

BOARD OF TRUSTEES

OCTOBER 18, 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 October 18, 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
Kevin E. Ocker, Chairman, Board of Commissioners of Cultural and Recreational Affairs
Joseph DiFrancisco, Superintendent of Public Works
Irene Woo, Village Treasurer
Lieutenant Gerard Kneisel, Police Department
Darnell Morrow, Bee Ready Fishbein Hatter & Donovan, LLP

Attendance: Approximately 18

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 Chief Brian G. Gallo of the Garden City Fire Department for the approval of Garden City Volunteer Firefighter, Cody R. George, 58 Osborne Road. The Volunteer Fire Department formally accepted him into the Department at their October 2018 monthly meeting.

On motion of Trustee Delany and unanimously carried, Cody R. George was approved by the Village Board of Trustees to be a Volunteer Firefighter for the Garden City Fire Department.

Mayor Daughney called upon Ralph Suozzi who spoke about the adoption of the “New York State Sexual Harassment Prevention” Policy and Joseph DiFrancisco who gave an overview of the retention of Langan Engineering Environmental Services, Inc.

Mayor Daughney 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 October 4, 2018 were reviewed, and on motion of Trustee Hyer were approved as presented.

NEW BUSINESS

CONSENT CALENDAR

FINANCE

1. Appropriation of Termination Reserve. Requested authorization to appropriate \$9,014.91 from Account OA.8670.0000 - Reserve for Compensated Absences to Account OA.9000.1220 Termination Payout for payments from the Reserve maintained for that purpose for Police Aide, Patrick Cooke. This is to fund the contractual termination payment due to an employee who has left Village service.

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 - Graber. Requested authorization to pay Police Officer Scott Graber through November 15, 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 Police Benevolent Association, which became effective June 1, 2014.

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

PUBLIC WORKS

2. Sick Leave - Two Employees. Requested authorization to pay Gary Kornova, Senior Motor Equipment Operator, Street Department and Nicholas J. Brusack, Sanitation Worker, Sanitation Department through November 15, 2018 or such earlier date as they may be able to return to duty as determined by the Village medical advisor and pursuant to the provisions of the contract between the Incorporated Village of Garden City and the Civil Service Employees' Association, which became effective June 1, 2010.

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

HUMAN RESOURCES

Adoption of a "Sexual Harassment Prevention Policy". Requested authorization for the Village of Garden City to adopt a "Sexual Harassment Prevention Policy", pursuant to newly enacted New York State Sexual Harassment Legislation that became effective on October 9, 2018. This recently enacted legislation established a minimum standard for a sexual harassment prevention policy and requires annual employee training to which employers must adhere. This policy has been reviewed by Counsel. A copy of this policy is on file with the Village Clerk.

On motion of Trustee Delany the following resolution was offered:

RESOLUTION NO. 144-2018

WHEREAS, New York State has recently enacted legislation requiring employers, including public employers, to adopt "Sexual Harassment Prevention Policy" and "Sexual Harassment Prevention Training" meeting certain minimum standards; and

WHEREAS, the Village has reviewed the model policy and model training promulgated by the State in connection therewith; and

WHEREAS, the Village has determined to adopt said model policy and model training in substantially the form promulgated by the State;

NOW THEREFORE BE IT RESOLVED by the Village of Garden City that the "Sexual Harassment Prevention Policy" is hereby enacted, effective October 9, 2018.

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

The resolution was declared adopted.

BOARD OF TRUSTEES

1. Retention of Real Estate/Zoning Counsel to advise the Village on matters related to Zoning and Tax of Not-For Profit Real Estate Uses. Requested authorization to retain a firm to advise the Village of matters related to Zoning and Tax of Not-For Profit Real Estate Uses.

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

2. Retention of Langan Engineering & Environmental Services, Inc. to provide expert advice necessary for the preparation and the execution of an Emerging Contaminant Action Plan. Requested authorization to engage the firm of Langan Engineering Services, Inc., 21 Penn Plaza, 360 West 31st Street, New York, New York to provide expert advise necessary for the preparation and the execution of an Emerging Contaminant Action Plan, at a cost of \$25,000.

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

EXTERNAL COMMUNICATIONS

PERMITS:

Solicitations:

1. American Legion Auxiliary, William Bradford Turner Post, Unit 265, requested authorization to distribute poppies in the area surrounding the Veterans Memorial at the Library on Seventh Street on Veterans Day, Sunday, November 11, 2018 and also to distribute poppies throughout Garden City for the month of November.

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

2. Boy Scouts of America, Cub Scout Pack 55, requested to sell poinsettias and wreaths door-to door, beginning November 1 through November 30, 2018 between the hours of 11:00 a.m. to 5:00 p.m. Saturdays from 11:00 a.m. -5:00 p.m. Invited call backs only between the hours of 8:00 p.m. - 9:00 p.m.

On motion of Trustee Delany and unanimously carried, the aforesaid authorization was approved, subject to compliance with Chapter 155 of the Village Code.

On-Street Parking

3. Robert Stone, 13 Meadow Street (1)

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

BOARD OF TRUSTEES

Board of Trustees Work Session to discuss potential retention of The Sports Facilities Advisory Company to assist with gathering public input, preparing use and programming information and financial projections, potential retention of architects and structural engineers and construction management professionals as well as other matters related to continued development of the previously announced related St. Paul's Concept Plan for creating a cultural and recreational based facility at the former St. Paul's School. After discussion among the Mayor, Board and a few members of the audience, the following matters took place:

TEMPORARILY SUSPEND THE RULES AND PROCEDURES

On motion of Trustee Makrinos the following resolution was offered:

RESOLUTION NO. 145-2018

RESOLVED, to temporarily suspend the Rules and Procedures of the Board of Trustees, to add items to the agenda, specifically the retention of a firm for the St. Paul's Concept Plan and a transfer of funds.

The vote on the foregoing resolution was as follows:

AYES: 8

NOES: 0

The resolution was declared adopted.

St. Paul's - Transfer Funds - Engage The Sports Facilities Advisory. Requested authorization to transfer funds as follows:

(a) \$130,000 to Account 0A.9950.9000 Capital Projects (to fund Account 0H.7140.2103 St. Paul's Recreation Facility), from Account 0A.1990.4000 - Contingent for the engagement of The Sports Facilities Advisory Company, as per their Agreement (\$110,000 fees plus reimbursable travel expenses).

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

(b) Engage The Sports Facilities Advisory (SFA), for Market Opportunity Analysis and recommended facility details for St. Paul's at a cost of approximately \$130,000. pursuant to a contract in substantially the form proposed (on file with the Village Clerk) and subject to review by Counsel.

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

2. Board of Trustees Work Session to discuss the creation of Term Limits for Chairpersons of Planning Commission, Zoning Board of Appeals and Architectural Design Review Board. After a short discussion among the Board of Trustees, it was agreed that Counsel would draft a local law limiting the term of office for Chairpersons of Planning Commission, Zoning Board of Appeals and Architectural Design Review Board to a seven year term.

Mayor Daughney recognized the following:

Andrew Shumelda, P.O. Box 719

Leo Stimmler, 67 Huntington Road

Robert Orosz, 28 Grove Street

Steve Ilardi, 139 Meadow Street

On motion of Trustee Delany, the Board recessed to executive session at 10:00 p.m. for advice of Counsel. The Board reconvened at 11:44 p.m.

There being no further business, on motion duly made, the meeting adjourned at 11:45 p.m.