

BOARD OF TRUSTEES

JUNE 6, 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 June 6, 2019 at 8:00 p.m.

Present: Mayor Theresa A. Trouvé, Trustees Robert A. Bolebruch, Stephen S. Makrinos, John M. Delany, Mark A. Hyer (arrived 9:20 p.m.) Louis M. Minuto, Colleen E. Foley and Brian C. Daughney.

Also Present: Ralph V. Suozzi, Village Administrator  
Karen M. Altman, Village Clerk  
Kenneth O. Jackson, Chairman, Board of Police Commissioners  
Irene Woo, Village Treasurer  
Giuseppe Giovanniello, Superintendent of Building Department  
Joseph DiFrancisco, Superintendent of Public Works  
Thomas Strysko, Chief Fire Department  
Peter A. Bee, Bee Ready Fishbein Hatter & Donovan, LLP

Attendance: Approximately 48

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

Mayor Trouvé 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 Firefighters Joseph DiLemme, 393 Stewart Avenue, Garden City, Michael Fontanetta, 200 Meadbrook Road, Garden City and Marco Parrinello, 160 Ivy Street, West Hempstead. The Volunteer Fire Department formally accepted them into the Department at their May 2019 monthly meeting.

On motion of Trustee Makrinos and unanimously carried, Joseph DiLemme, Michael Fontanetta and Marco Parrinello were approved by the Village Board of Trustees to be Volunteer Firefighters for the Garden City Fire Department.

Mayor Trouvé called upon the Department Heads who spoke about their agenda items and Ralph Suozzi who reported on the progress of the Garden City Pool.

Mayor Trouvé stated that the next item on the agenda was the public hearing with regard to a Proposed Local Law to authorize a temporary Pilot Program of restricted parking at the western side of Garden City Parking Field 7N under a Pilot Program to entail 35 parking spaces for a period of up to one (1) year for persons residing in the premises adjacent to Field 7N, at a fee of \$275 for the duration of the Pilot Program. Copies of the proposed local law had been distributed to the Board Members more than seven days prior to the meeting. Trustee Minuto made a motion to open the public hearing which was unanimously approved.

(A tape recording of this hearing has been typed under separate cover and constitutes a part of these minutes.)

There being no further public comment, on motion of Trustee Minuto and unanimously carried, the public hearing pursuant to the proposed local law was closed.

On motion of Trustee Daughney the following resolution was offered:

RESOLUTION NO. 79-2019

A LOCAL LAW AUTHORIZING THE BOARD OF TRUSTEES TO TEMPORARILY RESTRICT PARKING AND CHARGE PERMIT FEES IN PARKING FIELD 7N TO PERSONS WHO ARE RESIDENT IN PREMISES ADJACENT THERETO

Section 1. Legislative Finding. The Board of Trustees hereby determines that the municipal parking field designated as Parking Field 7N is being utilized in a manner which often deprives adjacent residents from parking opportunities and which also adversely impacts parking opportunities for visitors to adjacent commercial establishments in the Village's primary commercial district. The Board of Trustees also finds that further study is needed before determining how to best configure parking in such Field so as to balance the needs of adjacent residents, shoppers in the commercial district which is adjacent to such Field, and the public at large. The Board of Trustees further finds that a "Pilot Program" is an appropriate tool to utilize to assist it in making such determination.

Section 2. Pilot Program. The Chairman of the Police Commission, in conjunction with the Superintendent of Public Works, is hereby authorized and directed to identify and establish an area at the western end of Field 7N for the purpose of engaging in a Pilot Program restricting, for a period of up to one year, 35 parking spaces to persons resident in the premises adjacent to such location. Under the Pilot Program, parking in such area shall be prohibited unless a license therefor (to be limited to one such license per adjacent residential unit) has first been obtained from the Village Clerk for a fee of \$275 and there is conspicuously displayed on such vehicle a sticker, tag or other proper identification issued and affixed to said vehicle as directed by the Village Clerk. All such applications for any license shall be in form and substance as determined by the Village Clerk, but shall include the number of the parking field, the number of the license of the vehicle, the make and color of the vehicle and the expiration date of the license. Any such license and sticker, tag or other identification affixed to the vehicle shall be non-transferable except to a replacement vehicle of the applicant following notice to the Village Clerk. Said Pilot Program shall be subject to the further direction, modification, implementation and supervision of the Board of Trustees by Resolution as same may proceed; provided, however, any license granted hereunder shall remain in full force and effect for the one year pilot term unless the Village reimburses the applicant a pro rata portion of the application fee.

Section 3. Report. At the conclusion of the Pilot Program established by Section 2 hereof, or at such earlier time as the Board of Trustees may direct by Resolution, the Chairman of the Police Commission, together with the Superintendent of Public Works, shall report to the Board of Trustees their findings and recommendations for the continuation, termination or alteration of such restricted parking, together with any other of their recommendations for parking regulations in Field 7N generally.

Section 4. This Local Law shall take effect immediately upon its filing with the Secretary of State of the State of New York.

Thereupon the above Local Law was submitted for final passage and the vote thereon was as follows:

AYES: 6  
NOES: 1 (Trustee Minuto)

The resolution was declared adopted.

Mayor Trouvé 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 May 23, 2019 were reviewed, and on motion of Trustee Makrinos were approved as presented. (Trustee Minuto abstained)

Mayor Trouvé asked that Agenda Item #19 (Retain Special Counsel for Legal Representation - Seyfarth Shaw, LLP) be removed from the Consent Calendar due to a family member conflict in the underlying litigation for which this firm is being retained. She further noted that she had previously recused herself from any deliberations related to this matter and will be abstaining on voting on this item. The Board then proceeded with the Consent Calendar, minus Item #19 (Regain Special Counsel for Legal Representation - Seyfarth Shaw, LLP) as follows.

## NEW BUSINESS

### CONSENT CALENDAR

#### FINANCE

1. Appropriation of Revenue - Police. The Police Department is seeking Board of Trustees approval to appropriate \$2,527.95 from a reimbursable grant, from Account 0A.2260.1000 - Public Safety from Other Governments, to Account 0A.3120.4280 - Police - Uniforms, for bullet proof vests purchased in the 2018-19 fiscal year.

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

2. Appropriation of Termination Reserve. Requested authorization to appropriate \$12,476.36 from Account 0A.8670.0000 - Reserve for Compensated Absences to Account 0A.9000.1220 - Termination Payout for payment from the Reserve maintained for that purpose for Kevin E. Ocker, Recreation Department. This is to fund the contractual termination payment due to an employee who has left Village service.

On motion of Trustee Daughney 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 2019-2020. Requested authorization to transfer funds as follows:

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

On motion of Trustee Daughney 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 Police Officer Richard Pedone and Police Officer Michael Punch, through July 18, 2019, or such earlier date as they may be able to return to work 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 Daughney and unanimously carried, the aforesaid authorization was approved.

##### RECREATION

2. Sick Leave - Stravino. Requested authorization to pay Richard Stravino, Maintainer, Recreation and Parks through July 18, 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 Daughney and unanimously carried, the aforesaid authorization was approved.

## PUBLIC WORKS

3. Sick Leave - Kratina. Requested authorization to pay Joseph Kratina, Sanitation Worker, Sanitation Department through July 18, 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 Daughney and unanimously carried, the aforesaid authorization was approved.

## FIRE

1. Professional Service Contract - Computer Systems - Alpine Software. Requested authorization for the approval of a Professional Service Contract with Alpine Software, One Fishers Road #4, Pittsford, New York, at an amount not to exceed \$14,200.45. This system controls all of the Department's functions from attendance to call tracking through May 31, 2020. This system has been updated with new features to improve its use in the department including the Responder Phone App Software. Funds are available in Account 0H.3410.4540.

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

2. Professional Service Contract - Fire Department Security - Advanced Control Industries. Requested authorization to enter into an agreement with Advanced Control Industries, 29B Midland Avenue, Hicksville, New York at an amount not to exceed \$2,298.84. This company will provide door security monitoring for the Fire Department through May 31, 2020 and also includes the additional door security and monitoring for Stations #2 and #3. Funds are available in Account 0H.3410.4540.

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

## PUBLIC WORKS

1. Engagement of Professional Services - Elevator Preventative Maintenance Service ThyssenKrupp Elevator Corporation. Requested authorization to engage ThyssenKrupp Elevator Corporation, 700 Hicksville Road, Bethpage, New York, to maintain elevator equipment at the following locations: Garden City Village Hall, Garden City Public Library and the Garden City Tennis Center at a cost of \$9,000. Funds are available in Account 0A.1620.4460.

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

2. 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 0A.1640.4460, 0A.7110.4460, 0A.7140.4460 and 0F.8340.4460.

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

3. Professional Service Contract - Renewal of Rates - Water Quality Testing - Pace Analytical Services, Inc. Requested authorization to renew the updated rates for Laboratory Analytical Services with Pace Analytical Services, Inc., 575 Broad Hollow Road, Melville, New York, for laboratory sampling and analysis during the Village's fiscal year, June 1, 2019

through May 31, 2020, in accordance with the rate schedule on file in the Public Works Department, for Village drinking and groundwater testing as required by the Nassau County and New York State Health Departments. Funds are available in Account 0F.8330.4460.

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

4. Water Rate Increase. Requested authorization to increase all water rates by 10% (as per the schedule appended hereto), effective June 1, 2019, which increases the prior rate established on June 1, 2015. Further stated that this increase was discussed and agreed to at the budget sessions in March, 2019.

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

#### AWARD BIDS

##### Requisition No. 19-1, Dated June 6, 2019, Purchase of Materials for the Police and Public Works Departments.

1. Police Uniforms. Award bid for assorted Police Uniforms, for the Police Department, as specified, or Village approved equal, from J & A Uniform Supplies, Inc., 562 Westbury Avenue, Carle Place, New York, only bidder, on an “as needed basis”, based upon unit costs on file with the Village Clerk, at an estimated cost of \$35,000. This amount could be more or less depending upon what items are needed throughout the year. A total of eleven invitations to bid were sent and one bid was received. A Notice to Bidders was sent to Bid Reporter and advertised on New York State Contract Reporter. Funds are available in Account 0A.3120.4280.

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

2. 1½" Crushed Stone. Award bid for Crushed Stone, as specified, or Village approved equal, from Long Island Sound Transport, Inc., d/b/a A & R Materials, 3308 Route 112, Medford, New York, low bidder, on an “as needed basis”, based upon unit costs on file with the Village Clerk, at an estimated cost of \$20,000. This amount could be more or less depending upon what items are needed throughout the year. A total of six invitations to bid were sent and six bids were received. A Notice to Bidders was sent to Bid Reporter and advertised on New York State Contract Reporter. Funds are available in Account 0A.4450.0000.

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

3. Assorted Traffic Signs. (a) Reject the low bid of Timely Signs, Inc., for Item No. 51, as the vendor will only hold the price for ninety (90) days due to tariff concerns and requires a minimum order of \$8,000.

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

(b) Award bid to Osburn Associates, Inc., 9383 Vanatta Road, Logan, Ohio, low bidder, for Item Nos. 1-46, 50, 58, 70, 76-82, as specified, or Village approved equal, on an “as needed basis”, based upon unit costs on file with the Village Clerk.

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

(c) Award bid to Garden State Highway Products, Inc., 301 Riverside Drive, Millville, New Jersey, low bidder, for Item Nos., 47-49, 52-57, 59-69 and 71 and second low bidder for Item No. 51, as specified, or Village approved equal, on an “as needed basis”,

based upon unit costs on file with the Village Clerk.

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

(d) Award bid to Independent Metal Strap Co., Inc., 34 Lumber Road, Roslyn, New York, low bidder, for Item Nos. 72-75, as specified, or Village approved equal, on an “as needed basis”, based upon unit costs on file with the Village Clerk. Estimated cost for Assorted Traffic Signs is \$34,000. This amount could be more or less depending upon what items are needed throughout the year. A total of nine invitations to bid were sent and five bids were received. A Notice to Bidders was sent to Bid Reporter and advertised on New York State Contract Reporter. Funds are available in Account 0A.5182.4010.

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

4. Leaf Picker Parts. (a) Award bid to Eagle Equipment d/b/a Pierce Equipment Co., 3388 Route 22, Branchburg, New Jersey, low bidder, for Item Nos. 1-10, (ODB Model), as specified, or Village approved equal, on an “as needed basis”, based upon unit costs on file with the Village Clerk.

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

(b) Award bid to Suffolk County Brake Service, Inc., 862 Lincoln Avenue, Bohemia, New York, only bidder, for Item Nos., 11-51, (Tarco Model), on an “as needed basis”, based upon unit costs on file with the Village Clerk. The estimated cost for all Leaf Picker Parts is \$72,000. This amount could be more or less depending upon what items are needed throughout the year. A total of eighteen invitations to bid were sent and three bids were received. A Notice to Bidders was sent to Bid Reporter and advertised on New York State Contract Reporter. Funds are available in Account 0A.4450.0000.

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

5. Concrete Ready Mix. Renewal of Contract Award for Concrete Ready Mix, for an additional year at the same prices and conditions with Universal Ready Mix, Inc., 197 Atlantic Avenue, Garden City Park, New York, on an “as needed basis”, based upon unit costs on file with the Village Clerk at an estimated cost for of \$26,656. This amount could be more or less depending upon what items are needed throughout the year. Funds are available in Accounts 0A.5110.4010 and 0A.8140.4010.

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

6. Steel Items. Renewal of Contract Award for Steel Items, for an additional year at the same prices and conditions with Rapid Steel Supply Corp., 49-63 30<sup>th</sup> Street, Long Island City, New York, on an “as needed basis”, based upon unit costs on file with the Village Clerk at an estimated cost of \$34,000. This amount could be more or less depending upon what items are needed throughout the year. Funds are available in Account 0A.4450.0000.

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

7. Street Sweeper Parts. (a) Renewal of Contract Award for Street Sweeper Parts, for an additional year at the same prices and conditions with Malvese Equipment Co., Inc., One Henrietta Street, Hicksville, New York, for Item Nos., 1-4 and Item No. 6, on an “as needed basis”, based upon unit costs on file with the Village Clerk.

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

(b) Renewal of Contract Award for Street Sweeper Parts, for an additional year at the same prices and conditions with Old Dominion Brush Co., 5118 Glen Alden Drive, Richmond, Virginia, for Item No. 5 and Item Nos., 7-33, for the same prices and conditions, on an "as needed basis", based upon unit costs on file with the Village Clerk at an estimated cost for all parts of \$36,000. This amount could be more or less depending upon what items are needed throughout the year. Funds are available in Account 0A.4450.0000.

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

8. Renew - Street Lighting Maintenance Contract - Anker's Electric Service, Inc. Requested authorization to approve the second year of the contract with Anker's Electric Service. Last year the Village awarded a contract to Anker's Electric Service, Inc., 10 South Fifth Street, Locust Valley, New York, for street lighting maintenance for a two-year period through May 31, 2019. The contract was split into two one-year periods and required the Board of Trustees' approval for the second year of the contract. It is recommended that the Board extend the contract for the second year at the same bid prices. This is for the same prices and conditions on an "as needed basis", based upon costs on file with the Village Clerk at an estimated cost of \$92,610. This amount could be more or less depending upon what items are needed throughout the year. Funds are available in Account 0A.5182.4460.

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

On motion of Trustee Daughney the following resolution was offered:

RESOLUTION NO. 80-2019

RESOLVED, that Requisition No. 19-1, dated June 6, 2019, filed under separate cover, be made a part of these minutes and that materials and equipment be purchased for the Police and Public Works Departments 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: 7  
NOES: 0

The resolution was declared adopted.

BOARD OF TRUSTEES

1. St. Paul's Construction Fence. Board authorization is requested to approve the erection of a temporary construction fence at St Paul's and authorizing the Department of Public Works to prepare specifications for the erection of a construction fence around St. Paul's (and to publish same for competitive bids, and to take all other customarily steps required for a public works project) for the purpose of providing a safety barrier under a "temporary protection plan" being developed to preserve and protect the St. Paul's buildings. Through its previously selected vendor, CNY, a short-term "temporary protection plan" is being developed to preserve and protect the physical buildings at the St Paul's site for whatever purpose is eventually selected by this Board. Whatever the eventual usage, however, certain "preserve and protect" work must be accomplished under any temporary protection plan to secure the buildings, and the erection of a construction fence around the property is a necessary preliminary step to the temporary protection and any re-purposing of the buildings. Funds are available in the Capital Projects Account.

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

Agenda Item #19 of the Consent Calendar

BOARD OF TRUSTEES

Retain Special Counsel for Legal Representation - Seyfarth Shaw, LLP. Board ratification of the retention of the law firm of Seyfarth Shaw, LLP, 620 Eighth Avenue, New York, New York, with regard to the Kelly vs. Village of Garden City lawsuit. This is based upon hourly rates and an initial retainer of \$5,000 set forth in the retainer agreement provided to the Village Board of Trustees which is on file in the Village Clerk's Office.

On motion of Trustee Daughney and carried, the aforesaid recommendation was approved. (Mayor Trouvé abstained)

Mayor Trouvé recognized the following:

Judy Courtney, 3 Tremont Street

Thomas Trottman (a/k/a Hartman), 365 Stewart Avenue

Cyril Smith, 133 Pine Street

On motion of Trustee Delany, the Board recessed to executive session at 9:40 p.m. for a matter of personnel and advice of Counsel. The Board reconvened at 10:44 p.m.

There being no further business, on motion duly made, the meeting adjourned at 10:45 p.m.