

BOARD OF TRUSTEES

JUNE 21, 2018

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 June 21, 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
Giuseppe Giovanniello, Assistant Superintendent of Building
Brian G. Gallo, Chief Fire Department
Peter A. Bee, Bee Ready Fishbein Hatter & Donovan, LLP
A. Thomas Levin, Village Special Counsel

Attendance: Approximately 55

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 stated that the first item on the agenda was the Oath of Office for Police Officer Thomas Schade. Trustee Mark Hyer administered the Oath of Office to Police Officer Schade of the Garden City Police Department and offered congratulations.

Mayor Daughney stated that the next item on the agenda was the request from Chief Brian G. Gallo of the Garden City Fire Department for the approval of Garden City Volunteer Firefighters, Liam P. Hollis, 120 Kensington Road and Sean R. Sullivan, 118 Hampton Road. The Volunteer Fire Department formally accepted them into the Department at their June 2018 monthly meeting.

On motion of Trustee Delany and unanimously carried, Liam P. Hollis and Sean R. Sullivan were approved by the Village Board of Trustees to be Volunteer Firefighters for the Garden City Fire Department.

Mayor Daughney called upon Ralph Suozzi, who reported on all of the items that are listed for approval on the agenda within the Public Works Department and Kevin Ocker who reported on the Transfer of Funds with regard to the clearing of brush and trees along the western property of the St. Paul's Athletic Fields.

Mayor Daughney advised that there is a tentative date of July 17 for a presentation regarding the St. Paul's Concept and stated that there will be a few more presentations scheduled. He then called for citizens comments on Agenda items.

Mayor Daughney 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 regular meeting held on June 7, 2018 were reviewed, and on motion of Trustee Makrinos were approved as presented.

NEW BUSINESS

FORMAL AGENDA

1. Proposed Local Law to Amend the Village Code Regarding Uses Permitted in the R-T District. A discussion by the Trustees ensued regarding the proposed Local Law and a statement by Mr. Levin was made, after which the following action was taken:

Mayor Daughney offered the following resolution and moved its adoption:

RESOLUTION NO. 109-2018

WHEREAS, the Board of Trustees of the Village of Garden City ("Board") has held numerous public hearings with respect to proposed legislation designated "Proposed Local Law Bill 1-2018", to amend the Code of the Village of Garden City in relation to uses permitted in the R-T District, and

WHEREAS, the Board has given full consideration to all comments submitted with respect to such local law during the said public hearings and at other times, and

WHEREAS, the public hearings with respect to the proposed local law have been closed, and the written comment period authorized by the Board has concluded, and

WHEREAS, the Board is an Involved Agency with respect to review of the environmental impact of the proposed local law pursuant to the State Environmental Quality Review Act (SEQRA), as well as of a related application for a special permit and site plan approval for a proposed R-T development pursuant to the proposed law, and

WHEREAS, the Board heretofore has (a) initiated a coordinated SEQRA review process which culminated in the designation of the Board as SEQRA Lead Agency, (b) classified the adoption of the law (and the consideration of the related applications) as Unlisted Actions, (c) conducted an extensive and extended consideration of potential environmental impacts, (d) given due consideration to the reports and recommendation of H2M Architects + Engineers, who were retained by the Village of Garden City as planning and environmental consultants, and (e) considered the recommendations of the Village Zoning Change Review Commission concerning the proposed law and applications, and

WHEREAS, after completion of all proceedings required by law precedent to taking such action, the Board previously has issued a SEQRA Negative Declaration, finding that the adoption of the proposed legislation is not likely to have a significant, adverse, environmental impact, and

WHEREAS, pursuant to General Municipal Law §239-m, the Board has referred the proposed legislation to the Nassau County Planning Commission for its review and recommendation, and the Commission has recommended that the Board take action as it deems appropriate, the Commission having no objections or recommended modifications, and

WHEREAS, all required legal prerequisites to the Board taking action with respect to the proposed local law have been completed,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees finds and concludes that;

the proposed local law is compatible with the Village's zoning regulations, and the Village's overall zoning plans as embodied in those regulations;

the uses of property authorized by the proposed local law are compatible with existing and authorized uses in the R-T District, and properties adjacent thereto;

the proposed local law would facilitate the Village's compliance with its legal obligations with respect to affordable housing;

the proposed law would permit additional uses in the R-T District only with the permission of the Board, so that the Village has an adequate means to assure that any development pursuant to the amended R-T regulations would be reasonable and appropriate to the particular property where it may be proposed to be located;

the adoption of the proposed law would be consistent with land use regulation principles; and

RESOLVED, that the final text of Bill 1-2018, in the form attached to this resolution, has been in possession of the members of the Board for more than the requisite number of days; and it is further

RESOLVED, that Bill 1-2018, in the form set forth hereinafter be, and hereby is, enacted and adopted as Local Law 1-2018 of the Village of Garden City; and it is further

BE IT FURTHER RESOLVED, that the Village Clerk, Village Administrator and Village Attorney, individually and collectively, are authorized and directed to take and perform such acts as may be required by law to effectuate the adoption and filing of such local law, and the inclusion of the said local law in the Village Code.

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

AYES: 7

NOES: 1 (Trustee Bolebruch)

The resolution and local law were declared adopted as follows:

INCORPORATED VILLAGE OF GARDEN CITY
NASSAU COUNTY, NEW YORK
LOCAL LAW 1-2018

A local law to amend the Code of the Village of Garden City, in relation to uses permitted in the R-T District.

Section one. Findings. The Board of Trustees of the Village of Garden City has reviewed the Village's zoning regulations in order to maintain the residential standards of the Village and also to meet the Village's obligations to provide housing opportunities. The Board also has considered the recent adoption of legislation permitting QRD developments in the Village, and has evaluated the need to facilitate such developments in appropriate locations in the Village. As a consequence of such review, the Board of Trustees finds and concludes that it would be appropriate, and consistent with land use regulation principles, and the zoning classification and use of other properties in the Village, to amend the existing regulations in the R-T District to permit and facilitate QRD development of property located in such district. This local law is enacted in furtherance of those goals.

Section two. Section 200-16.1(A)(3) of the Code of the Village of Garden City is hereby amended, by adding thereto a new subparagraph, to be subparagraph (d), to read as follows:

"(d) Notwithstanding the provisions of subparagraphs (a) or (c) of this paragraph, multi-family dwellings, in compliance with the R-M District regulations except as provided in this subparagraph, if approved by the Board of Trustees for QRD development pursuant to Article VI.1 of this chapter:

- (1) maximum plot area shall not exceed five acres, and minimum plot area shall be not less than three acres;
- (2) maximum permitted floor area ratio shall not exceed 0.99;

- (3) minimum plot area shall be not less than 1290 square feet for each dwelling unit;
- (4) maximum building lot coverage shall not exceed 27.0%
- (5) maximum building height shall not exceed four stories, nor a height of 45 feet;
- (6) minimum front yard setback shall be not less than ten feet."

Section three. Severability. If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances. The Board of Trustees hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

Section four. Effective Date. This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with the Municipal Home Rule Law.

2. Resolution to Authorize Counsel to Draft Decision with Respect to Applications of 550 Stewart Acquisitions LLC. A discussion by the Trustees ensued regarding the proposed resolution and the resolution was read aloud by Mr. Levin, after which the following action was taken:

Mayor Daughney offered the following resolution and moved its adoption:

RESOLUTION NO. 110-2018

WHEREAS, the Board of Trustees of the Village of Garden City ("Board") has held numerous public hearings with respect to applications by 550 Stewart Acquisitions, LLC for approval of a permit, and for site plan approval, for development of a 150 unit multiple residence, inclusive of 15 affordable housing units, at premises 555 Stewart Avenue in the Village, and

WHEREAS, the public hearings with respect to the applications have been closed, and the ensuing written comment period authorized by the Board has concluded, and

WHEREAS, the Board has given full consideration to all comments submitted with respect to such applications during the said public hearings, during the ensuing public comment period, and at other times, and

WHEREAS, the Board has consulted with the Village Attorney, and with special counsel retained for zoning matters, concerning the said applications, the Village's legal obligations, and applicable legal principles, and

WHEREAS, the Board is an Involved Agency with respect to review of the environmental impact of the applications pursuant to the State Environmental Quality Review Act (SEQRA), and

WHEREAS, the Board heretofore has (a) initiated a coordinated SEQRA review process which culminated in the designation of the Board as SEQRA Lead Agency, (b) classified the applications as Unlisted Actions, (c) conducted an extensive and extended consideration of potential environmental impacts, (d) given due consideration to the reports and recommendation of H2M Architects + Engineers, who were retained by the Village of Garden City as planning and environmental consultants, and (e) considered the recommendations of the Village Zoning Change Review Commission concerning the applications, and

WHEREAS, after completion of all proceedings required by law precedent to taking such action, the Board previously has issued a SEQRA Negative Declaration, finding that

the proposed development is not likely to have a significant, adverse, environmental impact, and

WHEREAS, pursuant to General Municipal Law §239-m, the Board has referred the applications to the Nassau County Planning Commission for its review and recommendation, and the Commission has recommended that the Board take action as it deems appropriate, the Commission having no objections or recommended modifications, and

WHEREAS, submission and review of the site plan portion of the application is not yet complete, and the engineering, drainage and other related site plan information has not yet been reviewed by the Village's staff, consultants or counsel, and

WHEREAS, those incomplete matters do not require further public hearings, and are matters which may be reviewed and acted upon separately from the use permit application, and

WHEREAS, all required legal prerequisites to the Board taking action with respect to the use permit application have been completed, and

WHEREAS, the Board wishes to give direction to the Village Attorney and special counsel for preparation of a proposed decision regarding the use permit application, and related conditions, for Board consideration at the next regular meeting of the Board,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees hereby directs and authorizes the Village Attorney and special counsel for zoning matters to draft a proposed decision granting the use permit application, including appropriate conditions, and

BE IT FURTHER RESOLVED, that the conditions of any such use permit approval shall include, at a minimum, the following:

1. All development must be as a QRD Development, under the Village Code.
2. All development shall be as specified on the plans presented to and reviewed by the Board, unless otherwise approved by the Board without a public hearing.
 - a. The specific plan documents will be enumerated and identified in the draft decision.
 - b. The approval of the use permit plan will be subject to subsequent review and approval of site plans for the project, consistent with the terms and conditions of the use permit approval and all other legal requirements.
 - c. All approved plans shall be subject to review by the Architectural Design Review Board to the extent required by the Village Code and customary Village procedures. Notwithstanding the foregoing requirement for Board approval of any variations from plans, the ADRB may authorize an increase in height for a portion of the building presently shown as two or three stories in height, for the purposes of locating or relocating a proposed amenity, provided that such portion of the building is located at the northernmost wing of the building (parallel to Stewart Avenue) as shown on the plans reviewed by the Board of Trustees, and Board approval for any such plan revision shall not be required.
 - d. The Building Department may permit minor and insubstantial variations in the approved plans to accommodate field conditions.
3. The maximum number of residential units shall be 150. Fifteen (15) of the units shall be designated as affordable housing pursuant to the Village's affordable housing legislation.
4. The mix of units shall be twenty (20) one bedroom units, one hundred fifteen (115) two bedroom units and fifteen (15) three bedroom units. Units may not be combined without the express approval of the Board of Trustees, and no combination of units shall result in a diminution of the number of affordable units.
5. No permits shall be issued, and the use permit approval shall not be considered final, until the applicant and owner have entered into (a) a Services Agreement, to

- guarantee that the Village will receive all property taxes which would be levied against the property without any PILOT or IDA agreement, (b) covenants and restrictions to impose affordable housing conditions, and such other conditions as may be included in the approval resolution, in a form approved by the Village Attorney and special counsel. Each such agreement shall run with the land so as to bind future owners of the site, and shall be recorded in the office of the Nassau County Clerk at the sole cost and expense of the applicant.
6. Prior to issuance of any permits for construction at the subject site, the developer shall reimburse the Village, or deposit with the Village, funds in an amount determined by the Village Administrator and sufficient to compensate the Village for all expenses incurred for legal services for preparation and review of documents required by this approval and any subsequent site plan approval.
 7. The applicant shall provide insurance coverage as specified in the decision, (including, where appropriate) general liability, automobile, workers' compensation, disability, excess liability, and owners' and contractors' protective liability insurance, naming the Village, its officers, agents and employees as additional named insureds, and provide endorsements to such policies to document such coverage, as may be required by the Village.
 8. The development shall comply with all other representations made in the application and/or at the public hearings.
 9. The development and use of the subject property shall comply with all Village Code affordable housing requirements, including compliance with Village Code requirements for QRD developments.
 10. The affordable housing units shall consist of a specific mix of two (2) one bedroom units, twelve (12) two bedroom units and one (1) three bedroom units. Of the one bedroom units, one (1) shall be for a family of very low income and one for a family of extremely low income. The two bedroom units shall be allocated equally in each of the three income categories. The three bedroom unit shall be for a family of low income. The mix and categories of affordable housing units shall not be changed without the prior written approval of the Board of Trustees, provided that there shall be in no event fewer than fifteen (15) such affordable units.
 11. The availability of affordable housing units shall be advertised over a wide area, in an open and public manner, as required by the Village's affordable housing law, and subject to oversight by the Board of Trustees.
 12. The selection of tenants for affordable housing units shall be made in an open, transparent, and random process, as required by the Village's affordable housing law, and shall be subject to oversight by the Board of Trustees.
 13. The applicant and owner, and any successors in interest, shall apply for and obtain all required building permits within a fixed period of time after completion of all prerequisites for such permit issuance as provided in this resolution, including site plan approval, or within such longer period of time as may be approved by the Board of Trustees without a hearing. Failure to comply with this condition shall render this determination null and void at the option of the Board of Trustees. In granting any extension of time, the Board of Trustees may impose reasonable fees and/or conditions.
 14. The applicant and owner, and any successors in interest, shall complete all required construction, and obtain all required or necessary certificates of completion and/or certificates of occupancy within a fixed period of time after issuance of the first building permit, or such longer period of time as may be approved by the Board of Trustees without a hearing. In granting any extension of time, the Board of Trustees may impose reasonable fees and/or conditions.
 15. In the event the Village reasonably determines that it requires the assistance of professional consultants for review of site or design plans, or inspection of construction, the applicant and owner, and any successors in interest, shall promptly reimburse the Village for the reasonable costs of such consultants. The Village may require advance deposits in amounts determined by the Village Administrator, to be applied to payment or reimbursement of such expenses, and such deposits shall be made with the Village within fourteen (14) days after written notice from the Village.

BE IT FURTHER RESOLVED, that the Village Attorney and Special Counsel also may include in such proposed decision such other conditions as may be recommended by

them, or by Village staff or others, and which the Village Attorney and special counsel deem appropriate and consistent with Board discussions, and

NOW THEREFORE BE IT FURTHER RESOLVED, that such proposed decision shall be submitted for review and consideration by the Board of Trustees in sufficient time to permit review and consideration by the Board at the July 10, 2018 regularly scheduled Board meeting.

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

AYES: 7
NOES: 1 (Trustee Bolebruch)

The resolution was declared adopted.

CONSENT CALENDAR

FINANCE

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

a) Garden City Country Club. Requested authorization for the proposed settlement with Garden City Country Club, with regard to property located at 206 Stewart Avenue, Garden City, Account Nos. 02336-0-001, 02338-0-001 and 02362-0-001, which would result in a refund of \$117,353, (and an additional refund of \$20,116 after payment of the 2018/19 Village tax) and a new assessment of \$123,250. This is for tax years 2011/12 through fiscal year 2018/19.

Trustee Hyer offered the following resolution and moved its adoption:

RESOLUTION NO. 111-2018

WHEREAS, Garden City Country Club, has commenced proceedings pursuant to the Real Property Tax Law to review the assessment on property located at 206 Stewart Avenue in the Village of Garden City for the tax years 2011/12 through 2018/19; 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 \$117,353, (and an additional refund of \$20,116 after payment of the 2018/19 Village tax), for tax years 2011/12 through 2018/19 with a new assessment of \$123,250, for the property described on the Village Assessment Roll as 206 Stewart Avenue, Account Nos. 02336-0-001, 02338-0-001 and 02362-0-001,

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.

b) Cherry Valley Club. Requested authorization for the proposed settlement with Cherry Valley Club, with regard to property located at 28 Rockaway Avenue, Garden City, Account No. 02325-0-001, which would result in a refund of \$88,173.26, for tax years 2011/12 through 2018/19 and a refund of \$13,394.76 after payment of the 2018/19 Village

tax and a new assessment of \$123,250.

Trustee Hyer offered the following resolution and moved its adoption:

RESOLUTION NO. 112-2018

WHEREAS, Cherry Valley Club, has commenced proceedings pursuant to the Real Property Tax Law to review the assessment on property located at 28 Rockaway Avenue in the Village of Garden City for the tax years 2011/12 through 2018/19; 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 \$88,173.26, for tax years 2011/12 through 2018/19 and a refund of \$13,394.76 after payment of the 2018/19 Village tax with a new assessment of \$123,250, for the property described on the Village Assessment Roll as 28 Rockaway Avenue, Account No. 02325-0-001.

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.

c) Garden City Golf Club. Requested authorization for the proposed settlement with Garden City Golf Club, with regard to property located at 315 Stewart Avenue, Garden City, Account No. 02287-0-001, which would result in a refund of \$200,000, for tax years 2012/13 through 2018/19 and a new assessment of \$140,000.

Trustee Hyer offered the following resolution and moved its adoption:

RESOLUTION NO. 113-2018

WHEREAS, Garden City Golf Club, has commenced proceedings pursuant to the Real Property Tax Law to review the assessment on property located at 315 Stewart Avenue in the Village of Garden City for the tax years 2012/13 through 2018/19; 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 \$200,000, for tax years 2012/13 through 2018/19 with a new assessment of \$140,000, for the property described on the Village Assessment Roll as 315 Stewart Avenue, Account No. 02287-0-001.

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.

2. Transfer of Funds - Fiscal Year 2017/18. Requested authorization to transfer funds as follows:

(a) \$13,772.19 from Account 0A.5010.1010 - Street Administration - Payroll, to Account 0A.8160.4230 - Sanitation - County and Town Services, due to the excessive amount of garbage in the final month of the fiscal year.

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

3. Transfer of Funds - Fiscal Year 2018/19. Requested authorization to transfer funds as follows:

(a) \$166,148 from Account 0A.3120.1040 - Police - Holiday Pay, to Account 0A.1990.4000 - Contingent, to repay year five of the Retirement Benefit Loan.

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

(b) \$50,000 from Account 0A.5182.4060 - Street Lighting - Electricity, to Account 0A.1990.4000 - Contingent, to repay year three of the LED Project Loan.

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

(c) \$25,000 from Account 0A.1990.4000 - Contingent, to Account 0A.7110.4460 - Parks - Contractual Services, to fund the clearing of trees and brush along the western property of the St. Paul's Athletic Fields.

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

SICK LEAVE

RECREATION

1. Sick Leave - Stravino. Requested authorization to pay Richard Stravino, Maintainer, Recreation and Parks Department through July 10, 2018 or such earlier date as he may be able to return to duty as determined by the Village medical advisor and pursuant to the provisions of the contract between the Incorporated Village of Garden City and the Civil Service Employees' Association, which became effective June 1, 2010.

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

PUBLIC WORKS

2. Sick Leave - Kornova. Requested authorization to pay Gary Kornova, Senior Motor Equipment Operator, Street Department through July 10, 2018 or such earlier date as he may be able to return to duty as determined by the Village medical advisor and pursuant to the provisions of the contract between the Incorporated Village of Garden City and the Civil Service Employees' Association, which became effective June 1, 2010.

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

PERSONNEL

1. Executive Staff Compensation. It was requested that the following resolution be approved by the Board of Trustees with regard to Executive Staff Compensation.

On motion of Trustee Hyer the following resolution was offered:

RESOLUTION NO. 114-2018

RESOLVED, that as part of the Village's annual salary review, the following annual salary adjustment be made to certain Executive Staff salary, effective June 1, 2018.

	<u>Total Annual Salary</u>
Police Commissioner Kenneth O. Jackson	\$237,715

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

The resolution was declared adopted.

2. Transfer of Funds - Executive Staff Compensation - DiFrancisco. (a) Requested authorization to transfer funds (Fiscal Year 2017/18) as follows: \$6,130.25 from Account 0A.1990.4000 - Contingent, to Account 0A.5010.1010 Street Administration - Regular Salary, to fund the increase in salary for the Superintendent of Public Works effective March 3, 2018.

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

(b) Requested authorization to transfer funds (Fiscal Year 2018/19) as follows: \$25,000 from Account 0A.1990.4000 - Contingent, to Account 0A.5010.1010 - Street Administration - Regular Salary, to fund the increase in salary for the Superintendent of Public Works as of March 3, 2018.

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

(c) Executive Staff Compensation - DiFrancisco. It was requested that the following resolution be approved by the Board of Trustees with regard to Executive Staff Compensation.

On motion of Trustee Hyer the following resolution was offered:

RESOLUTION NO. 115-2018

RESOLVED, that as part of the Village's annual salary review, the following annual salary adjustment be made to certain Executive Staff salary, effective March 3, 2018.

	<u>Total Annual Salary</u>
Superintendent of Public Works Joseph DiFrancisco	\$155,000

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

The resolution was declared adopted.

3. Amendment to CSEA Supervisory Unit Agreement - Parks General Supervisor - Supervisor of Parks - Senior Groundskeeper. Requested authorization to amend the CSEA Supervisory Agreement subject to the approval of the CSEA Supervisory Unit (Civil Service has already granted the Village approval) with the following changes:

Add the following titles to the CSEA Supervisory Unit Agreement:

Salary Range	Position	<u>A</u>	<u>J</u>
Number	Classification	Start	10 Yrs.
28	Parks General Supervisor	\$85,669	\$101,714
29	Supervisor of Parks	\$89,408	\$106,218

Amend the following title to the CSEA Supervisory Unit Agreement:

Salary Range	Position	<u>A</u>	<u>J</u>
Number	Classification	Start	4 Yrs.
29 to 28	Senior Groundskeeper	\$85,669	\$101,714

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

4. Refund of Health Insurance Withholding Deductions Erroneously Deducted from a CSEA Rank and File Employee. Requested authorization to reimburse an employee the sum of \$28,629.33, which sum is the total of amounts incorrectly withheld from the employee's paychecks between October 10, 2000 and May 27, 2018 in the form of health insurance premium contributions. (The Collective Bargaining Agreement for CSEA represented employees has provided that the Village was obligated to fully pay health insurance premiums for employees hired prior to November 6, 1989. Notwithstanding, the ADP payroll system was inadvertently withholding premium contributions between October 10, 2000 and May 27, 2018 from a CSEA represented employee hired on January 19, 1989. The error was discovered by the Village on its own and immediately addressed and, the employee and the Union were notified, and this payment will make the employee "whole".)

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

JUSTICE COURT

Appointment and Compensation for "Per Diem" Prosecutor in Village Justice Court. The Mayor appointed an additional individual, Robert McLaughlin, 53 East Merrick Road, Freeport, New York, to act as an independent contractor to represent the Village Justice Court beginning June 21, 2018 through May 1, 2019, at the rate of \$300 per court session. The Mayor is also authorized to extend the contract for an additional sixty days.

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

BUILDING

Engagement of Professional Services - Project Management - Total Technology Solutions. Request authorization to engage Total Technology Solutions, 1895 Whitman Road, Melville, New York for the project management consulting support for the Tyler Software implementation portion of the Capital Project at a cost not to exceed \$51,100. Funds are available in the 2018/19 Capital Project.

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

RECREATION

1. Professional Service Agreement - Talent Consultant - Steve Dassa Entertainment. Requested authorization to engage the services of Steve Dassa Entertainment, 215 Division Avenue, Levittown, New York at an amount not to exceed \$19,000. Under the terms of the agreement, the "consultant" will receive 10% of the overall cost of each entertainment group

the Village retains through the consultant. Funds are available in the Operating Budget. Village Counsel has approved this agreement as to form.

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

2. Community Park - Field #2 - Reconstruction Project - Design Proposal - Cameron Engineering & Associates, LLP. Requested authorization to engage Cameron Engineering & Associates, LLP, 177 Crossways Park Drive, Woodbury, New York in order to meet a timeline that completes the Reconstruction Project for Community Park - Field #2 for the Spring 2019 Baseball Season. This proposal is for the survey, design, requirements contract administration, construction inspection and administration at a cost of \$103,500. Funds are available in the Capital Budget. Work will not begin prior to the end of the estoppel period.

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

PUBLIC WORKS

1. Additional Contract Work - Street Lighting Maintenance - Anker's Electric Service, Inc. Requested authorization to approve additional funding for Anker's Electric Service, Inc., 10 South Fifth Street, Locust Valley, New York, in the amount of \$12,560. This is due in part to some unplanned and unbudgeted work done in conjunction with the Road Paving Program being done by Nassau County on Stewart Avenue, east of Clinton Road. At the May 18, 2017 Board Meeting the renewal of the contract for Street Lighting Maintenance was approved. Funds are available in Account 0A.5182.4460.

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

2. Consent Order - New York State Department of Environmental Conservation - Garden City Water Tank - Old Country Road. Requested authorization to approve the Agreement between the New York State Department of Environmental Conservation with regard to soil remediation at the Garden City Water Tank Site, Old Country Road, Garden City, New York. This agreement is subject to the review and approval of Village Counsel.

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

3. Engagement of Professional Services - Leak Detection Survey - H2M Architects and Engineers. Requested authorization to engage H2M Architects and Engineers, 538 Broad Hollow Road, Melville, New York to prepare and send a Request for Proposal (RFP) for solicitation of prices to perform a Leak Detection Survey to cover 100% of the Village's distribution system at a total cost of \$3,400. Funds are available in Account OF.8310.4460.

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

4. Renewal of Professional Services Contract - Drug and Alcohol Testing - Tri-State Transportation. Requested authorization to renew the professional services contract with Tri-State Transportation, 6 Cherry Lane, Setauket, New York, in the amount of \$18,000, for Phase II of the testing for compliance with the Federal Department of Transportation Commercial Driver's License (CDL) requirements and the non-CDL employees as required by the CSEA contract. Funds are available in Accounts OA.1640.4460, OA.7110.4460, OA.7140.4460 and OF.8340.4460.

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

5. Installation and Programming of a SCADA Upgrade. It was requested that the following be acted upon with regard to the SCADA and Communication Upgrade:

a) Increase the SCADA Project. Requested authorization to increase the SCADA Project from the original 2016 Capital Budget amount of \$400,000 to \$696,586, which is an increase of \$296,586. The breakdown of costs for this project are as follows:

H2M - SCADA Professional Services	\$ 39,800
H2M - Communication Professional Services	\$ 27,250
Altice (Optimum/Cablevision Services)	\$ 80,755
Eagle Control Services (includes contingency)	\$ 534,000
Contingency	<u>\$ 14,781</u>
Total	\$ 696,586

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

b) Transfer of Funds - SCADA Project. Requested authorization to transfer funds in the amount of \$296,586 from Account OF.1072.0000 - 2016 Capital Project - Building at Well Nos. 13 and 14 to Account OF.1074.0000 - SCADA and Communications Upgrade, in order to complete the SCADA Project.

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

c) SCADA Project - Award Bid - Eagle Control Corp. - SEQRA II. The Village issued a Request for Proposal (RFP) for the Installation and Programming of a SCADA Upgrade, dated April 6, 2018. The RFP was issued to three (3) qualified system integrators and on April 16, 2018, three (3) proposals were received. H2M recommends that the award be made to Eagle Control Corp., 23 Old Dock Road, Yaphank, New York, the second highest bidder in the amount of \$534,000. Funds are available in the Water Fund Project. This is recommended to be a Type II and would then be exempt from further SEQRA Review.

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

d) SCADA Project - Install Communication Lines at Water Well Service Sites - Altice, USA, (Optimum/Cablevision). Requested authorization to engage the services of Altice, USA, (Optimum/Cablevision), 200 Jericho Quadrangle, Jericho, New York to install Communication Lines at Water Well Service Sites at a cost of \$80,755.

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

6. Engagement of Professional Services - Repairs and Refurbishing of the Front Entrance at Village Hall - North Shore Architectural Stone - SEQRA - Type II. Requested authorization to engage the services of North Shore Architectural Stone, 667 Cedar Swamp Road, Brookville, New York at a cost of \$24,000 for the repair and refurbishing of the exterior granite floor, steps, rails and side stones to the entrance at Village Hall. Funds are available in Account 0A.1620.4030. This is recommended to be a Type II and would then be exempt from further SEQRA Review.

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

7. Professional Service Contract - SCADA System and Well Controls - Eagle Control Corp. Requested authorization to engage Eagle Control Corp., 23 Old Dock Road, Yaphank, New York, computer well contractor for additional water well service calls for the Supervisory Control and Data Acquisition System (SCADA) and well controls (for the period July 1, 2018 through June 30, 2019) at the following rates, plus the cost of parts. Funds are available in Account OF.8320.4020.

- I. Field Service Rates:
 - A. Scheduled Work Hours
8:00 a.m. to 5:00 p.m. \$155 per hour
 - B. Overtime Hours
After 5:00 p.m. \$185 per hour
 - C. Emergencies, Saturdays,
Sundays, Legal Holidays \$210 per hour

- II. Engineering Service Rates:
 - A. Scheduled Work Hours
8:00 a.m. to 5:00 p.m. \$175 per hour
 - B. Overtime Work Hours
After 5:00 p.m. \$250 per hour
 - C. Emergencies, Saturdays,
Sundays and Legal Holidays \$300 per hour

Notes: (a) Minimum Service Charge will equal four (4) hours at the appropriate rate.
 (b) There is no additional charge for mileage within a 50 mile radius of the Yaphank office to and from the job site.

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

AWARD OF BIDS

1. Furnish and Install Electric Grinder at Meadow Street Pump Station - SEQRA Type II. Recommended to award the bid to Furnish and Install Electric Grinder at Meadow Street Pump Station to Atlantic Wells, Inc., 58 Fairfields Lane, Huntington Station, New York, low bidder for a total cost of \$93,500. A total of four invitations to bid were sent and three bids were received. A Notice to Bidders was sent to McGraw Hill Information Systems and CMD Group.

On motion of Trustee Hyer the following resolution was offered:

RESOLUTION NO. 116-2018

RESOLVED, that the proposal of Atlantic Wells, Inc., 58 Fairfields Lane, Huntington Station, New York, at a cost of \$93,500 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 Atlantic Wells, Inc., for this work, pursuant to the terms and conditions set forth in the request for bids and in the proposal submitted by said Company, the form of contract to be approved by Village Counsel; and

FURTHER RESOLVED, that all other bids be rejected.

The vote on the foregoing resolution was as follows:

AYES: 8

NOES: 0

The resolution was declared adopted.

Requisition No. 18-2, Dated June 21, 2018, Purchase of Materials for the Public Works Department.

2. Assorted Traffic Signs. (a) Award bid to Vulcan Signs, P.O. Box 1850, Foley, Alabama, low bidder, for Item Nos. 1-14, 16-30, 45-50 and 52-54, on an on-needed basis, based upon unit costs, on file with the Village Clerk.

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

(b) Award bid to Newman Signs, 1606 6th Avenue, Jamestown, North Dakota, low bidder, for Item Nos. 15 and 44, on an as-needed basis, based upon unit costs of \$63.39 and \$22.56, respectively.

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

(c) Award bid to Glenco Supply Inc., P.O. Box 638, Oakhurst, New Jersey, low bidder, for Item No. 51, on an as-needed basis, based upon a unit cost of \$10.

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

A total of eight invitations to bid were sent and three bids were received. A Notice to Bidders was sent to Bid Reporter. Total bid award for Assorted Traffic Signs is \$34,000. Funds are available in Account 0A.5182.4010.

3. Work Uniforms. Award bid for the purchase of Work Uniforms, or Village approved equal, from J & A Uniform Supplies, Inc., 365 Westbury Avenue, Carle Place, New York, low bidder, on an as-needed basis, based upon unit costs, on file with the Village Clerk, for an estimated cost of \$30,000. Funds are available in various accounts. A total of eight invitations to bid were sent and two bids were received. A Notice to Bidders was sent to Bid Reporter.

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

On motion of Trustee Hyer the following resolution was offered:

RESOLUTION NO. 117-2018

RESOLVED, that Requisition No. 18-2, dated June 21, 2018, filed under separate cover, be made a part of these minutes and that materials and equipment be purchased for the Public Works Department in accordance with the recommendations hereinabove set forth, as per specifications and requirements in said requisition, at prices not exceeding those indicated.

FURTHER RESOLVED, that all other bids be rejected.

The vote on the foregoing resolution was as follows:

AYES: 8

NOES: 0

The resolution was declared adopted.

Mayor Daughney recognized the following:

Robert Orosz, 28 Grove Street

Rochelle Dowling, 100 Hilton Avenue

Althea Robinson, 65 Garden Street

Andrew Shumelda, P.O. Box 719

Dr. James Alongi, 40 Hilton Avenue

There being no further business, on motion duly made, the meeting adjourned at 9:28 p.m.