

BOARD OF TRUSTEES

APRIL 25, 2019

A meeting of the Board of Trustees of the Village of Garden City in the County of Nassau, New York, was held at the Village Hall, 351 Stewart Avenue in said Village on April 25, 2019 at 8:10 p.m.

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

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

Attendance: Approximately 22

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

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

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

The minutes of the annual meeting held on April 8, 2019 were reviewed, and on motion of Trustee Makrinos were approved as presented.

NEW BUSINESS

CONSENT CALENDAR

FINANCE

1. Bond Resolution - Construction of Improvements to Curbs and Sidewalks and SEQR. Requested authorization for a bond resolution for Construction of Improvements to Curbs and Sidewalks and SEQR. The total cost of the bond for the Construction of Improvements to Curbs and Sidewalks, including financing costs and additional contingencies for unforeseen expenses is estimated to be \$204,000. This is recommended to be a Type II and would then be exempt from further SEQRA Review.

Trustee Delany offered the following resolution and moved its adoption:

RESOLUTION NO. 59-2019

BOND RESOLUTION OF THE VILLAGE OF GARDEN CITY, NEW YORK, ADOPTED APRIL 25, 2019, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO CURBS AND SIDEWALKS IN THE VILLAGE, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$204,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$204,000 TO FINANCE SAID APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF GARDEN CITY, IN THE COUNTY OF NASSAU, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Garden City, in the County of Nassau, New York (herein called the "Village"), is hereby authorized to construct improvements to curbs and sidewalks in the Village. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$204,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of \$204,000 bonds of the Village to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Village in the principal amount of \$204,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

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

- (a) The period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 24 of the Law, is ten (10) years.
- (b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.
- (c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

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

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

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

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or

- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

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

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

Section 7. This bond resolution is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to publish or cause to be published, in full, in the "Garden City News" and the "Garden City Life," which are hereby designated the official newspapers of the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the following form:

VILLAGE OF GARDEN CITY, NEW YORK

PLEASE TAKE NOTICE that on April 25, 2019, the Board of Trustees of the Village of Garden City, in the County of Nassau, New York, adopted a bond resolution entitled:

"Bond Resolution of the Village of Garden City, New York, adopted April 25, 2019, authorizing the construction of improvements to curbs and sidewalks in the Village, stating the estimated maximum cost thereof is \$204,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of not to exceed \$204,000 to finance said appropriation,"

an abstract of such bond resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Village to construct improvements to curbs and sidewalks in the Village; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$204,000; APPROPRIATING said amount for such purpose; and STATING the plan of financing includes the issuance of \$204,000 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 \$204,000 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 applicable to the purpose for which said bonds are authorized to be issued is ten (10) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Village for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said 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 bond anticipation notes shall be general obligations of the Village; and PLEDGING to their payment the faith and credit of the Village;

FIFTH: DELEGATING to the Village 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 the bond resolution is subject to a permissive referendum.

Dated: April 25, 2019

Karen M. Altman
Village Clerk

Section 8. The Village Clerk is hereby directed, after said bond resolution shall take effect, to cause said bond resolution to be published, in summary or in full, in the newspapers referred to in Section 7 hereof, and hereby designated the official newspapers for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Law.

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.

2. Bond Resolution - Roof Replacement at DPW Yard Building and SEQR. Requested authorization for a bond resolution for Roof Replacement at DPW Yard Building and SEQR. The total cost of the bond for the Roof Replacement at DPW Yard Building, including financing costs and additional contingencies for unforeseen expenses is estimated to be \$195,104. This is recommended to be a Type II and would then be exempt from further SEQR Review.

Trustee Delany offered the following resolution and moved its adoption:

RESOLUTION NO. 60-2019

BOND RESOLUTION OF THE VILLAGE OF GARDEN CITY, NEW YORK, ADOPTED APRIL 25, 2019, AUTHORIZING THE REPLACEMENT OF THE ROOF AT THE DPW YARD BUILDING, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$195,104, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$195,104 TO FINANCE SAID APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF GARDEN CITY, IN THE COUNTY OF NASSAU, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Garden City, in the County of Nassau, New York (herein called the "Village"), is hereby authorized to replace the roof at the DPW yard building. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$195,104 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of \$195,104 bonds of the Village to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Village in the principal amount of \$195,104 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

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

- (a) The period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 12 (a) (2) of the Law, is fifteen (15) years.
- (b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the

purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

- (c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

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

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

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

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

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

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

Section 7. This bond resolution is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to publish or cause to be published, in full, in the "Garden City News" and the "Garden City Life," which are hereby designated the official newspapers of the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the following form:

VILLAGE OF GARDEN CITY, NEW YORK

PLEASE TAKE NOTICE that on April 25, 2019, the Board of Trustees of the Village of Garden City, in the County of Nassau, New York, adopted a bond resolution entitled:

"Bond Resolution of the Village of Garden City, New York, adopted April 25, 2019, authorizing the replacement of the roof at the DPW yard building, stating the estimated maximum cost thereof is \$195,104, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of not to exceed \$195,104 to finance said appropriation,"

an abstract of such bond resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Village to replace the roof at the DPW yard building; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$195,104; APPROPRIATING said amount for such purpose; and STATING the plan of financing includes the issuance of \$195,104 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 \$195,104 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 applicable to the purpose for which said bonds are authorized to be issued is fifteen (15) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Village for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said 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 bond anticipation notes shall be general obligations of the Village; and PLEDGING to their payment the faith and credit of the Village;

FIFTH: DELEGATING to the Village 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 the bond resolution is subject to a permissive referendum.

Dated: April 25, 2019

Karen M. Altman
Village Clerk

Section 8. The Village Clerk is hereby directed, after said bond resolution shall take effect, to cause said bond resolution to be published, in summary or in full, in the newspapers referred to in Section 7 hereof, and hereby designated the official newspapers for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Law.

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.

3. Bond Resolution - Construction of Paving Improvements and SEQR. Requested authorization for a bond resolution for Construction of Paving Improvements and SEQR. The total cost of the bond for the Construction of Paving Improvements, including financing costs and additional contingencies for unforeseen expenses is estimated to be \$2,346,000. This is recommended to be a Type II and would then be exempt from further SEQRA Review.

Trustee Delany offered the following resolution and moved its adoption:

RESOLUTION NO. 61-2019

BOND RESOLUTION OF THE VILLAGE OF GARDEN CITY, NEW YORK, ADOPTED APRIL 25, 2019, AUTHORIZING THE CONSTRUCTION OF CONCRETE AND ASPHALT PAVING IMPROVEMENTS AT THE VILLAGE DPW YARD, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$2,346,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$2,346,000 TO FINANCE SAID APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF GARDEN CITY, IN THE COUNTY OF NASSAU, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Garden City, in the County of Nassau, New York (herein called the "Village"), is hereby authorized to construct concrete and asphalt paving improvements at the Village DPW yard, including related improvements to drainage, curbs, ramps and other ancillary work. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,346,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of \$2,346,000 bonds of the Village to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Village in the principal amount of \$2,346,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

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

- (a) The period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 20 (f) of the Law, is ten (10) years.
- (b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.
- (c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

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

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and Section 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents

and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to executing agreements for credit enhancement, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

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

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

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

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

Section 7. This bond resolution is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to publish or cause to be published, in full, in the "Garden City News" and the "Garden City Life," which are hereby designated the official newspapers of the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the following form:

VILLAGE OF GARDEN CITY, NEW YORK

PLEASE TAKE NOTICE that on April 25, 2019, the Board of Trustees of the Village of Garden City, in the County of Nassau, New York, adopted a bond resolution entitled:

"Bond Resolution of the Village of Garden City, New York, adopted April 25, 2019, authorizing the construction of concrete and asphalt paving improvements at the Village DPW yard, stating the estimated maximum cost thereof is \$2,346,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of not to exceed \$2,346,000 to finance said appropriation,"

an abstract of such bond resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Village to construct concrete and asphalt paving improvements at the Village DPW yard, including related improvements to drainage, curbs, ramps and other ancillary work; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,346,000; APPROPRIATING said amount for such purpose; and STATING the plan of financing includes the issuance of \$2,346,000 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 \$2,346,000 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 applicable to the purpose for which said bonds are authorized to be issued is ten (10) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Village for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said 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 bond anticipation notes shall be general obligations of the Village; and PLEDGING to their payment the faith and credit of the Village;

FIFTH: DELEGATING to the Village 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 the bond resolution is subject to a permissive referendum.

Dated: April 25, 2019

Karen M. Altman
Village Clerk

Section 8. The Village Clerk is hereby directed, after said bond resolution shall take effect, to cause said bond resolution to be published, in summary or in full, in the newspapers referred to in Section 7 hereof, and hereby designated the official newspapers for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Law.

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

AYES: 8
NOES: 0

The resolution was declared adopted.

4. Bond Resolution - Acquisition of DPW Equipment and SEQR. Requested authorization for a bond resolution for Acquisition of DPW Equipment and SEQR. The total cost of the bond for the Acquisition of DPW Equipment, including financing costs and additional contingencies for unforeseen expenses is estimated to be \$1,020,013. This is recommended to be a Type II and would then be exempt from further SEQRA Review.

Trustee Delany offered the following resolution and moved its adoption:

RESOLUTION NO. 62-2019

BOND RESOLUTION OF THE VILLAGE OF GARDEN CITY, NEW YORK, ADOPTED APRIL 25, 2019, AUTHORIZING THE ACQUISITION OF DPW EQUIPMENT, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,020,013, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$1,020,013 TO FINANCE SAID APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF GARDEN CITY, IN THE COUNTY OF NASSAU, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Garden City, in the County of Nassau, New York (herein called the "Village"), is hereby authorized to acquire DPW equipment. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,020,013 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of \$1,020,013 bonds of the Village to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Village in the principal amount of \$1,020,013 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting

Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

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

- (a) The period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 28 of the Law, is fifteen (15) years.
- (b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.
- (c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

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

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

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

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

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

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

Section 7. This bond resolution is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to publish or cause to be published, in full, in the "Garden City News" and the "Garden City Life," which are hereby designated the official newspapers of the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the following form:

VILLAGE OF GARDEN CITY, NEW YORK

PLEASE TAKE NOTICE that on April 25, 2019, the Board of Trustees of the Village of Garden City, in the County of Nassau, New York, adopted a bond resolution entitled:

"Bond Resolution of the Village of Garden City, New York, adopted April 25, 2019, authorizing the acquisition of DPW equipment, stating the estimated maximum cost thereof is \$1,020,013, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of not to exceed \$1,020,013 to finance said appropriation,"

an abstract of such bond resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Village to acquire DPW equipment; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,020,013; APPROPRIATING said amount for such purpose; and STATING the plan of financing includes the issuance of \$1,020,013 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 \$1,020,013 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 applicable to the purpose for which said bonds are authorized to be issued is fifteen (15) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Village for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said 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 bond anticipation notes shall be general obligations of the Village; and PLEDGING to their payment the faith and credit of the Village;

FIFTH: DELEGATING to the Village 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 the bond resolution is subject to a permissive referendum.

Dated: April 25, 2019

Karen M. Altman
Village Clerk

Section 8. The Village Clerk is hereby directed, after said bond resolution shall take effect, to cause said bond resolution to be published, in summary or in full, in the newspapers referred to in Section 7 hereof, and hereby designated the official newspapers for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Law.

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.

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

(a) \$6,000 to Account 0A.8140.4010 - Storm Sewers - Materials and Supplies, from Account 0A.5182.4030 - Street Lighting - Maintenance of Plant, for additional supplies needed for storm sewer repair.

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

(b) \$29,900 to Account 0F.8310.4030 - Water Administration - Maintenance of Plant, from Account 0F.8320.1010 - Source of Supply - Regular Salary, for storage tank removal and preparation of emerging containment grant application which includes design and reporting.

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

(c) \$12,500 to Account 0F.8310.4030 - Source of Supply - Maintenance of Plant, from Account 0F.8320.1010 - Source of Supply - Regular Salary, for leak detection survey (DEC).

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.

(d) \$150 to Account 0A.6410.4250 - Preparation and Distribution of Literature, from Account 0A.1230.1010 - Administration Salary - Regular, additional funds needed to pay for the installation and removal of banners.

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.

(e) \$15,000 to Account 0A.3120.2000 - Police - Equipment, from Account 0A.1990.4000 - Contingent, for the purchase of a new air conditioning unit for the Police Department.

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

SICK LEAVE

POLICE

1. Sick Leave - Matos. Requested authorization to pay Police Officer Louis Matos, through May 23, 2019, 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 Delany and unanimously carried, the aforesaid authorization was approved.

VILLAGE ADMINISTRATOR

1. Fuel (Gas) Agreement - Village of Hempstead. Requested authorization to enter into a Fuel (Gas) Agreement with the Village of Hempstead, 99 James A. Garner Way, Hempstead, New York while the Village of Hempstead replaces its gas tanks at their facility.

Trustee Delany offered the following resolution and moved its adoption:

RESOLUTION NO. 63-2019

WHEREAS, the Village of Hempstead is undertaking a project to replace existing fuel pumps at its their facility within their Village; and

WHEREAS, the Village of Hempstead will require a temporary, alternate facility for fueling its fleet of vehicles while the pump replacement project is on-going; and

WHEREAS, the Village of Hempstead has contacted the Village of Garden City for permission to utilize the fuel and fuel pumps available at the Village of Garden City's facility for approximately two to three months; and

WHEREAS, the Village of Garden City will charge the Village of Hempstead for fuel at the same rate that Garden City pays for such fuel; and

WHEREAS, the Village of Garden City and the Village of Hempstead are authorized to enter into such an agreement pursuant to Article 5-G of the General Municipal Law; and

WHEREAS, the Mayor and Board of Trustees have reviewed the proposed agreement provided by the Village of Hempstead and have found its terms and conditions to be acceptable and in the best interests of the Village of Garden City;

NOW THEREFORE, BE IT RESOLVED, that the Board of Trustees hereby authorizes the Village to enter into the proposed fueling agreement with the Village of Hempstead and, further, directs the Village to execute said agreement.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

The resolution was declared adopted.

RECREATION

1. Additional Contract Work - Community Park Field #2 - Renovation Project - Sod The LandTek Group. Requested authorization to approve a change order with The LandTek Group, Inc., 235 County Line Road, Amityville, New York for the installation of sod on the fields at Community Park at a cost of \$5,500. Funds are available in Account 0H.7140.2192.

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

FIRE

1. Agreement - Fire Department - Commercial Building Inspection Services - Long Island Fire Technology. Requested authorization to enter into an agreement with Long Island Fire Technology, 122 Suffolk Road, Massapequa, New York at an amount not to exceed \$45,000. Long Island Fire Technology will provide Commercial Building Inspection Services for the Fire Department for June 1, 2019 through May 31, 2020. This is subject to Village Counsel approving the agreement as to form. Funds are available in Account OA.3410.4400.

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

2. Additional Contract Work - New Ladder Truck 147 - Ferrara Fire Apparatus, Inc Request authorization to approve Change Orders totaling \$55,922.31 as stated below. This brings the total cost of the truck to \$1,397,589, which is within the budgeted and bonded amount of \$1,400,000. Funds are available in the Capital Project.

- a) Ferrara Fire Apparatus, Inc. various change order items (details on file in the Village Clerk's Office) totaling \$49,244.31.
- b) Alpine Software IPAD upgrade \$5,680.
- c) IPAD for use as a Mobile Data Terminal \$998. Funds are available in Account 0H.7140.2192.

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

PUBLIC WORKS

1. LED Light Installation - Water Department Garage Storage and Vehicle Bays. (a) Requested authorization for a new Capital Project (2018/19) in the amount of \$9,200 in order to purchase and install new LED interior lighting at the Water Department Garage Storage and Vehicle Bays.

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

(b) Requested authorization to engage Corkery Electric Services, Inc., 300 Jerusalem Avenue, Hempstead, New York, to purchase and install new LED interior lighting at the Water Department Garage Storage and Vehicle Bays at a cost of \$8,374.80. Funds are available in the Water Department's Cash Reserves.

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

2. Pressure Control Modification Drive - Well No. 12B. (a) Requested authorization for a new Capital Project (2018/19) in the amount of \$32,000 to purchase, install and program a variable speed pressure control modification drive at Well No. 12B.

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

(b) Requested authorization to engage Eagle Control Corp., 23 Old Dock Road, Yaphank, New York to purchase, install and program a variable speed pressure control modification drive at Well No. 12B, at a cost of \$28,950. This will replace the existing non-functioning unit. Funds are available in the Water Department's Cash Reserves.

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

3. Replacement Heater - Truck Garage - Metro Heating and Air Conditioning, Inc. Requested authorization to engage Metro Heating and Air Conditioning, Inc., 26 Bay Shore Road, West Islip, New York, to furnish and install a replacement heater for the truck garage, at a cost of \$31,200. This is a new piece of equipment that was not previously included in the 2018/19 Capital Equipment Budget. Funds are available in Account 0H.8160.2000.

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

AWARD BIDS

Trees, Shrubs and Mulch - SEQRA - Type II. (a) Award bid for Items No. 1-20 (assorted types of trees) to The Garden Department Corporation, 3672 New York 112, Coram, New York, low bidder, for the majority of line items, as per unit cost on an as needed basis.

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

(b) Award bid for Items No. 21-82 (assorted types of shrubs) to The Garden Department Corporation, 3672 New York 112, Coram, New York, low bidder, for the majority of line items, as per unit cost on an as needed basis.

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

(c) Award bid for Items No. 83-85 (bulk and bagged mulch) to SiteOne Landscape Supply Company, 999 South Oyster Bay Road, Bethpage, New York, low bidder, as per unit cost on an as needed basis.

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

A total of ten invitations to bid were sent and five bids were received. Notice of bidders was sent to Bid Reporter and bid specifications were advertised on New York State Contract Reporter. Total Bid Award for Trees, Shrubs and Mulch - \$10,000 for budget year 2018/19 and \$20,000 for budget year 2019/20. This project is recommended to be a Type II and would then be exempt from further SEQRA Review.

On motion of Trustee Delany the following resolution was offered:

RESOLUTION NO. 64-2019

RESOLVED, that Requisition No. 18-12, dated April 25, 2019, filed under separate cover, be made a part of these minutes and that materials and equipment be purchased for the Recreation and Parks 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.

EXTERNAL COMMUNICATIONS

PERMITS:

Fireworks:

1. Adelphi University, One South Avenue, requested authorization to conduct a fireworks display on Sunday, August 25, 2019. (No rain date)

On motion of Trustee Delany and unanimously carried, the aforesaid authorization was approved, subject to receipt of an original Certificate of Insurance, the permit fee of \$500, approval from Nassau County and a review of the launch area by the Garden City Police and Fire Departments.

Solicit:

2. American Legion Auxiliary, William Bradford Turner Post, Unit 265, requested authorization to distribute Poppies during the month of May 2019.

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

BOARD OF TRUSTEES

On motion of Trustee Delany the following resolution was offered:

RESOLUTION NO. 65-2019

RESOLUTION
ADOPTED BY THE BOARD OF TRUSTEES OF THE
INCORPORATED VILLAGE OF GARDEN CITY, NEW YORK
APRIL 25, 2019
IN RECOGNITION OF THE VILLAGE'S CENTENNIAL AND
SESQUICENTENNIAL

WHEREAS, the Village of Garden City was founded by Alexander T. Stewart on September 13, 1869; and

WHEREAS, on the fifteenth day of May, 1919, a Declaration of Community Policy was adopted by property owners which is known today as the "Community Agreement" to establish a fair, representative, non-political form of government, which continues to successfully serve the Village today; and

WHEREAS, Articles of Incorporation for the Village of Garden City were filed on September 30, 1919; and

WHEREAS the year of 2019 marks the One Hundred Fiftieth Anniversary of the Founding and the One Hundredth Anniversary of the Community Agreement and the incorporation of the Village; and

WHEREAS, in this centennial year of the founding of the Village of Garden City, it is desirous of the Village to celebrate both the Sesquicentennial of the Founding of Garden City (1869-2019); and the Centennial of the Incorporated Village of Garden City (1919-2019);

NOW, THEREFORE BE IT RESOLVED, that we, the Members of the Board of Trustees of the Incorporated Village of Garden City, on behalf of the residents of our community, do hereby proclaim the year 2019 as the year of celebration for the Garden City Centennial and Sesquicentennial; and be it

FURTHER RESOLVED, that this resolution be spread in full upon the minutes of this meeting and that an appropriate signed copy thereof be framed and displayed at Village Hall.

NOW, THEREFORE, as Mayor of the Village of Garden City, I set my signature upon this resolution.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

The resolution was declared adopted.

Work Session - Continuation of the January 17 and March 28, 2019 discussions of Parking Lot 7N. There was a discussion about the survey that was conducted by the Police Department with regard to permit parking in Parking Lot 7N.

On motion of Trustee Daughney the following resolution was offered:

RESOLUTION NO. 66-2019

WHEREAS, a resolution setting a Public Hearing for May 9, 2019, in connection

with a proposed Local Law to authorize a temporary Pilot Program of restricted parking at the western side of Garden City Parking Field 7N under a Pilot Program to entail 29 parking spaces for a period of up to one (1) year for persons resident in premises adjacent to Field 7N, at a fee of \$275 for the duration of the Pilot Program.

WHEREAS, the draft Local Law might read as attached on file with the Village Clerk's Office.

NOW, THEREFORE, BE IT RESOLVED that at the conclusion of the Pilot Program, the Board could enact (by a further Local Law) whatever it deems are the appropriate parking rules.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

The resolution was declared adopted.

Mayor Trouvé recognized the following:

Steve Ilardi, 139 Meadow Street

George Salem, 24 St. Paul's Place

Jack Hartog, 89 Second Street

Suzanne Dowling, 67 Hilton Avenue

Kathy Auro, 4 Merillon Avenue

There being no further business, on motion duly made, the meeting adjourned at 9:31 p.m.