, Trustees Richard A. Benack, Frank A. Tauches, Jr., Judith A. Asselta, Eileen J. Collins, Allen S. Mathers, Harold P. Hecken, Jr. and Robert H. Lewis.

Absent: None.

Also Present: Robert L. Schoelle, Jr., Village Clerk-Treasurer and Village Administrator
Edward W. Purcell, Director of Public Works
Robert J. Mangan, Superintendent of Public Works
W. Michael Connor, Superintendent of Recreation
Ernest J. Cipullo, Chairman, Board of Police Commissioners
John Eric Schields, Captain Fire Department
James E. Olivo, Village Auditor
Michael D. Filippon, Superintendent of Building
Joan L. Gallaer, Deputy Village Clerk
Cullen and Dykman: Gerard Fishberg

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

Mayor Deveney called the meeting to order and on motion of Trustee Asselta, the Board recessed to Executive Session at 8:25 p.m. to discuss a real estate matter, litigation and collective bargaining. The Board reconvened at 9:25 p.m.

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

The minutes of the regular meeting held on December 3, 1992 were reviewed, and on motion of Trustee Collins and unanimously carried, were approved as presented.

Treasurer's Report. Reviewed the Treasurer's Report, dated November 30, 1992, after which on motion of Trustee Benack and unanimously carried, said report was ordered received and placed on file.

NEW BUSINESS

Applications for Site Plan Approval

1. Bar Association of Nassau County, 133 Fifteenth Street - One Story Addition. Mayor Deveney stated that the Board of Appeals, the Architectural Design Review Board and the Planning Commission had approved the application for the proposed one-story addition to the Bar Association of Nassau County, 133 Fifteenth Street.

After discussion, on motion of Trustee Benack, the following resolution was offered:

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NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Incorporated Village of Garden City approves the site plans submitted by the Orchid Restaurant for a proposed expansion to the restaurant located at 730 Franklin Avenue.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

The resolution was declared adopted.

Proposed Acquisition of the St. Paul's Property

Mayor Deveney recognized Donald MacLeod, 44 Hilton Avenue, who presented a signed sales agreement for the St. Paul's property.

Trustee Lewis offered the following resolution and moved its adoption:

RESOLUTION NO. 110-1992

RESOLVED, that the Mayor be authorized to execute a Memorandum of Understanding between the Village of Garden City and the Episcopal Diocese of Long Island with respect to the disposition of the St. Paul's property.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

The resolution was declared adopted.

SEOR - Lead Agency.

On motion of Trustee Collins the following resolution was offered:

RESOLUTION NO. 111-1992

WHEREAS, the Village of Garden City has proposed the acquisition of the St. Paul's property; and

WHEREAS, pursuant to Part 617 of the Implementing Regulations pertaining to Article 8 (State Environmental Quality Review) the Village of Garden City Board of Trustees has determined that this is an Unlisted Action; and

WHEREAS, other agencies may be involved in the approval of this application;

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Village of Garden City Board of Trustees intends to act as Lead Agency in the review of this action; and

BE IT FURTHER RESOLVED, that the Clerk be directed to make the proper notification of this action to other agencies.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

The resolution was declared adopted.

SEQR - Proposed Acquisition of St. Paul's Property. Stated that Mr. Purcell has prepared a Full Environmental Assessment Form for the proposed acquisition of the St. Paul's property and he has determined that this action will not have a significant effect on Garden City environment and recommended that a negative declaration be prepared.

After discussion, Trustee Tauches introduced the following resolution and moved its adoption:

RESOLUTION NO. 112-1992

WHEREAS, a Full Environmental Assessment Form has been prepared by Director of Public Works Edward W. Purcell in connection with the proposed acquisition of the St. Paul's property,

WHEREAS, the Director of Public Works has concluded that the proposed acquisition of this property will not have a significant effect on the environment because there will be no impact on the environment, as more fully set forth in the Full Environmental Assessment form, copy of which has been filed in the Office of the Village Clerk and by reference made a part hereof; and

WHEREAS, the Director of Public Works has recommended that a negative declaration be prepared.

NOW, THEREFORE, BE IT RESOLVED, that this Board pursuant to the State Environmental Review Act and Part 617 of the New York State Code of Rules and Regulations, hereby determines that the proposed action will not have a significant effect on the environment; and be it further

RESOLVED, that this determination shall be a negative declaration for the purpose of Article 8 of the Environmental Conservation Law.

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.

Engagement of Bond Counsel. Requested authorization to engage Hawkins, Delafield and Wood, 67 Wall Street, New York, New York 10005, as Bond Counsel for the proposed acquisition of the St. Paul's property. Further requested authorization for the preparation of a Bond Resolution for adoption at the December 22, 1992 Village Board Meeting.

On motion of Trustee Mathers and unanimously carried, the aforesaid authorization was granted.

Engagement of Fiscal Advisors. Requested authorization to engage Fiscal Advisors, Inc., 85 North Broadway, Hicksville, New York to assist in the preparation of the Official Statement for the bond issue for the proposed acquisition of the St. Paul's property.

On motion of Trustee Benack and unanimously carried, the aforesaid authorization was granted.

Trustee Asselta offered the following resolution and moved its adoption:

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RESOLUTION NO. 113-1992

BOND RESOLUTION OF THE VILLAGE OF GARDEN CITY, NEW YORK ADOPTED DECEMBER 22, 1992, AUTHORIZING (1), AT THE ESTIMATED MAXIMUM COST OF \$7,290,000, THE ACQUISITION FOR VILLAGE PURPOSES, INCLUDING RECREATIONAL PURPOSES, OF THE CERTAIN PARCEL OF LAND, INCLUDING THE BUILDINGS AND IMPROVEMENTS THEREON, COMMONLY KNOWN AS THE ST. PAUL'S SCHOOL PROPERTY, IN SAID VILLAGE AND (2), AT THE ESTIMATED MAXIMUM COST OF \$1,210,000, THE PARTIAL RECONSTRUCTION OF THE BUILDINGS THEREON, IN ORDER TO SAFEGUARD AND PROTECT SUCH BUILDINGS FROM THE ELEMENTS, APPROPRIATING SAID AMOUNTS THEREFOR; STATING THE ESTIMATED TOTAL COST THEREOF IS \$8,500,000; AUTHORIZING THE ISSUANCE OF \$8,500,000 SERIAL BONDS OF SAID VILLAGE TO FINANCE SAID APPROPRIATIONS; AND DETERMINING THAT THIS BOND RESOLUTION SHALL BE SUBJECT TO REFERENDUM.

Recital

WHEREAS, The Board of Trustees of the Village of Garden City, in the County of Nassau, New York (hereinafter in this resolution called "Village") and the Village, in contemplation of acquiring the certain land hereinafter described, including the buildings and the improvements thereon, have complied in every respect with all applicable federal, state, and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act, comprising Article 8 of the Environmental Conservation Law, and in connection therewith, the Board of Trustees has therefore on this date adopted a negative declaration; and

WHEREAS, the Village wishes to proceed with the authorization to acquire such land, to partially reconstruct the buildings thereon, in order to safeguard and protect such buildings from the elements and to finance same the issuance of obligations of the Village, subject to referendum; now therefore;

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 three-fifths of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village is hereby authorized to (a) acquire, at the estimated maximum cost of \$7,290,000, for Village purposes, including recreational purposes, the certain piece or parcel of land containing approximately 58 acres, more or less, commonly known as the St. Paul's School Property, including the buildings and improvements thereon, in said Village, described on the Nassau County Land and Tax Map as Section 33, Block 92 and Lot 65, and (b) at the estimated maximum cost of \$1,210,000, partially reconstruct the buildings thereon, in order to safeguard and protect such buildings from the elements, including partial roof reconstruction, removal of asbestos, removal of subsurface oil tanks, and restoration of heating service to the buildings, and said amounts are hereby appropriated therefor. The estimated total cost of said specific objects or purposes, including preliminary costs and costs incidental thereto and to the financing thereof, is \$8,500,000, and the plan of financing includes the issuance of \$8,500,000 serial bonds of the Village to finance said appropriations, 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. Serial bonds of the Village in the principal amount of \$8,500,000 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 "Law"), to finance said appropriations.

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

(a) The period of probable usefulness applicable to the specific object or purpose for which said \$7,290,000 serial bonds authorized pursuant to Section 1 (a) of this resolution to be issued, within the limitations of Section 11.00 a.21 of the Law, is hereby determined to be twenty (20) years.

(b) The existing buildings are of at least Class "B" construction as defined by Section 11.00 a. 11. (b) of the Law, and the period of probable usefulness applicable to the specific object or purpose for which said \$1,210,000 serial bonds authorized pursuant to Section 1 (b) of this resolution to be issued within the limitations of Section 11.00 a.12 (a) (2) of the Law, is hereby determined to be fifteen (15) years.

(c) 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 or purposes for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.103-18 of the United States Treasury Department.

(d) The proposed maturity of the bonds authorized by this resolution with 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 without limitation of rate or amount. The faith and credit of the Village are hereby irrevocable 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 if 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 the Law and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Sections 56.00 to 60.00 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 notes, 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 are 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. A Proposition for the approval or disapproval of this resolution shall be submitted to the qualified voters of the Village at the Special Election to be held on February 2, 1993, and this resolution shall take effect upon approval of said Proposition by the qualified voters of the Village at said referendum vote.

* * *

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.

Trustee Hecken offered the following resolution and moved its adoption:

RESOLUTION NO. 114-1992

RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF GARDEN CITY, IN THE COUNTY OF NASSAU, NEW YORK, AS FOLLOWS:

Section 1. A Special Election of the Village of Garden City (herein called "Village"), in the County of Nassau, New York, shall be held on February 2, 1993, at Village Hall, Garden City, New York, within the Village, at which the polls shall remain open from 12:00 o'clock noon (Prevailing Time) until 9:00 o'clock p.m. (Prevailing Time) or as much longer as may be necessary to enable the voters then present to cast their votes to approve or disapprove the following Proposition contained in the Notice hereinafter prescribed to be submitted to the qualified voters, as hereinafter referred to.

Section 2. The Village Clerk is hereby authorized and directed to publish at least once in "GARDEN CITY NEWS", a newspaper published in Garden City, New York, having a general circulation in said Village and hereby designated the official newspaper of the Village for such publication, and to post, in at least six (6) conspicuous public places in said Village, said publication and posting to be at least ten (10) days before such Special Election, Notice that the Board of Trustees will submit at the said Special Election, the Proposition for the approval or disapproval of the resolution hereinabove referred to in such Notice, as follows:

VILLAGE OF GARDEN CITY, NEW YORK

NOTICE OF PROPOSITION TO BE SUBMITTED AT THE
SPECIAL ELECTION

FEBRUARY 2, 1993

NOTICE IS HEREBY GIVEN, that at the Special Election which is to be held at 12:00 o'clock Noon (Prevailing Time) on February 2, 1993, in the Village of Garden City in the County of Nassau, New York, at the Village Hall, within the Village, the following Proposition will be submitted to the qualified electors of the Village. The polls shall remain open from 12:00 o'clock Noon until 9:00 o'clock p.m. (Prevailing Time) or for such longer period of time as may be necessary to enable the voters then present to cast their ballots.

PROPOSITION

Shall the resolution entitled: "Bond Resolution of the Village of Garden City, New York, adopted December 22, 1992, authorizing (1) at the estimated maximum cost of \$7,290,000, the acquisition for Village purposes, including recreational purposes, the certain parcel of land, including the buildings and improvements thereon, commonly known as the St. Paul's School Property, in said Village, and (2) at the estimated maximum cost of \$1,210,000, the partial reconstruction of the buildings thereon, in order to safeguard and protect such buildings from the elements, appropriating said amounts therefor; stating the estimated total cost thereof is \$8,500,000; authorizing the issuance of \$8,500,000 serial bonds of said Village to finance said appropriations; and determining that this bond resolution shall be subject to referendum," be approved

An abstract of said resolution, concisely stating the purpose and effect thereof, is as follows:

RECITING that the Board of Trustees and the Village, in contemplation of acquiring the certain land hereinafter described, including buildings and improvements thereon, have complied with all applicable federal, State and local laws and regulations regarding environmental matters, including the New York State Environmental Quality Review Act, and the Board of Trustees has heretofore adopted a negative declaration on December 22, 1992;

FIRST: AUTHORIZING said Village to (a) acquire, at the estimated maximum cost of \$7,290,000, for Village purposes, including recreational purposes, the certain piece or parcel of land containing approximately 48 acres, more or less, commonly known as the St. Paul's School Property, including the buildings and improvements thereon, in said Village, described on the Nassau County Land and Tax Map as Section 33, Block 92 and Lot 65, and (b) at the estimated maximum cost of \$1,210,000, partially reconstruct the buildings thereon, in order to safeguard and protect such buildings from the elements, including partial roof reconstruction, removal of asbestos, removal of subsurface oil tanks, and restoration of heating service to the buildings, and said amounts are hereby appropriated including preliminary costs and costs incidental thereto and to the financing thereof set forth herein; STATING the estimated maximum cost of said specific objects or purposes, including preliminary costs and costs incidental thereto and to the financing thereof, is \$8,500,000; APPROPRIATING said amount therefor; and STATING the plan of financing includes the issuance of \$8,500,000 serial bonds of the Village to finance said appropriation, and the levy of a tax upon all the taxable real property within the Village to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$8,500,000 serial bonds of the Village pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness of the acquisition of said land is twenty (20) years; the period of probable usefulness of the partial reconstruction and improvements to the buildings thereon is fifteen (15) years; the proceeds of said bonds or notes may be applied to reimburse the Village for expenditures made after the effective date of said bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said \$8,500,000 serial bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said notes shall be general obligations of the Village and PLEDGING to their payment the faith and credit of the Village;

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FIFTH: DELEGATING to the Treasurer the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that a Proposition for the approval or disapproval of the resolution shall be submitted to the qualified voters of the Village at the Special Election to be held on February 2, 1993 and shall take effect upon such approval.

Section 3. After said bond resolution shall take effect, the Village Clerk is hereby directed to cause said bond resolution to be published, in full, in the newspaper referred to in Section 2 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section 4. This resolution shall take effect immediately.

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.

APPOINTMENT BY THE MAYOR

Herbert J. Hummers, 1 Atlantic Avenue, Garden City, New York is hereby reappointed as Vice Chairman of the Board of Library Trustees, for a term ending on December 31, 1997

On motion of Trustee Hecken, the following resolution was offered:

RESOLUTION NO. 115-1992

RESOLVED, that the reappointment of Herbert J. Hummers, 1 Atlantic Avenue, Garden City, New York, to the Board of Library Trustees, expiring on December 31, 1997, be and the same hereby is approved.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

The resolution was declared adopted.

CONSENT CALENDAR

DEPARTMENTAL COMMUNICATIONS

FINANCE

1. General Village Election - Discontinue Village Registration Day. Stated that recent legislation was passed which authorizes the Board of Trustees to abolish Registration Day for General Village Elections or to shorten the day from nine hours to five hours. On motion of Trustee Lewis the following resolution was offered:

BOARD OF TRUSTEESFEBRUARY 4, 1993

A regular 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 4, 1993 at 8:00 p.m.

Present: Mayor Brian T. Deveney, Trustees Richard A. Benack, Frank A. Tauches, Jr., Judith A. Asselta, Eileen J. Collins, Allen S. Mathers, Harold P. Hecken, Jr. and Robert H. Lewis.

Absent: None.

Also Present: Robert L. Schoelle, Jr., Village Clerk-Treasurer and
Village Administrator
Edward W. Purcell, Director of Public Works
Robert J. Mangan, Superintendent of Public Works
W. Michael Connor, Superintendent of Recreation
Ernest J. Cipullo, Chairman, Board of Police
Commissioners
John Eric Schields, Captain Fire Department
James E. Olivo, Village Auditor
Michael D. Filippin, Superintendent of Building
Joan L. Gallaer, Deputy Village Clerk
Cullen and Dykman: Gerard Fishberg

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

The Clerk reported that the vote on the proposition in respect to the bond resolution for the acquisition of the St. Paul's School Property was 2,726 FOR, 364 AGAINST.

Mayor Deveney called the meeting to order and stated that the first item on the agenda was the approval of the minutes of the last meeting of the Board of Trustees.

The minutes of the regular meeting held on January 21, 1993 were reviewed, and on motion of Trustee Lewis and unanimously carried, were approved as presented.

NEW BUSINESS

I. Annual Organization Meeting. On motion of Trustee Collins, the following resolution was offered:

RESOLUTION NO. 7-1993

RESOLVED, that the annual Organization Meeting of the Board of Trustees of the Incorporated Village of Garden City, New York be held in the Village Hall, 351 Stewart Avenue in said Village at 8:00 p.m. and rescheduled from April 5, 1993 to April 15, 1993.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

The resolution was declared adopted.

II. NOTICE OF ADOPTION OF BOND RESOLUTION AND APPROVAL OF PROPOSITION.

Trustee Mathers offered the following resolution and moved its adoption:

RESOLUTION NO. 8-1993

THE BOARD OF TRUSTEES OF THE VILLAGE OF GARDEN CITY, IN THE COUNTY OF NASSAU, NEW YORK, HEREBY RESOLVES, AS FOLLOWS:

Section 1. The bond resolution of the Village of Garden City, in the County of Nassau, New York, entitled:

"Bond Resolution of the Village of Garden City, New York, adopted December 22, 1992, authorizing (1), at the estimated maximum cost of \$7,290,000, the acquisition for Village purposes, including recreational purposes, of the certain parcel of land, including the buildings and improvements thereon, commonly known as the St. Paul's School Property, in cost of \$1,210,000, the partial reconstruction of the buildings thereon, in order to safeguard and protect such buildings from the elements, appropriating said amounts therefor; stating the estimated total cost thereof is \$8,500,000; authorizing the issuance of 8,500,000 serial bonds of said Village to finance said appropriations; and determining that this bond resolution shall be subject to referendum,"

duly adopted by the Board of Trustees on the date therein referred to and approved as a Proposition submitted to the qualified electors of the Village at the Special Election duly called and held on February 2, 1993, has now become effective, and the Village Clerk is hereby authorized and directed to cause said bond resolution to be published, in full, in the "Garden City News", hereby designated as the official newspaper of the Village for such publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law of the State of New York.

Section 2. This resolution shall take effect immediately.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

The resolution was declared adopted.

III. FIX DATE FOR PUBLIC HEARING - ST. PAUL'S PROPERTY

Trustee Mathers offered the following resolution and moved its adoption:

RESOLUTION NO. 9-1993

RESOLVED, that pursuant to Article 2 of the Eminent Domain Procedure Law, the Board of Trustees of the Incorporated Village of Garden City will hold a public hearing at the Garden City Village Hall, 351 Stewart Avenue, Garden City, New York at 8:00 p.m. on March 4, 1993 to inform the public and to review the public use to be served by the acquisition of approximately 48.6 acres of land with improvements thereon at the northwest corner of Stewart and Rockaway Avenues, known as the St. Paul's School site, and to review the impact on the environment and the residents of the Village.

FURTHER RESOLVED, that a negative declaration with regard to this matter, which was an Unlisted Action under the State Environment Quality Review Act, was adopted by the Board of Trustees and filed on December 22, 1992.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

The resolution was declared adopted.

FINANCE

1. Tentative 1993 Assessment Roll. Advised that the Tentative 1993 Assessment Roll has been filed in the office of the Village Clerk.

2. Annual Grievance Day Hearing. Stated that the Grievance Day Hearing must be held on tuesday, February 16, 1993 on the Tentative 1993 Assessment Roll of the Village and recommended that the Board fix the hours from 5:30 p.m. to 9:30 p.m. for this hearing.

On motion of Trustee Hecken, the following resolution was offered:

RESOLUTION NO. 10-1993

RESOLVED, that pursuant to Section 1408 of the Real Property Tax Law, a meeting of the Board of Trustees and Assessor be held in the Village Hall, 351 Stewart Avenue, Garden City, New York on Tuesday, February 16, 1993, from 5:30 p.m. to 9:30 p.m., for the purpose of completing the Village Assessment Roll for the year 1993 and of hearing and determining complaints in relation thereto; and

FURTHER RESOLVED, that the Clerk be and he hereby is directed to give due notice of such hearing in accordance with the requirements of Section 1406 of the Real Property Tax Law.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

The resolution was declared adopted.

3. Tax Certiorari Settlements:

(a) Gordon Lane Corporation, 133 Railroad Avenue. Requested authorization for the proposed settlement with Gordon Lane Corporation with regard to its property located at 133 Railroad Avenue, descriptive property, Map of Garden City Park, Lots 32, 2448-2450, 2451, 2561 and 2563, which would reduce the assessment for the tax year 1992/93 to \$40,000.00 and would result in a refund of \$12,000.00 without interest.

Trustee Hecken offered the following resolution and moved its adoption:

RESOLUTION NO. 11-1993

WHEREAS, Gordon Lane Corporation has commenced proceedings pursuant to the Real Property Tax Law to review the assessment on property owned by them and located at 133 Railroad Avenue in the Village of Garden City for the tax years 1986 - 1993; and

BOARD OF TRUSTEESDECEMBER 16, 2004

A regular 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 December 16, 2004 at 8:00 p.m.

Present: Mayor Barbara K. Miller, Trustees Peter A. Bee, Gerard P. Lundquist, John L. Mauk (arrived at 8:25 p.m.), Peter Negri, Jon Segerdahl, John J. Watras and Robert J. Rothschild

Absent: None.

Also Present: Robert L. Schoelle, Jr., Village Treasurer and Village Administrator
 Brian S. Ridgway, Village Clerk
 Robert J. Mangan, Director of Public Works
 Ernest J. Cipullo, Chairman, Board of Police Commissioners
 James E. Olivo, Village Auditor
 Michael D. Filippon, Superintendent of Building
 Kevin E. Ocker, Chairman, Board of Commissioners of Cultural and Recreational Affairs
 Cullen and Dykman Bleakley Platt: Gerard Fishberg

Audience: Approximately 35

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

Mayor Miller called the meeting to order and wished everyone a Happy Holiday Season. She then stated that the first item on the agenda was the approval of the minutes of the last meeting of the Board of Trustees.

The minutes of the regular meeting held on December 2, 2004 were reviewed, and on motion of Trustee Rothschild and unanimously carried, were approved as amended.

Treasurer's Report. Reviewed the Treasurer's Report, dated November 30, 2004, after which on motion of Trustee Rothschild and unanimously carried, said report was ordered received and placed on file.

NEW BUSINESSCONSENT CALENDARFINANCE

1. Bond Resolution - St. Paul's Park Embellishments. Trustee Lundquist offered the following resolution and moved its adoption:

RESOLUTION NO. 142-2004

RESOLUTION OF THE VILLAGE OF GARDEN CITY, NEW YORK
 ADOPTED DECEMBER 16, 2004, AMENDING THE BOND RESOLUTION
 ADOPTED MARCH 18, 2004

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 A. The Bond Resolution adopted by the Board of Trustees of the Village of Garden City, in the County of Nassau, New York (herein called "Village"), on March 18, 2004 and entitled:

The resolution was declared adopted.

(Arrival of Trustee John L. Mauk)

MAYOR MILLER

Mayor Miller introduced a resolution regarding the entire St. Paul's property which was followed by a lengthy discussion by all members of the Board.

On motion of Mayor Miller, the Board recessed at 8:55 p.m. The Board reconvened at 9:05 p.m. at which time Mayor Miller offered the following resolution and moved its adoption:

RESOLUTION NO. 154-2004

WHEREAS, the St. Paul's property consisting of 48.3488 acres more or less was acquired by the Village on November 12, 1993, by eminent domain, and

WHEREAS, the property is and should continue to be enjoyed by the residents of the Village for park and recreation purposes, and

WHEREAS, questions as to the use of the property have arisen and have prevented the property from being fully utilized for park and recreation purposes.

NOW, THEREFORE, BE IT RESOLVED, that the St. Paul's property, as fully described below, shall be dedicated as parkland.

All that certain piece, plot or parcel of land, with the buildings and improvements situated thereon, lying or being in the Incorporated Village of Garden City, Nassau County, New York, known as and by Lot 65 in Section 33, Block 92, of the Nassau County Land and Tax Map and being more particularly bounded and described as follows:

Beginning at an Old Stone Monument found at the corner formed by the intersection of the westerly line of the Rockaway Avenue with the northerly line of Stewart Avenue (80 feet wide); thence North $81^{\circ} 39' 45''$ west along said line of Stewart Avenue (80 feet wide) a distance of 1,871.85 feet to concrete monument on the easterly line of Map of Garden City Estates (filed in the Nassau County Clerk's Office on January 20, 1910 as Map No. 148, Case No. 19), said line also reputed to be the east line of Clinton Avenue; thence North $08^{\circ} 15' 23''$ East along said map line a distance of 1,261.57 feet to the southerly line of land now or formerly of the Crescent Land Company, said line also reputed to be the south line of Tenth Street; thence South $81^{\circ} 40' 48''$ East along said line a distance of 1,446.32 feet to an Old Stone Monument in the westerly line of Rockaway Avenue; thence South $09^{\circ} 33' 00''$ East along said line of Rockaway Avenue, a distance of 1,326.10 feet to the point or place of beginning. Containing within said bounds an area of 48.3488 acres, more or less.

The vote on the foregoing resolution was as follows:

AYES: 4 (Mayor Miller, Trustees Segerdahl, Negri and Watras)
NOES: 4 (Trustees Mauk, Lundquist, Bee and Rothschild)

(Per § 28-1 of the Village Code, Mayor Miller cast an additional favorable vote to break the tie)

The resolution was declared adopted.

TRUSTEE BEE

Trustee Bee offered the following resolution and moved its adoption:

RESOLUTION NO. 155-2004

WHEREAS, in relation to the possible development of the area of the St. Paul's property, commonly known as the "10-acre Building site" (the "site"), this Board did