

BOARD OF TRUSTEES

JANUARY 17, 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 January 17, 2019 at 8:05 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  
Joseph DiFrancisco, Superintendent of Public Works  
Giuseppe Giovanniello, Superintendent of Building  
Brian G. Gallo, Chief Fire Department  
Peter A. Bee, Bee Ready Fishbein Hatter & Donovan, LLP

Attendance: Approximately 45

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 ratification of the election of a Fire Department Officer. Engine Company 2<sup>nd</sup> Lieutenant Michael V. Tamke left the department and to fill the vacancy, a Special Election of the Company was held on December 12, 2018 and Brian E. Reilly was elected. Trustee Delany administered the Oath of Office to 2<sup>nd</sup> Lieutenant Brian E. Reilly.

On motion of Trustee Delany the following resolution was offered:

RESOLUTION NO. 1-2019

RESOLVED, that the action taken by the members of the Garden City Fire Department of a Special Election at the Meeting of said Department held on December 12, 2018 in electing Brian E. Reilly, 2<sup>nd</sup> Lieutenant Engine (replacing 2<sup>nd</sup> Lieutenant Michael V. Tamke), to serve during the ensuing year, be and the same hereby is ratified and approved.

The vote on the foregoing motion was as follows:

AYES: 8

NOES: 0

Motion carried.

Mayor Daughney stated that the next 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 Firefighters Tyler R. Friedman, 422 Netherlends North, Hempstead, New York and Jonathan M. Hadden, 167 Bette Road, East Meadow, New York. The Volunteer Fire Department formally accepted them into the Department at their January 2019 monthly meeting.

On motion of Trustee Delany and unanimously carried, Tyler R. Friedman and Jonathan M. Hadden were approved by the Village Board of Trustees to be Volunteer Firefighters for the Garden City Fire Department.

Mayor Daughney called upon Mr. Justin Burke, Director of External Affairs, NYU/Winthrop University, and thanked him for the donation of an electronic scoreboard for use at Community Park. Ralph Suozzi reported on the Con-Kel Contract and noted that there was a correction with regard to the cost of the services for PKAD Architecture & Design, which should be \$21,500. Irene Woo reported on the agenda Finance items, Joseph DiFrancisco reported on his Public Works agenda items, gave an update on the Water Tower Project and Chief Gallo who spoke about the Hesse Estate agenda item.

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 6, 2018 were reviewed, and on motion of Trustee Bolebruch were approved as presented.

## NEW BUSINESS

### FORMAL AGENDA

1. Set Date for Public Hearing - Property Tax Levy Cap Override. After discussion, Mayor Daughney introduced the following resolution and moved its adoption:

#### RESOLUTION NO. 2-2019

RESOLVED, that the Board of Trustees hold a public hearing on a proposal to enact a Local Law entitled, "A Proposed Local Law to Authorize the Village to adopt a Property Tax Levy in Excess of the Limit Established in General Municipal Law Section 3-c", so as to permit the Village to override the State imposed property tax levy cap for the fiscal year commencing June 1, 2019". The classification of action from Village Staff is Type II, no further action is required.

FURTHER RESOLVED, that the Clerk be and she hereby is authorized and directed to publish and post a notice of a public hearing with regard to the adoption of such local law to be held at the Village Hall, 351 Stewart Avenue, in said Village at 8:00 p.m. on the 13<sup>th</sup> day of February, 2019.

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

AYES: 8  
NOES: 0

The resolution was declared adopted.

2. Set Date for Public Hearing - A Proposed Local Law to Amend the Village Code in Relation to Street Openings, Clarifying the Application of Same and Adding Provisions to Limit Re-Openings and Re-Pavings in Less than Three Years. After discussion, Trustee Hyer introduced the following resolution and moved its adoption:

#### RESOLUTION NO. 3-2019

RESOLVED, that the Board of Trustees hold a public hearing on a proposal to enact a Local Law entitled, "A Proposed Local Law to Amend the Village Code in Relation to Street Openings, Clarifying the Application of Same and Adding Provisions to Limit Re-Openings and Re-Pavings in Less than Three Years". The classification of action from Village Staff is Type II, no further action is required.

FURTHER RESOLVED, that the Clerk be and she hereby is authorized and directed to publish and post a notice of a public hearing with regard to the adoption of such local law to be held at the Village Hall, 351 Stewart Avenue, in said Village at 8:00 p.m. on the 13<sup>th</sup> day of February, 2019.

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

AYES: 8  
NOES: 0

The resolution was declared adopted.

3. Set Date - Annual Tax Lien Sale. Reported that a detailed account of all 2018 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 2018 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 \$776,598.42.

On motion of Trustee Delany the following resolution was offered:

RESOLUTION NO. 4-2019

RESOLVED, that a tax sale of all property on which the 2018 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 29<sup>th</sup> day of March, 2019, 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 10, 2019, a list of the real property upon which the 2018 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.

4. Set Date for Public Hearing - Proposed Budget for Fiscal Year 2019/2020. After discussion, Trustee Foley introduced the following resolution and moved its adoption:

RESOLUTION NO. 5-2019

RESOLVED, that the Board of Trustees hold a public hearing on the proposed budget for Fiscal Year 2019-2020.

FURTHER RESOLVED, that the Clerk be and she hereby is authorized and directed to publish and post a notice of a public hearing with regard to the proposed budget for Fiscal Year 2019-2020 to be held at the Village Hall, 351 Stewart Avenue, in said Village at 8:00 p.m. on the 8<sup>th</sup> day of April, 2019.

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

AYES: 8  
NOES: 0

The resolution was declared adopted.

CONSENT CALENDAR

FINANCE

1. Appropriation of Termination Reserve. Requested authorization to appropriate an additional \$734.09 from Account 0A.8670.0000 Reserve for Compensated Absences, to Account 0A.9000.1220 Termination Payout for Stephen Batz, Department of Public Works, who left Village service.

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

2. Professional Service Proposal - Sound Actuarial Consulting - Worker's Compensation and General Liability Self-Insured and other Insurance Coverages. Requested authorization to engage Sound Actuarial Consulting, 403 Main Street, Port Jefferson, New York, to perform an actuarial analysis of the Village's Worker's Compensation, General Liability Self-Insured and Other Insurance Coverages, at a cost not to exceed \$15,500 for fiscal year 2019/2020. This study is required for fiscal year end statements where a municipality is self-insured.

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

3. Professional Service Proposal - Sound Actuarial Consulting - Post-Employment Benefits (OPEB) - GASB-75. Requested authorization to engage Sound Actuarial Consulting, 403 Main Street, Port Jefferson, New York, to perform actuarial analysis of the Village's Other Post-Employment Benefits (OPEB), in accordance with GASB Statement No. 75, at a cost of \$12,000. The results of this analysis will be used to draft notes and disclosures on the Village's May 31, 2019 financial statements.

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

4. Tax Certiorari Settlement. Requested authorization to settle the following tax certiorari:

(a) Fortuna L.I., LLC - Garden City Hotel. Requested authorization for the proposed settlement with Fortuna L.I., LLC, Garden City Hotel, with regard to property located at 45 Seventh Street, Garden City, Account No. 02268-0-001, which would result in a refund of \$52,500 and no new assessment. This is for tax years 2013/14 through current fiscal year 2018/19.

Trustee Minuto offered the following resolution and moved its adoption:

RESOLUTION NO. 6-2019

WHEREAS, Fortuna L.I., LLC, Garden City Hotel, has commenced proceedings pursuant to the Real Property Tax Law to review the assessment on property located at 45 Seventh Street in the Village of Garden City for the tax years 2013/14 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 \$52,500, and no new assessment, for tax years 2013/14 through 2018/19, for the property described on the Village Assessment Roll as 45 Seventh Street, Account No. 02268-0-001.

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.

5. Attendance at the New York State Government Finance Officers Association (GFOA) 40<sup>th</sup> Annual Conference. Requested authorization for Darcia Palmer, Deputy Village Treasurer, to attend the Government Finance Officers Association (GFOA) 40<sup>th</sup> Annual Conference, scheduled for March 25 through March 29, 2019 in Albany, New York, at an approximate cost of \$1,300. Funds are available in the Operating Budget.

On motion of Trustee Minuto and unanimously carried, Darcia Palmer, Deputy Village Treasurer, was authorized to attend the aforesaid conference and to be reimbursed for such expenses as she may incur in connection therewith.

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

(a) \$20,000 to Account 0A.1310.4160 Finance - Consultant Fees, from Account 0A.1310.1010 Finance - Regular Salary, to fund Accountant Temps until positions are filled.

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

(b) \$25,000 to Account 0A.7140.4030 Recreation - Maintenance of Plant, from Account 0A.1990.4000 Contingent, for electrical and security improvements to establish the Winthrop Ambulance station at St. Paul's.

On motion of Trustee Minuto 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 - Viglietta. Requested authorization to pay Anthony Viglietta, Senior Maintainer, Recreation and Parks through February 13, 2019 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 Minuto and unanimously carried, the aforesaid authorization was approved.

#### POLICE

2. Sick Leave - Two Employees. Requested authorization to pay Police Officer Scott Graber and Police Officer Michael Punch through February 13, 2019 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 Minuto and unanimously carried, the aforesaid authorization was approved.

## PUBLIC WORKS

3. Sick Leave - Two Employees. Requested authorization to pay Gary Kornova, Senior Motor Equipment Operator, Street Department and Joseph Kratina, Sanitation Worker, Sanitation Department through February 13, 2019 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 Minuto and unanimously carried, the aforesaid authorization was approved.

## VILLAGE ADMINISTRATOR

1. MHANY Management, Inc. - Appropriation of Funds. Requested authorization for the appropriation of funds in the amount of \$4,000,000 to fund the 2018/19 payments from Account 0A.1930.4000 - Judgements and Claims due to the MHANY Management, Inc., settlement.

On motion of Trustee Minuto and unanimously carried, the aforesaid recommendation for an appropriation of funds was approved.

2. MHANY Management, Inc. - Letter Agreement. Requested authorization with regard to a Resolution ratifying the action of the Mayor in executing a certain Letter Agreement dated December 28, 2018, between the Village and the attorneys for the plaintiffs in MHANY Management, Inc. et al. v. County of Nassau, et al. (CV-05-2301) with respect to the installment payment and full satisfaction thereby of a judgment in the amount of \$5,255,108.94 for attorneys' fees and costs entered on December 20, 2018 in the aforesaid action, a copy of which Letter Agreement is on file with the Village Clerk.

On motion of Trustee Minuto and unanimously carried, the aforesaid recommendation was ratified.

3. Acceptance of Donation - NYU/Winthrop - Electronic Scoreboard - Community Park. Requested authorization for the acceptance and donor recognition of a conditional gift from NYU/Winthrop of \$140,000 in three installments (\$100,000 forthwith, and \$20,000 in each of the next two years), to be used for the purchase, installation and maintenance of an electronic scoreboard at Community Park (the specifications for which are to be in the discretion of the Village).

On motion of Trustee Minuto the following resolution was offered:

### RESOLUTION NO. 7-2019

WHEREAS, the NYU/Winthrop Hospital has offered to donate monies to the Village for the purchase, installation and maintenance of a scoreboard at Community Park; and

WHEREAS, such monies would total \$140,000 in three installments (\$100,000 forthwith, and \$20,000 in each of the next two successive years); and

WHEREAS, the Village desires to accept such funds for such purpose; and

WHEREAS, the Village also wishes to publically acknowledge the donor such gift;

NOW THEREFORE, IT IS RESOLVED that the Village Administrator is authorized and directed to prepare plans and specifications for an installed scoreboard and to advertise for bidders thereafter; and

BE IT RESOLVED that, conditional upon the simultaneous events of an award by this Board of a contract for the purchase and installation of the scoreboard, and the receipt by the Village of the first installment of the gifted monies, the Mayor is authorized to accept such gift for such purpose, and

IT IS FURTHER RESOLVED that, while not conditional on same, the Village desires that the gift be acknowledged with appropriate inscription on the scoreboard identifying the donor and visible to the public, such inscription to be maintained until at least one year after the final payment is made.

The vote on the foregoing resolution was as follows:

AYES: 8  
NOES: 0

The resolution was declared adopted.

4. Attendance at the New York State Government Finance Officers Association (GFOA) 40<sup>th</sup> Annual Conference. Requested authorization for Courtney Rosenblatt, Village Auditor, to attend the Government Finance Officers Association (GFOA) 40<sup>th</sup> Annual Conference, scheduled for March 25 through March 29, 2019 in Albany, New York, at an approximate cost of \$1,300. Funds are available in the Operating Budget.

On motion of Trustee Minuto 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.

#### CLERK'S OFFICE

1. Memorandum of Agreement - Nassau County Board of Elections. Requested authorization to enter into an agreement with the Nassau County Board of Elections for their assistance in the Village's March 19, 2019 election.

Trustee Minuto offered the following resolution and moved its adoption:

#### RESOLUTION NO. 8-2019

WHEREAS, the Village will be conducting and administering an election on March 19, 2019, and is seeking the assistance of the Board of Elections, in providing election services consisting of the provision and usage of voting machines, all equipment and supplies necessary to conduct voting operations (hereafter collectively referred to as "voting systems"); as well as training and assistance concerning voting machine operations;

WHEREAS, pursuant to Section 3-224 of the New York State Election Law, the Board of Elections may permit Villages within the County to use its voting machines and other equipment, for the conduct of elections, upon such terms and conditions as shall be fixed by the Board of Elections and agreed to by both the Board of Elections and the Village; and

NOW THEREFORE, the parties named above hereby enter into an Agreement applicable to the Village election being held March 19, 2019, and any subsequent run-off election(s) related thereto.

The vote on the foregoing resolution was as follows:

AYES: 8  
NOES: 0

The resolution was declared adopted.

2. Annual Village Election - March 19, 2019. Trustee Minuto offered the following resolution and moved its adoption:

#### RESOLUTION NO. 9-2019

RESOLVED, that pursuant to Section 15-116 of the Election Law, the following

residents and qualified voters of the Village be and hereby are appointed Inspectors of Election therein until their successors are appointed:

Matt Cody, Chairperson/Inspector  
106 Tullamore Road

Irene Christie, Inspector  
117 Weyford Terrace

Carolyn Pelgrim, Inspector  
84 Roxbury Road

Betty Lesmez, Inspector  
122 Tullamore Road

Michael DeSimone, Inspector  
7 Brompton Road

Linda Patriquin, Inspector  
117 Weyford Terrace

Richard McGee, Inspector  
127 Manor Road

Mary Quinn, Inspector  
117 Second Street

Laura Graney, Alternate  
14 Cambridge Avenue

Lois Till, Alternate  
22 St. Paul's Place

The compensation is hereby fixed as follows: Chairperson at the rate of one hundred forty (\$140) dollars per day and Inspectors and Alternate Inspectors at a rate of one hundred (\$100) dollars per day.

The vote on the foregoing resolution was as follows:

AYES: 8  
NOES: 0

The resolution was declared adopted.

3. Official Village Newspaper - Garden City Life. Requested authorization to designate the Garden City Life as an additional "official newspaper" and directing the Village Clerk to hereafter publish Village Legal Notices in the Garden City Life as of January 18, 2019. It was stated that both the Garden City News and the Garden City Life be designated the Village "Official Newspapers" for the remainder of the Village official year.

On motion of Trustee Minuto the following resolution was offered:

RESOLUTION NO. 10-2019

RESOLVED, that pursuant to the provisions of Section 4-412 of the Village Law, the Garden City Life and the Garden City News will be the official newspapers of the Incorporated Village of Garden City, effective immediately and the Clerk of the Village is hereby directed to publish Village legal notices and Village articles, etc., in such Garden City News and Garden City Life henceforth.

The vote on the foregoing resolution was as follows:

AYES: 8  
NOES: 0

The resolution was adopted.

HUMAN RESOURCES

1. Transfer of Funds - Exempt Staff Compensation - Cutrone. (a) Requested authorization to transfer funds as follows: \$6,879.28 to Account 0A.1110.1010 Salary Regular - Justice Court, from Account 0A.1990.4000 Contingent, to fund the increase in salary for the Clerk to the Village Justice from October 6, 2018 through May 31, 2019.

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

(b) Exempt Staff Compensation - Cutrone. It was requested that the following resolution be approved by the Board of Trustees with regard to Exempt Staff Compensation.

On motion of Trustee Minuto the following resolution was offered:

RESOLUTION NO. 11-2019

RESOLVED, that as part of the Village's annual salary review, the following annual salary adjustment be made to certain Exempt Staff salary, effective October 6, 2018.

|   | <u>Total Annual Salary</u> |
|---|----------------------------|
| Clerk to the Village Justice<br>Gregory Cutrone | \$80,500                   |

The vote on the foregoing resolution was as follows:

AYES: 8  
NOES: 0

The resolution was declared adopted.

2. Adoption of an updated "Smoking Policy". Request Board authorization to update the Village's "Smoking Policy" which was adopted on June 23, 1994 to include "vaping". A copy of the updated Smoking Policy is on file with the Village Clerk.

On motion of Trustee Minuto the following resolution was offered:

RESOLUTION NO. 12-2019

WHEREAS, in an effort to provide a safe and healthy environment for all Village employees and in accordance with the Nassau County Public Health Ordinance; and New York State Public Health Law, Section 1399-0, subdivision 6;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Incorporated Village of Garden City hereby adopts the following smoking policy:

SMOKING POLICY  
INCORPORATED VILLAGE OF GARDEN CITY

Pursuant to Article VIII of the Nassau County Public Health Ordinance and the New York State Public Health Law, smoking is prohibited at all times in any Village-owned building.

Violation of this policy may result in discipline, which may include termination.

We request and expect everyone's cooperation in assisting us with our legal responsibilities to comply with the New York State Public Health Law.

This policy is effective January 17, 2019.

The vote on the foregoing resolution was as follows:

AYES: 8  
NOES: 0

The resolution was declared adopted.

3. Adopt Amended Part-Time and Seasonal Salary Schedule. Requested authorization to adopt the Amended Pay Schedule of Part-Time and Seasonal Employees, to reflect the change in the minimum wage effective December 31, 2018. This new schedule is effective December 31, 2018.

On motion of Trustee Minuto the following resolution was offered:

RESOLUTION NO. 13-2019

RESOLVED, that the Part-Time and Seasonal Salary Schedule as appended to the minutes be adopted as amended.

The vote on the foregoing resolution was as follows:

AYES: 8

NOES: 0

The resolution was declared adopted.

FIRE

1. Fire Station 2 Repairs - Transfer of Funds and Engage PKAD Architecture & Design. (a) Transfer of Funds - \$18,000 to Account 0A.3410.4160 - Fire - Consultant Fees from Account 0A.3410.2000 - Fire - Equipment, to cover the cost of PKAD Architecture & Design to do an evaluation of Station 2 for replacement and/or construction of a new Fire Station 2.

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

(b) Engage the Services of PKAD Architecture & Design, 107 Center Street, Bay Shore, New York, to provide an evaluation and the cost to repair and/or replace Fire Station 2 as this station is not able to support the size of new fire apparatus and the amount of manpower that now occupies the station. The cost of this is \$21,500.

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

2. Hesse Estate Funds - Appropriation of Funds and Purchase Equipment - Sole Source - Hendrickson. (a) Request authorization to appropriate funds in the amount of \$5,000 from the Hesse Estate Bank Account into the Hesse Village Account Line (0T.0851 0000), in order to purchase additional equipment and upgrade older obsolete equipment.

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

(b) Purchase various new Holmatro equipment in the amount of \$5,000 from Sole Source vendor, Hendrickson Fire Rescue Equipment, 140 Hoffman Lane, Islandia, New York. In addition, the remaining \$10,346.62 that was previously approved by the Board of Trustees will be used to purchase additional equipment and upgrade older obsolete equipment.

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

RECREATION

Turf Grass Maintenance Contract Extension - Con-Kel Landscaping, Inc. Recommended to extend the Turf Maintenance Contract with Con-Kel Landscaping, Inc.,

P.O. Box 267, Floral Park, New York, for a total cost of \$254,850.10. This renewal is for two months of base bid (Item #1) at \$30,087.50 per month for Fiscal Year 2018/19 (\$60,175). Pending approval of the 2019/20 budget, six months of base bid (Item #1) at \$30,087.50 per month (\$180,675.10). Pending approval of the 2019/20 budget, alternate/optional (Item #1a) one unit (pruning) at \$14,150.10. The SEQRA regarding this was approved at the January 11, 2018 Board Meeting. Under the terms of the contract and at the mutual agreement of the contractor and the Village, the contract can be extended with the same terms and conditions for a period of one year. This includes maintenance tasks of cutting, trimming, removal of litter and spring and fall clean up of all designated areas. Funds are available in the Operating Budget.

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

## PUBLIC WORKS

1. Attendance at the American Water Works New York Section Spring Meeting. Requested authorization for Joseph DiFrancisco, Superintendent of Public Works, Domenick Stanco, Deputy Superintendent of Public Works and Philip A. Jermain, Water Plant Operator, to attend the American Water Works New York Section Spring Meeting, scheduled for April 15 through April 18, 2019 in Saratoga Springs, New York, at an approximate cost of \$2,500. 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 Minuto and unanimously carried, Joseph DiFrancisco, Superintendent of Public Works, Domenick Stanco, Deputy Superintendent of Public Works and Philip A. Jermain, Water Plant Operator, Water Department, were authorized to attend the aforesaid conference and to be reimbursed for such expenses as they may incur in connection therewith.

2. Engineering Proposal - Garden City Senior Center Mechanical Systems - Emtec Consultants. Requested authorization to engage Emtec Consultants, Professional Engineers, PLLC, 3555 Veterans Memorial Highway, Ronkonkoma, New York, for the evaluation and peer review of the mechanical design, drawings and calculations of the Garden City Senior Center to determine their adequacy and code compliance. An initial retainer payment, in the amount of \$1,000 is required and will be credited against the time expended for their services. Funds are available in Account 0A.7140.4480.

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

3. Intermunicipal Agreement - MTA/Long Island Railroad. Requested authorization to approve entering into an Intermunicipal Agreement for the repair of sidewalks at the Country Life Press Long Island Railroad Station Parking Lot. Upon execution of this Agreement, the MTA/Long Island Railroad will release payment to the Village in the amount of \$13,437, for the completion of the walkway rehabilitation at this Station.

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

4. Professional Rate Services Renewal - Mechanical Well Contractor - Atlantic Wells, Inc. Requested authorization to engage Atlantic Wells, Inc., 58 Fairfields Lane, Huntington Station, New York, mechanical well contractor for the renewal of well pump and booster pump service calls for 2019. The renewal rates are on file in the Village Clerk's Office and are the same rates as last year. Funds are available in Account 0F.8320.4020.

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

5. Engagement of Professional Services - Tyler Technologies, Inc. - IT System. Requested authorization to engage Tyler Technologies, Inc., One Tyler Drive, Yarmouth, Maine for the installation of a comprehensive IT system for the Public Works Department

in the amount of \$350,000. Funds are available in the Capital Budget.

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

6. 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. The rates are on file in the Village Clerk's Office.

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

7. Agreement between 555 Stewart Acquisition, LLC and the Village of Garden City - Dumping of Snow on the Premise. Requested to approve 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, 2019. Village Counsel has reviewed this agreement and approved it as to form. The SEQRA Review for this agreement was previously approved on January 11, 2018.

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

#### BUILDING

Engagement of Professional Services - Tyler Technologies, Inc. - IT System. Requested authorization to engage Tyler Technologies, Inc., One Tyler Drive, Yarmouth, Maine for the implementation of their software system for the Building Department in the amount of \$239,894. Funds are available in the Capital Budget.

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

#### AWARD BIDS

The following bids are all recommended to be a Type II and would then be exempt from further SEQRA Review.

1. Tennis Center Structural Repairs - Approve Capital Project and Award Bid - Wastar Construction Group, Inc. (a) Board authorization is requested to approve the Capital Project for the Tennis Center Structure Repairs in the amount of \$69,492. This was not originally in the Capital Budget, but can be covered due to the positive cash balance in the Tennis Center Enterprise Fund.

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

(b) Reported that a tabulation of bids had been circulated to each Member of the Board for the Tennis Center Structural Repairs and that the bid be awarded to Westar Construction Group, Inc., 6800 Jericho Turnpike, Syosset, New York, low bidder, at a cost of \$69,492.

Specification pickups reached a total of four companies and three bids were received. A Notice to Bidders was sent to McGraw-Hill and CMD Group and bid specs were advertised on New York State Contract Reporter.

On motion of Trustee Minuto the following resolution was offered:

RESOLUTION NO. 14-2019

RESOLVED, that the proposal of Westar Construction Group, Inc., 6800 Jericho Turnpike, Syosset, New York, at a cost of \$69,492, 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 Westar Construction Group, 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.

Requisition No. 18-9, Dated January 17, 2019, Purchase of Materials for the Public Works Department.

2. Sewer Camera Vision Van. Reported that a tabulation of bids had been circulated to each Member of the Board for the Sewer Camera Vision Van and that the bid be awarded to Gabrielli Truck Sales, Ltd., 880 South Oyster Bay Road, Hicksville, New York, low bidder for a cost of \$196,303. The bid for the equipment came in over budget (\$185,000), however, there are available funds in the Capital Budget (Account 0F.1040.0000) due to savings from other equipment purchases.

Specification pickups reached a total of four companies and two bids were received. A Notice to Bidders was sent to Bid Reporter and advertised on New York State Contract Reporter.

On motion of Trustee Minuto the following resolution was offered:

RESOLUTION NO. 15-2019

RESOLVED, that the proposal of Gabrielli Truck Sales, Ltd., 880 South Oyster Bay Road, Hicksville, New York, at a cost of \$196,303, 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 Gabrielli Truck Sales, Ltd., 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.

3. Aluminum and Wood Street Light Poles, Luminaires and Accessories. (a) Award bid to Kelly and Hayes Electrical Supply of LI, Inc., 66 Southern Boulevard, Nesconset, New York, only bidder, for Item Nos. 1, 2, 3 and 13, at unit prices, for an approximate cost of \$10,985.

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

(b) Award bid to Champion Wire and Cable, LLC, 695 Summa Avenue, Westbury, New York, only bidder for Item No. 12, at unit prices, for a total cost of \$6,949.80.

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

A total of fifteen invitations to bid were sent and two bids were received. A Notice to Bidders was sent to McGraw Hill and CMD Group and bid specs were advertised on New York Contract Reporter.

Total bid award for Aluminum and Wood Street Light Poles, Luminaires and Accessories is \$17,934.80. Funds are available in Account 0A.5182.4010.

On motion of Trustee Minuto the following resolution was offered:

RESOLUTION NO. 16-2019

RESOLVED, that Requisition No. 18-9, dated January 17, 2019, 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.

EXTERNAL COMMUNICATIONS

PERMITS:

Parade:

1. Dr. Michael P. Spinelli, St. Joseph's School, 450 Franklin Avenue, Garden City, requesting permission to hold a 5K Run and Fun/Run, on Saturday, March 30, 2019, beginning at 8:30 a.m. The race route will be Fourth Street to Rockaway Avenue, to First Street to Cambridge Avenue. The route will be reviewed by the Garden City Fire and Police Departments.

On motion of Trustee Minuto and unanimously carried, the aforesaid authorization was approved, subject to receipt of an original Certificate of Insurance, payment of the fees as per the fee schedule (50% of the combined Incorporated Village of Garden City's expenses, not to exceed \$5,000) and coordination and approval of the route with the Garden City Fire and Police Departments.

On-Street Parking:

2. John and Paula Hogan, 17 Franklin Court (2)

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

## BOARD OF TRUSTEES

1. Presentation - PKAD Architecture & Design - Fire Department Evaluation of Fire Station 2. Mr. Frank Gucciardo, Philipp Kampf, R.A., and Ms. Francesca Yellico from PKAD Architecture & Design, 107 Center Street, Bay Shore, New York were present and Mr. Gucciardo gave a power point presentation with regard to Fire Station 2.

2. Resolution seeking a viable use of the St Paul's buildings, noting past efforts of the Village to achieve a consensus on this topic, and identifying the goals and current status of this Board in achieving same. This Resolution proposes to alert the public to the intention of this Board to seek uses for St Paul's that will generate some income, attract Village residents, and preserve significant portions of the exterior and interior structures.

On motion of Trustee Minuto the following resolution was offered:

### RESOLUTION NO. 17-2019

RESOLVED, this Board is cognizant that, through numerous Boards and Commissions, made up of numerous Trustees, residents and taxpayers, the Village has struggled for over 25 years to reach a consensus on what to do with the St. Paul's School buildings; and

WHEREAS, the Village's efforts to secure such a consensus have included, during the past 25 years, numerous meetings, polls and surveys to try to solve the "St. Paul's" issue; and

WHEREAS, it is the opinion of this Board that there is virtually no solution that has not already been talked about or considered or that would provide a unanimously accepted solution; and

WHEREAS, this Board nevertheless continues to seek a viable use of the former St. Paul's School; and

WHEREAS, in the interests of accuracy and transparency, this Board wishes the public to be aware of its goals and steps taken towards those goals;

NOW THEREFORE, IT IS UNANIMOUSLY RESOLVED that this Board shall continue to seek a viable use of the St Paul's buildings, and that "viable use" shall mean a use that will result in a building that generates some revenue to offset costs, has uses that are attractive to residents, and includes preservation of significant portions of the exterior and interior for historical and architectural purposes; and

IT IS FURTHER AND UNANIMOUSLY RESOLVED that this Board believes it to be in the public interest that certain facts, together with this Board's views about the St. Paul's Main Building and Cluett Hall and Fieldhouse, be more widely circulated to the public as follows:

1. That though some may disagree, it is the opinion of this Board that there is no overwhelming public consensus of what to do with the building.
2. Very broadly speaking, absent demolition, there are three paths often expressed by members of the public, with overlap and alternatives offered by proponents of each path, within each path: (a) to do nothing, which leaves the issue for the future; (b) to undertake some financial burden (on an undefined level) for a use as a recreation/community based center that benefits a significant sector of our population in some manner, and (c) save the building with historical preservation as the priority, without regard to cost or potential uses.

3. That use of the building as an educational facility, a library, or as a new Village Hall is not (in our view) reasonable and has been considered numerous times by prior Boards of Trustees, and this view is based upon several factors; First, it is against state law to utilize education system money for historical preservation purposes; Second, moving Village Hall and/or the Library would not result in uses which generate revenue; Third, the proceeds of sale of those two parcels land where they currently reside would not come anywhere near paying for the costs of rehabilitating St. Paul's; and Fourth any potential sale of the current premises of the Library and Village Hall would also result in arguments over what to allow as acceptable uses where the Library and Village Hall now sit.
4. There are no pools of grant money or historical funds that could come anywhere near paying the costs of what is required to restore the building. For those limited grants that are available, they generally require historical accuracy in rehabilitation - driving up costs. Or they require that the buildings be open to the public at large and access and use cannot be limited to just residents of Garden City when state or federal grant money is deployed.

IT IS FURTHER UNANIMOUSLY RESOLVED that the public be advised that the concept that we are currently analyzing is not a "sports arena." It is a plan, still only in concept, to create a community center which does include sports uses but will also include vast improvements to Cluett Hall for performance/dance/music space and preserving or creating other spaces in the Main Building to benefit as many interests as we can justify or make reasonable sense in terms of a viable building; and

IT IS FURTHER UNANIMOUSLY RESOLVED that the public be advised that this Board acknowledges and wishes to make clear to the public that the costs and expenses to preserve and rehabilitate the 120,000+ square foot Main Building into anything are substantial, that these costs and expenses existed 25 years ago, it is true today and these facts will be true tomorrow. Nevertheless, this Board will continue to pursue its inquiries and ideas to achieve the goal of a viable use as defined above.

The vote on the foregoing resolution was as follows:

AYES: 8

NOES: 0

The resolution was declared adopted.

3. Work Session - Discussion of Parking Lot 7N and proposals to create segregated parking zones or adjacent residential apartments, buildings, commercial areas and imposition of fees for adjacent residential apartment dwellers. After a discussion it was requested by the BOT that Village Staff solicit information with regard to how many permit parking spots would be needed for Parking Field 7N for residential buildings that have no parking associated on their premises.

Mayor Daughney recognized the following:

Gerry Kelly, 135 Stewart Avenue

Terry Kenny, 10 Bayberry Road

On motion of Trustee Delany, the Board recessed to executive session at 10:40 p.m. to discuss personnel matters. The Board reconvened at 11:15 p.m.

There being no further business, on motion duly made, the meeting adjourned at 11:16 p.m.