

BOARD OF TRUSTEES

ANNUAL MEETING

APRIL 12, 2018

The Annual 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 April 12, 2018 at 8:00 p.m.

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

Also Present: Ralph V. Suozzi, Village Administrator
Karen M. Altman, Village Clerk
Kenneth O. Jackson, Chairman, Board of Police Commissioners
Kevin E. Ocker, Chairman, Board of Commissioners of Cultural and Recreational Affairs
Irene Woo, Village Treasurer
Ausberto Huertas, Jr., Superintendent of Building Department
Joseph DiFrancisco, Superintendent of Public Works
Thomas Stryko, Second Chief Fire Department
Peter A. Bee, Bee Ready Fishbein Hatter & Donovan, LLP

Attendance: Approximately 60

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

Mayor Daughney called the meeting to order and made a statement to the public regarding the procedures for the evening.

Mayor Daughney offered congratulations to the newly elected and re-elected Trustees. Village Justice Allen Mathers administered the Oaths of Office to Trustees Theresa A. Trouvé, Robert A. Bolebruch, John M. Delany and Colleen E. Foley.

The Clerk reported that the following officers were elected, and subsequent thereto, had filed their Oaths of Office:

	<u>Office</u>	<u>Term</u>	<u>Votes Received</u>
Theresa A. Trouvé	Trustee	Two years	167
Robert A. Bolebruch	Trustee	Two years	156
John M. Delany	Trustee	Two years	162
Colleen E. Foley	Trustee	Two years	149

APPOINTMENTS BY THE MAYOR

Trustee Theresa A. Trouvé is hereby appointed as Deputy Mayor of the Village of Garden City to serve in the absence or inability of the Mayor.

Trustee John M. Delany is hereby appointed as Fire Commissioner of the Village of Garden City for a one year term.

Mayor Daughney made the following appointments and nominations (either by Village Code, State Law or other consideration) for the ensuing official year and requested ratification/consent thereof:

Board of Police Commissioners	Kenneth O. Jackson (C) Ralph V. Suozzi Mark A. Hyer
Environmental Advisory Board	Robert A. Bolebruch (C)

Traffic Commission	Stephen A. Makrinos (C) John M. Delany Louis M. Minuto Colleen E. Foley DPW Designee Police Department Designee
Finance and Audit Committee	Stephen S. Makrinos (C) Theresa A. Trouvé Colleen E. Foley
Committee to Fill Vacancies on Boards and Commissions	Brian C. Daughney (C) Mark A. Hyer
Board of Ethics	Richard V. Silver (C) Allen S. Mathers Valerie Rothschild
Legal Committee	Brian C. Daughney (C) John M. Delany
Public Information Committee - Includes Village Press Releases and Statements	Brian C. Daughney (C) Robert A. Bolebruch Louis M. Minuto
LIRR Third Track Committee	Brian C. Daughney (C) Theresa A. Trouvé Stephen S. Makrinos Joseph DiFrancisco
Zoning Change Review Committee	Louis M. Minuto (C) Robert A. Bolebruch Robert L. Cunningham H. Bradford Gustavson Cosmo Veneziale

On motion of Trustee Delany and unanimously carried, the aforementioned appointments were ratified and/or consent given.

On motion of Trustee Minuto the following resolution was offered:

RESOLUTION NO. 29-2018

RESOLVED, that regular meetings of the Board of Trustees of the Incorporated Village of Garden City, New York, during the ensuing year, be held in the Village Hall, 351 Stewart Avenue in said Village at 8:00 p.m. are set as follows May 10, May 24, June 7, June 21, July, August and September meeting dates to be determined (one per month), October, November, December, January (one meeting), February, March and April to be determined. Special meetings can be called at any time upon proper notice.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

Carried.

On motion of Trustee Hyer the following resolution was offered:

RESOLUTION NO. 30-2018

RESOLVED, that pursuant to the provisions of Section 4-412 of the Village Law, the Garden City News be and it hereby is designated as the official newspaper of the Incorporated Village of Garden City for the ensuing year.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

The resolution was adopted.

On motion of Trustee Makrinos the following resolution was offered:

RESOLUTION NO. 31-2018

RESOLVED, that the retention of the firm of Hawkins, Delafield and Wood, LLP, be and hereby is ratified as Bond Counsel to provide legal services in connection with bond resolutions, legal opinions for financing of capital projects for the ensuing official year, based upon the schedule of rates on file with the Village Clerk. Hawkins, Delafield and Wood, LLP, will serve at the pleasure of the Mayor and Board of Trustees.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

Carried.

On motion of Trustee Delany the following resolution was offered:

RESOLUTION NO. 32-2018

RESOLVED, that the retention of the firm of Bond, Schoeneck & King, PLLC, be and is hereby ratified to provide legal services in connection with litigated labor matters for the ensuing official year at hourly rates as outlined in their March 23, 2018 letter to the Village.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

Carried.

On motion of Trustee Delany the following resolution was offered:

RESOLUTION NO. 33-2018

RESOLVED, that the retention of the firm of Bond, Schoeneck & King, PLLC, be and is hereby ratified to provide legal services in connection with general labor matters for the ensuing official year at an annual retainer of \$60,000 payable in monthly installments, such retainer to cover services rendered in connection with labor negotiations through fact finding and arbitration proceedings, preparation of collective bargaining agreements and contract administration excepting litigation and administrative proceedings and the firm to serve at the pleasure of the Mayor and Board of Trustees.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

Carried.

On motion of Trustee Trouvé the following resolution was offered:

RESOLUTION NO. 34-2018

RESOLVED, that the retention of the firm of Bee Ready Fishbein Hatter & Donovan, LLP, be and hereby is ratified to provide legal services for the ensuing official year at an annual retainer of \$225,000 payable in monthly installments, such retainer to cover all services rendered by such firm except such other matters as the Board may determine to warrant special compensation, as indicated in the March 9, 2018 retainer agreement and the firm to serve at the pleasure of the Mayor and Board of Trustees.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

Carried.

On motion of Trustee Trouvé the following resolution was offered:

RESOLUTION NO. 35-2018

RESOLVED, that the retention of the firm of Bee Ready Fishbein Hatter & Donovan, LLP, be and hereby is ratified to provide tax certiorari litigation services and related services as outlined in their March 9, 2018 letter to the Village for the ensuing official year, with the firm to serve at the pleasure of the Mayor and Board of Trustees.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

Carried.

On motion of Trustee Hyer the following resolution was offered:

RESOLUTION NO. 36-2018

RESOLVED, that the retention of the firm of Cullen and Dykman be and is hereby ratified to provide legal services in connection with tax certiorari litigation services for existing tax matters for which they are currently serving as well as transition legal services, as outlined in their March 7, 2018 letter to the Village, based upon the schedule of rates on file with the Village Clerk, the firm to serve at the pleasure of the Mayor and Board of Trustees.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

Carried.

On motion of Trustee Bolebruch the following resolution was offered:

RESOLUTION NO. 37-2018

RESOLVED, that the retention of the firm of Capital Market Advisors, LLC, be and hereby is ratified as Fiscal Advisors to provide services in connection with financial advisory services related to debt issuance and continuing disclosure for the ensuing official year, based upon the schedule of rates on file with the Village Clerk, and the firm to serve at the pleasure of the Mayor and Board of Trustees.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

Carried.

On motion of Trustee Makrinos the following resolution was offered:

RESOLUTION NO. 38-2018

RESOLVED, that Thomas Donato, from the firm Michael Haberman Associates, Inc., 125 Front Street, Mineola, New York, be appointed as the Village Assessor, with regard to assessment services based upon the schedule of rates on file with the Village Clerk. Additionally, the retention of the firm of Michael Haberman Associates, Inc., with which Mr. Haberman is associated, to provide additional assessment-related services, is hereby ratified, the firm to serve at the pleasure of the Mayor and Board of Trustees.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

Carried.

On motion of Trustee Delany the following resolution was offered:

RESOLUTION NO. 39-2018

RESOLVED, that the retention of Carisa Giardino, 45 Woodland Avenue, Rockville Centre, New York, be and hereby is ratified as Public Relations Specialist to provide public relations assistance to the Mayor and Board of Trustees as outlined in the agreement that is on file in the Village Clerk's Office in the amount of \$3,000 per month. Mrs. Giardino will assist the Public Information Committee and the Village Executive Staff and Village Departments with Press Releases, Web-Site and other information dissemination. Carisa Giardino to serve at the pleasure of the Mayor and Board of Trustees.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

Carried.

On motion of Trustee Trouvé the following resolution was offered:

RESOLUTION NO. 40-2018

RESOLVED, that the retention of the firm of Certified Electrical Inspections, Inc., 1225 Franklin Avenue, Garden City, New York, be and hereby is ratified as to provide electrical inspections within the Village for the ensuing official year, based upon the schedule of rates on file with the Village Clerk. Certified Electrical Inspections, Inc., to serve at the pleasure of the Mayor and Board of Trustees.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

Carried.

On motion of Trustee Makrinos the following resolution was offered:

RESOLUTION NO. 41-2018

WHEREAS, the Fund Policy which was adopted on April 2, 2012, was reviewed and amendments have been proposed;

BE IT RESOLVED, that the Fund Policy as adopted on April 2, 2012, together with the changes proposed, is hereby confirmed for the official year expiring on April 1, 2019.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

Carried.

On motion of Trustee Makrinos the following resolution was offered:

RESOLUTION NO. 42-2018

WHEREAS, the Fixed Asset Policy which as adopted on November 3, 1993, was reviewed and amendments have been proposed;

BE IT RESOLVED, that the Fixed Asset Policy which was adopted on November 3, 1993, together with the changes proposed, is hereby confirmed for the official year expiring on April 1, 2019.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

Carried.

On motion of Trustee Foley the following resolution was offered:

RESOLUTION NO. 43-2018

RESOLVED,

(1) That JPMorgan, Chase Bank, TD Bank and Capital One be and the same hereby are designated as depositories for the Village funds.

(2) That the withdrawal of funds from said depository shall be by checks signed with the facsimile signature of the Treasurer, or in his/her absence or inability to act, such funds shall be withdrawn by checks signed by the Deputy Treasurer, and in his/her absence or inability to act, by one Trustee and either the Mayor or Deputy Mayor.

(3) That all orders designating the fund out of which payment of Village monies shall be made, shall be signed by the Auditor; and

(4) That all payroll warrants shall be countersigned by the Mayor or Deputy Mayor.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

Carried.

Mayor Daughney advised that the Joint Conference Committee had submitted the names of candidates for consideration of appointment of Associate Justices.

APPOINTMENT BY THE MAYOR:

Brian T. Deveney, 76 Washington Avenue, Garden City, New York, is hereby appointed Associate Justice of the Incorporated Village of Garden City to serve during the ensuing official year.

On motion of Trustee Delany the following resolution was offered:

RESOLUTION NO. 44-2018

RESOLVED, that the appointment of Brian T. Deveney, 76 Washington Avenue, Garden City, New York, as Associate Justice of the Incorporated Village of Garden City to serve during the ensuing official year, be and the same hereby is approved.

The vote on the foregoing resolution was as follows:

AYES: 8

NOES: 0

Carried.

APPOINTMENT BY THE MAYOR:

Merril S. Biscone, One St. Paul's Crescent, Garden City, New York, is hereby appointed Associate Justice of the Incorporated Village of Garden City to serve during the ensuing official year.

On motion of Trustee Delany the following resolution was offered:

RESOLUTION NO. 45-2018

RESOLVED, that the appointment of Merrill S. Biscone, One St. Paul's Crescent, Garden City, New York, as Associate Justice of the Incorporated Village of Garden City to serve during the ensuing official year, be and the same hereby is approved.

The vote on the foregoing resolution was as follows:

AYES: 8

NOES: 0

Carried.

APPOINTMENT BY THE MAYOR:

Mayor Daughney made the following appointment for a term of one year terminating on April 1, 2019 and requested ratification thereof:

William A. Bellmer Historian

On motion of Trustee Foley and unanimously carried, the aforesaid appointment was ratified.

APPOINTMENTS BY THE MAYOR:

Trustee Mark A. Hyer is hereby appointed as a Member of the Board of Police Commissioners for a term of one year, expiring on April 1, 2019.

On motion of Trustee Delany the following resolution was offered:

RESOLUTION NO. 46-2018

RESOLVED, that Trustee Mark A. Hyer is appointed as a Member of the Board of Police Commissioners of the Incorporated Village of Garden City to serve for a term expiring on April 1, 2019, be and the same hereby is approved.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

Carried.

APPOINTMENT BY THE MAYOR:

Elizabeth M. Bailey, 37 Chestnut Street, Garden City, New York, is hereby reappointed to the Environmental Advisory Board for a term ending on April 4, 2022.

On motion of Trustee Hyer the following resolution was offered:

RESOLUTION NO. 47-2018

RESOLVED, that the foregoing appointment to the position and term hereinabove listed, be and the same hereby is approved.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

Carried.

APPOINTMENTS BY THE MAYOR:

Celia M. Petersen, 39 Spruce Street, Garden City, New York, is hereby reappointed to the Architectural Design Review Board for a term expiring on April 5, 2021.

Cosmo Venezia, 104 Monroe Street, Garden City, New York, is hereby reappointed to the Architectural Design Review Board for a term expiring on April 5, 2021.

Phil Santantonio, 152 Kilburn Road, Garden City, New York is hereby reappointed to the Architectural Design Review Board for a term expiring on April 5, 2021.

William Alisse, 20 Pell Terrace, Garden City, New York is hereby reappointed to the Architectural Design Review Board for a term expiring on April 5, 2021.

On motion of Trustee Delany the following resolution was offered:

RESOLUTION NO. 48-2018

RESOLVED, that the foregoing appointments to the positions and terms hereinabove listed, be and the same hereby are approved.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

Carried.

NOMINATION BY THE MAYOR:

John G. Villanella, 111 Fourth Street, Garden City, New York, is hereby nominated to be reappointed to the Board of Zoning Appeals for a term expiring on April 3, 2023.

On motion of Trustee Delany the following resolution was offered:

RESOLUTION NO. 49-2018

RESOLVED, that the foregoing nomination to the position and term hereinabove listed, be and the same hereby is approved.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

Carried

APPOINTMENT BY THE MAYOR:

William M. McKenna, 142 Washington Avenue, Garden City, New York, is hereby appointed to the Board of Commissioners of Cultural and Recreational Affairs for a term ending on April 4, 2022.

On motion of Trustee Delany the following resolution was offered:

RESOLUTION NO. 50-2018

RESOLVED, that the foregoing appointment to the position and term hereinabove listed, be and the same hereby is approved.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

Carried.

NOMINATION BY THE MAYOR:

Peter L. D'Antonio, 100 Wyatt Road, Garden City, New York, is hereby nominated to be reappointed to the Library Board for a term ending on December 31, 2022.

On motion of Trustee Delany the following resolution was offered:

RESOLUTION NO. 51-2018

RESOLVED, that the foregoing nomination to the position and term hereinabove listed, be and the same hereby is approved.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

Carried.

Mayor Daughney stated that the next item on the agenda was a public hearing in relation to the proposed budget of estimated revenues and expenditures of the Village for the fiscal year ending May 31, 2019, copies of the tentative budget having been filed with the Village Clerk on March 30, 2018, pursuant to the requirements of Section 5-508 of the Village Law.

Ms. Altman reported that notice of this Public Hearing was published and posted in accordance with the law. On motion of Trustee Trouvé and unanimously carried, the Public Hearing with regard to the proposed budget of estimated revenues and expenditures of the Village for fiscal year ending May 31, 2019 was opened.

(A tape recording of this hearing has been typed under separate cover and constitutes a part of these minutes.)

On motion of Trustee Delany and unanimously carried, the public hearing pursuant to the proposed budget of estimated revenues and expenditures of the Village for fiscal year ending May 31, 2019, was closed.

On motion of Trustee Bolebruch the following resolution was offered:

RESOLUTION NO. 52-2018

RESOLVED, pursuant to Section 5-508 of the Village Law, the tentative budget of estimated revenues and expenditures of the Village of Garden City for the fiscal year June 1, 2018 to May 31, 2019, as amended with the changes proposed by staff, be and the same hereby is approved and adopted as filed.

(Budget appended to Minutes)

The vote on the foregoing resolution was as follows:

AYES: 7
NOES: 0
ABSTAIN: 1 (Trustee Foley)

Carried.

2018/2019 Budget Resolutions.

On motion of Trustee Bolebruch the following resolution was offered:

RESOLUTION NO. 53-2018

WHEREAS,

(a) A budget of estimated revenues and expenditures of the Village of Garden City for the fiscal year June 1, 2018 to May 31, 2019 was adopted by the Board of Trustees at this meeting following a public hearing thereon pursuant to Section 5-508 of the Village Law; and

(b) Taxes in the amount of \$50,555,524 are required for the purpose of meeting the proposed expenditures provided for in such budget; and

(c) It has been further determined that such taxes be apportioned against all of the taxable property in the Village of Garden City as set forth on the 2018 assessment roll, at the rate of \$48.1826 on each \$100 of assessed valuation thereon, except properties of the Long Island Railroad Company which shall be taxed in accordance with the provisions of the Real Property Tax Law;

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Section 1420 of the Real Property Tax Law, the Village Clerk be and she hereby is authorized and directed to extend and carry out on such roll the amount to be collected from the owners of properties listed therein as hereinabove specified.

The vote on the foregoing resolution was as follows:

AYES: 7
NOES: 0
ABSTAIN: 1 (Trustee Foley)

Carried.

On motion of Trustee Bolebruch the following resolution was offered:

RESOLUTION NO. 54-2018

RESOLVED,

(a) That pursuant to Section 1420 of the Real Property Tax Law, the following funds necessary to meet the obligations of the Village of Garden City for the fiscal year June 1, 2018 to May 31, 2019 be raised by levy of tax on all taxable property in the Village of Garden City, as set forth on the 2018 assessment roll of the Village (being the assessment roll completed on April 2, 2018):

Total amount of budget for the fiscal year June 1, 2018 to and including May 31, 2019 as adopted by the Board of Trustees following the public hearing thereon held April 12, 2018	\$61,160,611
LESS: Appropriated Surplus	1,444,599
LESS: Estimated Revenues for 2016/17	<u>9,160,488</u>
Leaving a balance to be raised by Tax Levy of	\$50,555,524

(b) That the tax rate for the collection of said Village Tax Levy be fixed at \$48.1826 per \$100 of assessed valuation on such taxable property.

(c) That said taxes shall be collected in two equal installments pursuant to the provisions of Section 1434 of the Real Property Tax Law, the first installment to become due and payable June 1, 2018 and the second installment to become due and payable December 1, 2018; and

(d) That pursuant to Subdivision 2 of Section 1434 of the Real Property Tax Law, a discount of one percent (1%), being at the rate of two percent (2%) per annum, be allowed on the payment of the second half of the 2018 Village Tax due December 1, 2018 provided the same is paid prior to June 30, simultaneously with the first half of such tax that is due and payable on June 1, 2018; and

(e) That the Mayor be and he hereby is authorized to execute and deliver to the Village Clerk a warrant directing him to proceed with the collection of such taxes, as provided in Article 14 of the Real Property Tax Law.

The vote on the foregoing resolution was as follows:

AYES: 7
NOES: 0
ABSTAIN: 1 (Trustee Foley)

Carried.

Mayor Daughney stated that the next item on the agenda was a public hearing with regard to Proposed Local Law to Amend Section 200-16.1(A)(3) of the Code of the Village of Garden City, (b) Special Permit Application to construct multi-family residence project at 555 Stewart Avenue, and (c) Site Plan Review for multi-family residence project at 555 Stewart Avenue. Mayor Daughney called for a motion to open the public hearing. Trustee DeMaro made a motion to open the public hearing which was unanimously approved.

(A tape recording of this hearing has been typed under separate cover and constitutes a part of these minutes.)

There being no further public comment, on motion of Trustee Minuto and unanimously carried, the public hearing pursuant to the proposed local law was held open to be continued on May 10, 2018 at 8:00 p.m.

Proposed Local Law to Amend Section 200-16.1(A)(3) of the Code of the Village of Garden City, (b) Special Permit Application to construct multi-family residence project at 555 Stewart Avenue, and (c) Site Plan Review for multi-family residence project at 555 Stewart Avenue - SEQRA - Declare Lead Agency.

On motion of Trustee Minuto the following resolution was offered:

RESOLUTION NO. 55-2018

WHEREAS, the Board of Trustees ("Board") of the Village of Garden City, New York ("Village") has received an application on behalf of 550 Stewart Acquisitions, LLC, requesting change in the zoning classification or permitted uses of property at 555 Stewart Avenue currently in the R-T zone, and a related special use permit and site plan approval concerning property located at 555 Stewart Avenue, (collectively, the "Project"); and

WHEREAS, the State Environmental Quality Review Act and its implementing regulations (collectively "SEQRA") mandate that the environmental impacts of certain actions undertaken or funded by governmental agencies be assessed prior to implementing such actions; and

WHEREAS, the Project is an action subject to the SEQRA environmental review process and the Board is an Involved Agency within the meaning of SEQRA; and

WHEREAS, for actions which involve approvals such as those requested by the applicant, SEQRA requires a process for review of environmental impacts, to be conducted by an agency, known as the "Lead Agency"; and

WHEREAS, there are various other agencies which are Involved Agencies, whose approval is required for the Project; and

WHEREAS, the Board previously has determined that it would be in the best interest of the Village for the Board to be the Lead Agency for the Project, and the Board desires to be the Lead Agency for purposes of SEQRA review of the Project; and

WHEREAS, the Village has given notification to the other Involved Agencies identified in the Environmental Assessment Form filed by the applicant, and such other agencies as the Village Administrator shall determine are required to receive such notification, (a) informing such agencies of the Board's desire to be Lead Agency under SEQRA for the Project, and (b) advising such agencies that if the Village does not receive a response to the contrary within 30 days of such notification, the Village will assume that the agency agrees to the designation of the Board as Lead Agency for this Project; and

WHEREAS, no Involved Agency has expressed any objection to the Board of Trustees serving as Lead Agency within the required period of time;

NOW THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Garden City hereby determines that it is the Lead Agency for review of the Project; and

BE IT FURTHER RESOLVED, that the Board of Trustees hereby determines that the Project is an Unlisted Action as defined in the State Environmental Quality Review Act.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

The resolution was declared adopted.

Mayor Daughney 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 (Budget) held on March 15, 2018 were reviewed, and on motion of Trustee Hyer were approved as presented. (Mayor Daughney and Trustees Minuto and Foley abstained)

The minutes of the special meeting (Budget) held on March 20, 2018 were reviewed, and on motion of Trustee Minuto were approved as presented. (Trustee Foley abstained)

The minutes of the regular meeting held on March 22, 2018 were reviewed, and on motion of Trustee Minuto were approved as presented. (Trustee Foley abstained)

NEW BUSINESS

CONSENT CALENDAR

FINANCE

1. Assessment of Unpaid Sidewalk Repairs. The Superintendent of Public Works has submitted a listing of unpaid sidewalk repair charges which has been referred to the Village Auditor. He stated that it would be necessary to adopt a resolution assessing these charges and, if not paid within fifteen (15) days after notice is served, to include said amounts in the 2018 tax levy.

On motion of Trustee Makrinos the following resolution was offered:

RESOLUTION NO. 56-2018

WHEREAS, that pursuant to Chapter 178 of the Code of the Village of Garden City, the Superintendent of Public Works of this Village duly ordered and directed the owners or occupants of the properties set forth below to make repairs to the sidewalk or sidewalks abutting their properties, and

WHEREAS, pursuant to said Chapter, upon the failure of said owners to comply with said order and direction, the Superintendent of Public Works caused the required work to be duly performed and notified the owners or occupants of the cost assessed thereto; and

WHEREAS, said sums have remained unpaid.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Section 4-414, 5-516 and 5-518 of the Village Law, there is hereby assessed against the following properties the respective amounts set forth below; and be it

FURTHER RESOLVED, that if the amounts so assessed are not paid within fifteen (15) days after notice is served, in person or mail, upon the owners or occupants of the properties so assessed, as the names and addresses appear on the 2018 Assessment Roll, the amounts thereof shall be included in the next annual tax levy.

<u>Map/Block/Lots</u>	<u>Name and Address</u>	<u>Amount Due</u>
Garden City Estates Block 18 Lots 28-31	James and Jane Webster 181 Brompton Road	\$1,940.00
Garden City Estates Block 22 Lots 1-4	John Morris 187 Euston Road	\$2,250.00
Garden City Estates Block 22 Lots 31-34	Alison and Joseph Groarke 169 Euston Road	\$920.00
Garden City Estates Block 37 Lots 77-83	Leo and Sandra Durante 158 Brompton Road	\$1,251.00
Garden City Estates Block 38 Lots 57-60	Mr. and Mrs. James T. McDonald 145 Brompton Road	\$189.00
Garden City Estates Block 41 Lots 72-76	Whitney and John Sardelis 100 Euston Road	\$1,800.00

<u>Map/Block/Lots</u>	<u>Name and Address</u>	<u>Amount Due</u>
Nassau Haven Block H Lots 1-2	Lea Fichter & Alysson DeAlmeidaAvad 19 Glen Road	\$720.00
Park Manor Lots 72-75	Sridhar and Saradha Chityala 148 Lincoln Street	\$1,218.50
Park Manor Lots 128-131	Lynda A. Rubin 155 Lincoln Street	\$1,144.00
Park Manor Lots 155-156	Tara Hanlon 13 Stratford Avenue	\$288.00
Park Manor Lots 335-336	Elizabeth S. Imperial 120 Lincoln Street	\$139.50
Shaw Gardens Block C Lots 19-23	Albert B. Aquila 93 Stewart Avenue	\$3,058.00
Shaw Gardens Block I Lots 40-42	Jessica and Brian Desiderio 76 Lincoln Street	\$2,104.50
Shaw Gardens Block I Lots 47-50	Scott and Tamara Obeck 82 Lincoln Street	\$2,979.00

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

The resolution was declared adopted.

2. Assessment of Unpaid Property Maintenance Bills. The Village Treasurer submitted a listing of unpaid property maintenance bills. She stated that it would be necessary to adopt a resolution assessing these charges and, if not paid within fifteen (15) days after notice is served, to include said amounts in the 2018 tax levy.

On motion of Trustee Makrinos the following resolution was offered:

RESOLUTION NO. 57-2018

WHEREAS, pursuant to Chapter 61 of the Village Code, the Village ordered and directed the owners of the properties set forth below to correct an overgrowth of bamboo originating on their respective properties; and

WHEREAS, pursuant to Chapter 61 of the Village Code, the Village performed the necessary remediation work upon the property owners' failure to comply with a written notice and order directing removal of the condition; and

WHEREAS, the Village's Recreation and Parks Department certified the cost of the remediation work and submitted same to the Village Clerk; and

WHEREAS, the Village then charged the cost of the work back to the property owners by invoices annexed to these minutes; and

WHEREAS, the property owners have failed or refused to pay the sums stated on the attached invoices despite due demand for repayment and a reasonable opportunity to comply;

NOW THEREFORE, be it resolved, that pursuant to Sections 4-414, 5-516 and 5-518 of the Village Law, that if the amounts assessed are not paid within fifteen (15) days after notice is served upon the owners of record, as shown on the 2018 assessment rolls, said

amounts shall be reduced to liens against the respective properties and shall be collected as part of the next annual tax levy of the Village.

<u>Map/Block/Lots</u>	<u>Name and Address</u>	<u>Amount Due</u>
Shaw Gardens	321 Broadway Partners, LLC	\$11,790.00
Block T Lots 23-26	4 Harrison Street	

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

The resolution was declared adopted.

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

a) Stewart & Clinton Co., LLC. Requested authorization for the proposed settlement with Stewart & Clinton Co., LLC, with regard to property located at 71 Clinton Road, Garden City, Account Nos. 02139-0-005, 02139-0-006, 02139-0-007 and 02139-0-008, which would result in a refund of \$420,000, without interest, for the tax years 2008/09 through 2017/18 with a new assessment of \$312,000.

Trustee Makrinos offered the following resolution and moved its adoption:

RESOLUTION NO. 58-2018

WHEREAS, Stewart & Clinton Co., LLC, has commenced proceedings pursuant to the Real Property Tax Law to review the assessment on property located at 71 Clinton Road in the Village of Garden City for the tax years 2008/09 through 2017/18; 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 \$420,000 for the tax years 2008/09 through 2017/18, with a new assessment of \$312,000 for the property described on the Village Assessment Roll as 71 Clinton Road, Account Nos. 02139-0-005, 02139-0-006, 02139-0-007 and 02139-0-008.

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) 5 Gems, LLC. Requested authorization for the proposed settlement with 5 Gems, LLC, an office building, with regard to property located at 975 Franklin Avenue, Garden City, Account No. 04290-0-001, which would result in a refund of \$55,000, without interest, for the tax years 2008/09 through 2017/18 with a new assessment of \$70,000.

Trustee Makrinos offered the following resolution and moved its adoption:

RESOLUTION NO. 59-2018

WHEREAS, 5 Gems, LLC, has commenced proceedings pursuant to the Real Property Tax Law to review the assessment on property located at 975 Franklin Avenue in the Village of Garden City for the tax years 2008/09 through 2017/18; 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 Council is hereby authorized to settle such proceedings by stipulation and consenting to an order directing a refund of \$55,000 for the tax years 2008/09 through 2017/18, with a new assessment of \$70,000 for the property described on the Village Assessment Roll as 975 Franklin Avenue, Account No. 04290-0-001.

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.

5. Appropriation of Revenue - Building Department. Requested authorization to appropriate \$769.65 from Account OA.2680.1000 - Insurance Recoveries, received from insurance reimbursements, to Account OA.3620.4070 - Safety Inspection - Printing, Postage and Stationery, to be used to replace code books, personal equipment and reimburse dry cleaning expenses due to the flood of May 16, 2017 in the Building Department.

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

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

(a) \$20,000 from Account OA.1990.4000 - Contingent, to Account OA.5142.4020 - Snow Removal - Maintenance of Equipment, to fund repairs due to an overactive snow season.

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

(b) \$26,000 from Account OA.1990.4000 - Contingent, to Account OA.8120.4020 - Sanitary Sewers - Maintenance of Equipment, to fund the repair of electrical controls at the Sewer Station.

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

(c) \$4,800 from Account OA.1440.4540 - Engineer - Maintenance of Software, to Account OA.8189.4020 - Recycling - Maintenance of Equipment, to fund the maintenance and repair of the recycling trucks.

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

(d) \$5,000 from Account 0A.5010.1010 - Street Administration - Regular Salary, to Account 0A.1640.4020 - Central Garage - Maintenance of Equipment, to fund numerous unbudgeted repairs to mechanical equipment.

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

(e) \$10,000 from Account 0A.5010.1010 - Street Administration - Regular Salary, to Account 0A.5110.4020 - Street Maintenance - Maintenance of Equipment, to fund additional maintenance of equipment due to increased street crew productivity.

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

(f) \$10,000 from Account 0A.5010.1010 - Street Administration - Regular Salary, to Account 0A.8140.4010 - Storm Sewers - Materials and Supplies, to fund additional supplies required due to increased productivity, as the result of better equipment.

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

(g) \$1,160 from Account 0A.5142.4460 - Snow Removal - Contractual Services, to Account 0A.5010.4070 - Street Administration - Postage, Printing and Stationery, to fund the mailing of sidewalk letters.

On motion of Trustee Makrinos 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 Detective Angelo Barone and Police Officer Scott Graber through May 10, 2018 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 Police Benevolent Association, which became effective June 1, 2014.

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

PUBLIC WORKS

2. Sick Leave - Two Employees. Requested authorization to pay John Anselmo, Labor Supervisor, Street Department and Greg Antoszyk, Maintainer, Water Department through May 10, 2018 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 Makrinos and unanimously carried, the aforesaid authorization was approved.

VILLAGE ADMINISTRATOR

1. Stipulation of Settlement between the Professional Firefighters Association of Nassau County (PFFA) and the Village of Garden City. Ratification is requested of the

Stipulation of Settlement which was executed by Mayor Daughney and Village Administrator Suozzi and the President of the PFFA on March 23, 2018 with regard to an Agreement made with the Village of Garden City and the PFFA. A copy of the Stipulation of Agreement is on file in the Village Clerk's Office.

On motion of Trustee Makrinos and unanimously carried, Board ratification was granted.

2. Settlement Authority - Settlement of Claims. Board authorization is requested to adopt a resolution with regard to the settlement of claims.

Trustee Makrinos offered the following resolution and moved its adoption:

RESOLUTION NO. 60-2018

WHEREAS, Garden City has previously established the office of Auditor; and

WHEREAS, in a Village which has established such office, New York State Village Law section 5-524 authorizes the Auditor to "audit and order paid" all claims against the Village; and

WHEREAS, Garden City has limited and hereby confirms that such authority to pay is limited to situations in which (a) the liability for the claim has either been previously authorized by the Board of Trustees, or is (b) resolved based upon a payment of not to exceed \$5,000 and for which both liability and damages are uncontested by the Village (as documented by the written statement of the Village Administrator and appropriate Department Head); and

WHEREAS, the Board of Trustees wishes to also delegate its authority to compromise and settle contested claims against the Village;

NOW THEREFORE, IT IS FURTHER RESOLVED, that the following are authorized to compromise, settle and order paid claims against the Village in the following amounts and with the following conditions:

- a. Settlements not exceeding \$10,000. The Village Administrator with the concurrence of the Village's General Municipal Law Counsel.
- b. Settlements exceeding \$10,000 but not exceeding \$30,000. The Village Administrator with the concurrence of the Village's General Municipal Law Counsel, and the concurrence of the Village's Legal Committee.

IT IS FURTHER RESOLVED, that settlements of claims which exceed \$30,000 shall require the approval of the Board of Trustees.

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.

CLERK'S OFFICE

Adopt Part-Time and Seasonal Salary Schedule. Requested authorization to adopt the Pay Schedule of Part-Time and Seasonal employees with no amendments or increases to the schedule.

On motion of Trustee Makrinos the following resolution was offered:

RESOLUTION NO. 61-2018

RESOLVED, that the Part-Time and Seasonal Salary Schedule as appended to the minutes be adopted.

The vote on the foregoing resolution was as follows:

AYES: 8

NOES: 0

The resolution was declared adopted.

FIRE

New Ladder Truck 147 - Change Order - Ferrara Fire Apparatus. Requested authorization to approve a Change Order for the New Ladder Truck 147 with Ferrara Fire Apparatus, 27855 James Chapel Road, Holden, Louisiana for \$9,955. The New Ladder Truck Committee has met with the manufacturer and engineers and after a lengthy discussion, it has been decided that additional items are needed. The original contract price of \$1,325,569 needs to be amended to \$1,335,524. Funds are available in the Capital Project Account.

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

POLICE

1. Attendance at New York State Bureau of Weights and Measures - Truck Scale Calibration. At the February 27, 2018 Board Meeting authorization was granted for Police Officer Hudak to attend the conference from May 7 through May 9, 2018 in Syracuse, New York, at a cost not to exceed \$600. The New York State Bureau of Weights and Measures has changed the date of the Village's appointment to May 13 through May 15, 2018. Therefore, authorization is requested for Police Officer Peter Hudak to attend the New York State Bureau of Weights and Measures for Truck Scale Calibration from May 13 through May 15, 2018.

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

2. Attendance at the "National Cyber Crime Conference". Requested authorization for Detective Kevin Madden to attend the "National Cyber Crime Conference", scheduled for April 23 through April 25, 2018, in Norwood, Massachusetts, at an approximate cost of \$600, funding for which has been provided in the budget in Account No. OA3120.4120.

On motion of Trustee Makrinos and unanimously carried, Detective Kevin Madden was authorized to attend the aforesaid conference and to be reimbursed for such expenses as he may incur in connection therewith.

3. Agreement - Professional Medical Services - Long Island Jewish Valley Stream - Northwell Health, Inc. - Dr. Fefer - Police Department. Requested authorization to utilize the medical services of Dr. Fred Fefer of Long Island Jewish Valley Stream, 520 Franklin Avenue, Garden City, New York, a member of Northwell Health Inc., to serve as the physician for the Police Department medical examinations in accordance with the rate schedule filed with the Police Department for the fiscal year June 1, 2018 through May 31, 2019. The cost is not to exceed \$10,000. Funds are available in Account OA.3120.4130.

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

RECREATION

Engage Harder Services, Inc. - On Demand Service Agreement - Routine and Emergency Tree Work - Certified Arborist - SEQRA - Type II. Requested authorization to enter into an agreement for both routine and emergency tree work with Harder Services, 63 Jerusalem Avenue, Uniondale, New York. This vendor will also provide the services of a “Certified Arborist” to assist the Village in individual tree evaluation and long term assessment of the Village’s tree inventory. This is recommended to be a Type II and would then be exempt from further SEQRA Review. Funds are available in Account 0A.7110.4460.

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

PUBLIC WORKS

Engagement of Professional Services - Traffic Engineering Services - Traffic Commission - VHB Engineering, Surveying and Landscape Architecture, P.C. Requested authorization to engage VHB Engineering, Surveying and Landscape Architecture, P.C., 100 Motor Parkway, Hauppauge, New York, to provide expert traffic engineering services to assist the Village’s Traffic Commission with the tasks of: (1) Intersection and Stopping Sight Distance Elevation - \$1,250 per location and (2) Meetings and Hearings (optional) \$760. Also included in the proposal is reimbursement of an estimated cost of \$100 for expenditures made specifically for the individual projects. Funds are available in Account 0A.5010.4460.

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

AWARD OF BIDS

1. Renewal of Contract Award for Liquid Chlorine- SEQRA - Type II. - Renew award for an additional year at the same prices and conditions with Autochem Corp., 296 West Montauk Highway, Hampton Bays, New York, for a total award of \$27,400. This is recommended to be a Type II and would then be exempt from further SEQRA Review.

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

2. Heating, Ventilation and Air Conditioning Systems Diagnostic Survey and Assessment at Garden City Village Hall and Garden City Public Library - Transfer Funds. Board authorization is requested to transfer funds as follows: \$41,700 from Account 0A.1990.4000 - Contingent, to Account 0A.1620.4460 - Building - Contractual Services, to fund the Heating, Ventilation and Air Conditioning Systems Diagnostic Survey and Assessment for the Village Hall and the Library.

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

3. Heating, Ventilation and Air Conditioning Systems Diagnostic Survey and Assessment at Garden City Village Hall and Garden City Public Library - Award Bid - SEQRA - Type II. Reported that a tabulation of bids had been circulated to each Member of the Board for the Heating, Ventilation and Air Conditioning Systems Diagnostic Survey and Assessment at Garden City Village Hall and Garden City Public Library and recommended that the bid be awarded to Donnelly Mechanical Corp., 96-59 222nd Street, Queens Village, New York, only bidder at a cost of \$41,700. This project is recommended to be a Type II and would then be exempt from further SEQRA Review.

He added that specification pickups reached a total of four companies and one bid was received. A Notice to Bidders was sent to Banco Mechanical, Inc., Inter-County Mechanical Corp., and Johnson Controls.

On motion of Trustee Makrinos the following resolution was offered:

RESOLUTION NO. 62-2018

RESOLVED, that the proposal of Donnelly Mechanical Corp., 96-59 222nd Street, Queens Village, New York, at a cost of \$41,700, 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 Donnelly Mechanical Corp., for this work, pursuant to the terms and conditions set forth in the request for bid and in the proposal submitted by said Company, the form of contract to be approved by Village Counsel; and

The vote on the foregoing resolution was as follows:

AYES: 8

NOES: 0

The resolution was declared adopted.

TRUSTEE MINUTO AND ZONING CHANGE REVIEW COMMITTEE

1. Retain a Planner to Review an Application for a Zoning Change - Transfer of Funds. Request authorization to transfer funds of \$35,000 from Account 0A.1990.4000 - Contingent, to Account 0A.3620.4160 - Safety Inspection - Consultant Fees, to fund the retention of a Planner to assist the Zoning Change Review Committee in reviewing a pending application for a zoning change, as well as the overall integration of the zoning in the area surrounding the applicant's property.

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

2. Retain a Planner to Review an Application for a Zoning Change. - Zoning Change Review Committee. Request authorization for the Mayor/Village Administrator to retain a Planner in order to assist the Zoning Change Review Committee to retain a Planner (not to exceed \$35,000) to assist it in reviewing a pending application for a zoning change, as well as the overall integration of the zoning in the area surrounding the applicant's property. The Zoning Change Review Committee ("ZCRC") is currently studying a proposal from an applicant for a zoning change in the Ring Road/Roosevelt Field area (currently zoned Commercial). In order to better study the benefits/detriments of the proposed zoning change, the Village would like to engage a professional municipal planner to assist the ZCRC in studying the proposal as well as the appropriate/feasible zoning uses for the area.

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

Mayor Daughney recognized the following:

Cyril Smith, 109 Fourth Street

T.J. Michon, 65 Fairmount Boulevard

There being no further business, on motion duly made, the meeting adjourned at 10:00 p.m.