

BOARD OF TRUSTEES

SEPTEMBER 4, 2018

A special meeting of the Board of Trustees of the Village of Garden City in the County of Nassau, New York, was held at the Senior Center, Golf Club Lane in said Village on September 4, 2018 at 7:30 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
Joseph DiFrancisco, Superintendent of Public Works
Irene Woo, Village Treasurer
Courtney Rosenblatt, Village Auditor
Brian G. Gallo, Chief Fire Department
Peter Fishbein, Bee Ready Fishbein Hatter & Donovan, LLP
Chris Kurtz, Bond Schoenek & King, PLLC

Attendance: Approximately 45

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

Mayor Daughney stated that the first item on the agenda was a request from Third Assistant Chief Neil O'Malley of the Garden City Fire Department for the approval of Garden City Volunteer Firefighters, Evelyn Davis, 8 Tremont Street, Christopher Maier, 37 Prescott Street, Mario Scirica, 344 Fairway Drive, Garden City South, John Martinkat, 116 Sixth Street and Keith Cooper, 74 Wilson Street. The Volunteer Fire Department formally accepted them into the Department at their August 2018 monthly meeting.

On motion of Trustee Delany and unanimously carried, Evelyn Davis, Christopher Maier, Mario Scirica, John Martinkat, and Keith Cooper were approved by the Village Board of Trustees to be Volunteer Firefighters for the Garden City Fire Department.

Mayor Daughney called upon Chris Kurtz, Esq., Village Labor Counsel who gave an overview of the Stipulation of Agreement that constituted a global settlement among the Local 1588 Firefighters Union (PFFA), the twelve (12) individual paid members of the Fire Department and the Village of Garden City. Mr. Kurtz then explained the second agenda item, rescind Resolution 128-2018 of July 25, 2018 in connection with the global settlement. Finally, Mr. Kurtz explained the third agenda item, the Ratification of a new Stipulation of Agreement between the CSEA Supervisory Unit and the Village of Garden City that constituted a new successor contract and Collective Bargaining Agreement for the period June 1, 2018 - May 31, 2021 and which has been ratified by the CSEA Supervisors bargaining unit members.

Mayor Daughney called for citizens comments on Agenda items.

NEW BUSINESS

CONSENT CALENDAR

Village Counsel

1. Consideration of a Stipulation of Agreement, dated August 30, 2018, between Local 1588 Firefighters Union (PFFA), twelve (12) individual paid members of the Fire Department and the Village of Garden City - SEQRA - Action Type II.

Trustee Delany offered the following resolution and moved its adoption:

RESOLUTION NO. 129-2018

WHEREAS, the Village of Garden City, the Professional Firefighters Association Local 1588 (the "Union"), and certain individuals constituting current and former Union bargaining unit members (the "individuals") have entered into a Stipulation of Agreement dated August 30, 2018 (the "Agreement") resolving all existing collective bargaining issues, including the manner and timing of the separation from employment of all of the individuals, and the termination of the collective bargaining relationship between the Village and the Union; and

WHEREAS, the Mayor of the Village has heretofore executed said Agreement subject to the approval of this Board; and

WHEREAS, the Agreement has been otherwise fully executed and ratified by all of the parties thereto; and

WHEREAS, after consultation with Counsel and after due deliberation; it is

RESOLVED that the act of the Mayor in executing the Agreement constitutes a Type II act of collective bargaining under the NYS Environmental Quality Review Act ("SEQRA"), and is hereby ratified.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

The resolution was declared adopted.

2. Rescind Resolution 128-2018 of July 25, 2018 in which the Village Board of Trustees abolished the paid/career part of the Fire Department, including all of the positions of the paid/career Firefighters and paid/career Fire Lieutenants.

Trustee Delany offered the following resolution and moved its adoption:

RESOLUTION NO. 130-2018

WHEREAS, on July 25, 2018, the Village did enact Resolution No. 128-2018 (the "Resolution"); and

WHEREAS, said Resolution was enacted pursuant to New York State Village Law 10-1020 and abolished the paid component of the Village Fire Department effective August 27, 2018 (subject to permissive referendum), and further placed paid members of the Fire Department on administrative leave effective July 26, 2018; and

WHEREAS, New York State Village Law 9-906 authorizes the Village to rescind said Resolution at any time prior to the fifteen days preceding the date of any vote on a referendum; and

WHEREAS, no date has been set for a vote on a referendum relating to the Resolution; and

WHEREAS, as a result of collective bargaining with the Professional Fire Fighters Association (the "PFFA") and with the concurrence of all of the individual persons constituting the paid component of the Fire Department (the "individual members," all of whom are former or current members of the paid component of the Fire Department and who were or are represented for collective bargaining purposes by the PFFA)(collectively, the Village, the PFFA and the individual members being the "parties"), the parties have settled the manner in which the individual members will separate (or have separated) from Village employment, and such settlement is memorialized in a STIPULATION OF AGREEMENT dated August 30, 2018 (the "Agreement"); and

WHEREAS, the Agreement has been fully executed and ratified by the parties thereto; and

WHEREAS, such Agreement renders the Resolution unnecessary and its rescission is an element of the Agreement;

NOW THEREFORE, IT IS RESOLVED that Resolution No. 128-2018 is hereby rescinded in its entirety.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

The resolution was declared adopted.

3. Ratification of the Stipulation of Agreement between the CSEA Supervisors Unit and the Village of Garden City for the Collective Bargaining Agreement, period June 1, 2018 through May 31, 2021 - SEQRA - Action - Type II. Ratification is requested of the Stipulation of Agreement which was executed by Village Administrator Suozzi and the President of the CSEA Supervisors Unit on August 8, 2018, and which has been ratified by CSEA Supervisors bargaining unit members. A copy of the Stipulation of Agreement is on file in the Village Clerk's Office.

Trustee Minuto offered the following resolution and moved its adoption:

RESOLUTION NO. 131-2018

WHEREAS, the Village of Garden City and the Civil Service Employees Association, Inc., CSEA Supervisors Unit Local 882, AFSCME, AFL-CIO (the "CSEA Supervisors' Union") have entered into a Stipulation of Agreement dated August 8, 2018 (the "Agreement") resolving certain collective bargaining issues, including the issue of the disputed continuation of the Collective Bargaining Agreement which otherwise expired on May 31, 2018 for the period June 1, 2018 - May 31, 2019, and for the establishment of new terms and conditions for the bargaining unit members for the period through May 31, 2021; and

WHEREAS, the Village Administrator and Labor Counsel have heretofore executed said Agreement subject to the approval of this Board; and

WHEREAS, the Agreement has been otherwise fully executed and ratified by all of the parties thereto; and

WHEREAS, after consultation with Counsel and after due deliberation;

BE IT RESOLVED that the act of the Village Administrator and Labor Counsel in executing the Agreement constitutes a Type II act of collective bargaining under the NYS Environmental Quality Review Act ("SEQRA"), and is hereby ratified; and

BE IT RESOLVED that the Village Administration and Labor Counsel are authorized and directed to take all steps necessary to incorporate the Agreement into a new full Collective Bargaining Agreement, and that upon doing so;

IT IS FURTHER RESOLVED that the Mayor be and he hereby is authorized to execute the new full Collective Bargaining Agreement.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

The resolution was declared adopted.

There being no further business, on motion duly made, the meeting adjourned at 7:50 p.m.