

BOARD OF TRUSTEES

JANUARY 11, 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 January 11, 2018 at 8:10 p.m.

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

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
Ausberto Huertas, Jr., Superintendent, Building Department
Joseph DiFrancisco, Superintendent of Public Works
Irene Woo, Village Treasurer
Brian G. Gallo, Chief Fire Department
Peter A. Bee, Bee Ready Fishbein Hatter & Donovan, LLP

Attendance: Approximately 33

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 a Special Police Officer.

Deputy Mayor Trouvé administered the Oath of Office to Special Police Officer Arthur Mirante of the Garden City Special 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 a Garden City Volunteer Firefighter, Joseph A. Philippas, 153 Locust Street. The Volunteer Fire Department formally accepted him into the Department at their January 2018 monthly meeting.

On motion of Trustee Makrinos and unanimously carried, Joseph A. Philippas was approved by the Village Board of Trustees to be a Volunteer Firefighter for the Garden City Fire Department.

Mayor Daughney called upon Joseph DiFrancisco who spoke about the Whitehall Boulevard water main break as well as the most recent Brixton Road water main break. Commissioner Jackson reported that one of his employees has returned to duty full time, therefore, there are only two employees from his department out on extended sick leave. Kevin Ocker spoke about the Award of Bid for the Grounds Maintenance Contract with ConKel. Ausberto Huertas reported on the possible software change for the Building Department which will help with productivity in his Department which will also enable the homeowners and contractors to access information on-line. Ralph Suozzi reported on the topic of e-bidding.

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 December 19, 2017 were reviewed, and on motion of Trustee DeMaro were approved as presented.

NEW BUSINESS

FORMAL AGENDA

1. Set Date - Annual Tax Lien Sale. Reported that a detailed account of all 2017 Village tax arrears had been filed, pursuant to the provisions of Section 1438 of the Real Property Tax Law, including a description of the lands on which such taxes remain unpaid as the same were placed on the original rolls, that the members of the Board compared such account with the original 2017 tax rolls and found the same to be a true and correct record of the Village taxes remaining unpaid for said year, and the Tax Collection Account of the Village Clerk was ordered credited with the amount thereof, namely \$843,532.59.

On motion of Trustee Delany the following resolution was offered:

RESOLUTION NO. 1-2018

RESOLVED, that a tax sale of all property on which the 2017 Village Tax remains unpaid, as shown on the tax rolls of the Village of Garden City, is hereby ordered to be held in the Village Hall on the 30th day of March, 2018, commencing at 10:00 a.m., and that such sale be conducted by the Treasurer in the manner provided and prescribed by Section 1454 of the Real Property Law of the State of New York, and that such real property be sold subject to the provisions of the New York State and Federal Soldiers' and Sailors' Civil Relief Acts, as amended, insofar as the same may be applicable to the owners of any of said real estate; and

FURTHER RESOLVED, that the Treasurer is hereby directed to publish in the Village's official newspaper, for three consecutive weeks ending on or before March 9, 2018, a list of the real property upon which the 2017 Village Tax is unpaid, with the amount of the tax, interest and other charges thereon, together with a notice that said real property will be sold at public auction, at the same time and place stated above, to discharge the tax, interest, fees and charges due at the time of sale.

The vote on the foregoing resolution was as follows:

AYES: 8

NOES: 0

The resolution was declared adopted.

CONSENT CALENDAR

FINANCE

1. Appropriation of Revenue - Recreation. Requested authorization to appropriate \$3,350.55 from Account OA.2705.1000 - Gifts and Donations, received from various donations, to Account OA.7140.2000 - Recreation - Equipment, to be used to purchase one memorial tree, three benches and four memorial plates.

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

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

a) YG Equities. Requested authorization for the proposed settlement with YG Equities, an office building, with regard to property located at 500 Old Country Road, Garden City, Account No. 02023-0-001, which would result in a refund of \$30,000, without interest, for the tax years 2012/13 through 2017/18 with a new assessment of \$115,000.

Trustee Trouvé offered the following resolution and moved its adoption:

RESOLUTION NO. 2-2018

WHEREAS, YG Equities, has commenced proceedings pursuant to the Real Property Tax Law to review the assessment on property located at 500 Old Country Road in the Village of Garden City for the tax years 2012/13 through 2017/18; and

WHEREAS, the petitioner, after discussion with the Village Assessor and Village Counsel, has offered to settle these proceedings; and

WHEREAS, the Village Assessor and Village Counsel have recommended that these matters be settled upon the terms and conditions set forth below;

NOW, THEREFORE, BE IT RESOLVED, that Village Council is hereby authorized to settle such proceedings by stipulation and consenting to an order directing a refund of \$30,000 for the tax years 2012/13 through 2017/18, with a new assessment of \$115,000 for the property described on the Village Assessment Roll as 500 Old Country Road, Account No. 02023-0-001.

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) Hampshire House, LLC. Requested authorization for the proposed settlement with Hampshire House, LLC, a condominium building, with regard to property located at 111 Seventh Street, Garden City, Account Nos. 02939-001 through 02939-071, which would result in a refund of \$220,000, without interest, for the tax years 2008/09 through 2017/18 with a new assessment of \$190,000.

Trustee Trouvé offered the following resolution and moved its adoption:

RESOLUTION NO. 3-2018

WHEREAS, Hampshire House, LLC, has commenced proceedings pursuant to the Real Property Tax Law to review the assessment on property located at 111 Seventh Street in the Village of Garden City for the tax years 2008/09 through 2017/18; and

WHEREAS, the petitioner, after discussion with the Village Assessor and Village Counsel, has offered to settle these proceedings; and

WHEREAS, the Village Assessor and Village Counsel have recommended that these matters be settled upon the terms and conditions set forth below;

NOW, THEREFORE, BE IT RESOLVED, that Village Council is hereby authorized to settle such proceedings by stipulation and consenting to an order directing a refund of \$220,000 for the tax years 2008/09 through 2017/18, with a new assessment of \$190,000 for the property described on the Village Assessment Roll as 111 Seventh Street, Account No. 02939-001 through 02939-071.

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.

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

(a) \$9,200 from Account 0A.1990.4000 - Contingent, to Account 0A.1620.4030 - Building - Maintenance of Plant, to fund repairs for Fire Department Headquarters (correct wiring), Police Department ("cap" steam line) and Village Hall (sump pump repair).

On motion of Trustee Trouvé 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.1990.4000 - Contingent, to Account 0A.5142.4010 - Snow Removal - Materials and Supplies, to fund the purchase of additional salt, as December salting events have used most of budgeted amounts.

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

(c) \$80,000 from Account 0A.1990.4000 - Contingent, to Account 0H.8120.2020 - Sanitary Sewers - Sewer Repairs, to fund emergency repair of collapsed sewer main on Whitehall Boulevard.

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

SICK LEAVE

POLICE

1. Sick Leave - Two Employees. Requested authorization to pay Angelo Barone, Detective and Brian Caputo, Police Officer through February 8, 2018 or such earlier date as they may be able to return to duty as determined by the Village medical advisor and pursuant to the provisions of the contract between the Incorporated Village of Garden City and the Police Benevolent Association, which became effective June 1, 2014.

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

PUBLIC WORKS

2. Sick Leave - Four Employees. Requested authorization to pay Barry Parkhill, Motor Equipment Operator, Street Department, John Valentine, Motor Equipment Operator, Street Department, John Anselmo, Labor Supervisor, Street Department and Steven Batz, Senior Auto Mechanic, Village Shop through February 8, 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 Trouvé and unanimously carried, the aforesaid authorization was approved.

VILLAGE ADMINISTRATOR

1. Attendance at the New York State Government Finance Officers Association (GFOA) 39th Annual Conference. Requested authorization for Courtney Rosenblatt, Village Auditor, to attend the Government Finance Officers Association (GFOA) 39th Annual Conference, scheduled for March 20 through March 23, 2018 in Albany, New York, at an approximate cost of \$1,300. Funds are available in the Operating Budget.

On motion of Trustee Trouvé and unanimously carried, Courtney Rosenblatt, Village Auditor, was authorized to attend the aforesaid conference and to be reimbursed for such expenses as she may incur in connection therewith.

PUBLIC WORKS

1. Attendance at the American Water Works New York Section Spring Meeting. Requested authorization for Domenick Stanco, Deputy Superintendent of Public Works and James Gildea, III, Supervisor of Water Pumping, Water Department, to attend the American Water Works New York Section Spring Meeting, scheduled for April 10 through April 12, 2018 in Saratoga Springs, New York, at an approximate cost of \$1,800. Attendance is required in order to maintain the Water Plant Operators Licenses of the two attendees. Funds are available in the Operating Budget.

On motion of Trustee Trouvé and unanimously carried, Domenick Stanco, Deputy Superintendent of Public Works and James Gildea, III, Supervisor of Water Pumping, Water Department, were authorized to attend the aforesaid conference and to be reimbursed for such expenses as they may incur in connection therewith.

2. Agreement between 555 Stewart Acquisition, LLC and the Village of Garden City - Dumping of Snow on the Premise. Requested to ratify the Agreement with 555 Stewart Acquisition, LLC and the Village of Garden City. This will allow the Village to stockpile snow and store snow during the winter months at the above Parking Field in exchange for the Village's performance of certain property maintenance work on the licensed premises through April 30, 2018. Village Counsel has reviewed this agreement and approved it as to form. This agreement is recommended to be a Type II and would then be exempt from further SEQRA Review.

On motion of Trustee Trouvé and unanimously carried, the aforesaid request was ratified.

3. Professional Rate Services Renewal - Mechanical Well Contractor - Various Wells and Pump Stations - Atlantic Wells, Inc. Requested authorization to engage Atlantic Wells, Inc., 58 Fairfield Lane, Huntington Station, New York, Mechanical Well Contractor for well pump and booster pump service calls for the 2017-2018 fiscal year. Funds are available in Account OF.8320.4020. The following are the rates:

<u>Labor Item</u>	<u>Standard Hourly Rates</u>	<u>Overtime Rate #1</u>	<u>Overtime Rate #2</u>
First Plumber	\$119	\$178.50	\$238
Laborer	\$95	\$142	\$190
Additional Charges	Service Truck Charge	\$130	

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

4. Snow Plowing Rates - Pratt Brothers, Inc. Requested authorization to approve the snow plowing rates with Pratt Brothers, Inc., 45 South Fourth Street, Bay Shore, New York, which are in accordance with Nassau Community College requirements as follows: Payloader/Caterpillar, four hours for \$1,100 and Backhoe/Dynahoe, four hours for \$1,050. The additional rates are on file in the Village Clerk's Office.

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

5. Emergency Repair - Sewer Main - Whitehall Boulevard. (a) Requested authorization to increase the Capital Project for the Sewer Repairs from \$213,913 to \$293,913 for the emergency repair of the collapsed sewer main on Whitehall Boulevard.

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

(b) Transfer Funds - Sewer Main - Whitehall Boulevard. Requested authorization to transfer \$80,000 from Account 0A1990.4000 - Contingent to Account 0H.8120.2020 - Capital Projects - Sewer Repairs, to fund the emergency repair of the collapsed sewer main on Whitehall Boulevard.

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

RECREATION

Purchase Capital Equipment - Sanding Unit - Dejana Truck and Utility Equipment. Requested authorization to purchase a new sanding unit to be installed on a 2017 dump body truck from Dejana Truck and Utility Equipment, 490 Pulaski Road, Kings, Park, New York at a cost of \$4,960. This truck currently has a plow but no sander. Recreation and Parks snow equipment is utilized in Village-wide snow operation and the addition of a sander will aid overall operations. This sander was not part of the Recreation Department's original Capital Equipment request for 2016/17. Funds are available in Account OH.7140.2000.

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

AWARD BID

Grounds Maintenance Contract - Con-Kel Landscaping, Inc. Reported that a tabulation of bids had been circulated to each Member of the Board for the Grounds Maintenance Contract and recommended that the bid be awarded to Con-Kel Landscaping, Inc., 220 Crocus Avenue, Floral Park, New York, low bidder for two months of base bid (Item #1) at \$30,087.50 per month for Fiscal Year 2017/18 (\$60,175) and pending approval of the 2018/19 budget, six months of base bid (Item #1) at \$30,087.50 per month (\$180,525) and pending approval of the 2018/19 budget, alternate/optional (Item #1a) one unit (pruning) at \$14,150. This project is recommended to be a Type II and would then be exempt from further SEQRA Review.

He added that specification pickups reached a total of seven companies and two bids were received. A Notice to Bidders was sent to Sipala Landscape Services, Brightview Landscape Services, Harder Services, Wade Associates, McGraw Hill Information Systems and CMD Group.

On motion of Trustee Trouvé the following resolution was offered:

RESOLUTION NO. 4-2018

RESOLVED, that the proposal of Con-Kel Landscaping, Inc., 220 Crocus Avenue, Floral Park, New York, at unit costs, 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 Con-Kel Landscaping, Inc., for this work, pursuant to the terms and conditions set forth in the request for bid and in the proposal submitted by said Company, the form of contract to be approved by Village Counsel; and

The vote on the foregoing resolution was as follows:

AYES: 8

NOES: 0

The resolution was declared adopted.

EXTERNAL COMMUNICATIONS

PERMITS:

On-Street Parking:

1. William and Marilyn Prager, 16 Franklin Court (2). This is recommended to be a Type II and would then be exempt from further SEQRA Review.

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

TRUSTEE WORK SESSION

Mr. Alan Schwalberg, Vice President, Emergency Medical Services, Northwell Health presented a power point presentation with regard to the ambulance services that his company offers.

Mayor Daughney recognized the following:

Dave Matteini, 76 Fourth Street

William Bellmer, 156 Poplar Street

On motion of Trustee Delany, the Board recessed to executive session at 9:35 p.m. for the advice of Counsel and personnel matters. The Board reconvened at 10:49 p.m.

There being no further business, on motion duly made, the meeting adjourned at 10:50 p.m.