

AGENDA

MARCH 28, 2019

8:00 P.M.

- I. Welcome by Mayor to attendees.
- II. Call to Order.
- III. Comments by Department Heads, Village Administrator and Counsel on Agenda Items
(including Treasurer on Treasurer's Report)
- IV. Trustees/Mayor Questions/Comments.
- V. Citizens Comments on Agenda Items.
- VI. Approval of Minutes - March 7, 2019 - Special Meeting (Budget)
March 12, 2019 - Special Meeting (Budget)
March 14, 2019 - (Board of Assessment Review Meeting)
March 14, 2019 - Regular Board Meeting
March 21, 2019 - Special Meeting (Budget)

VII. New Business

A. Formal Agenda

Appointment by the Mayor

1. Appoint - Donald A. Hickey, Jr., 153 Roxbury Road, Member Architectural Design Review Board as the *Chairman* of the ADRB replacing Hugh S. Lacy, as Chairman.
(Mr. Lacy has resigned his position on the ADRB as of April 1, 2019.)

Site Plan Approval - Extension

2. A Resolution extending the time for 550 Stewart Acquisitions, LLC to obtain Site Plan Approval pursuant a prior Resolution of this Board dated July 10, 2018. Counsel advises that 550 Stewart Acquisitions, LLC (the applicant for the development of the property known as '555 Stewart Avenue') was granted a Use Permit by this Board pursuant to a Resolution requiring the applicant to obtain Site Plan Approval by April 10, 2019. The applicant is now requesting a six-month extension of that time-frame pursuant to correspondence from its Counsel dated March 20, 2019. The original Board of Trustees Resolution authorizes this Board to grant such extension, and empowers this Board to do so accompanied by any "reasonable fees and/or conditions".

B. Consent Calendar

Finance

1. Adopt Bond Resolution.

- *Board authorization is requested to adopt a Bond Resolution for the St. Paul's Building in the amount of \$1,000,000, as outlined by Counsel. This is recommended to be a Type II and would then be exempt from further SEQRA Review.*

2. Transfer of Funds:

(a) \$2,092.29 to Tax Discounts, from Judgements and Claims, to fund additional tax discounts taken than anticipated.

(b) \$2,000 to Tax - Advertising, from Judgements and Claims, for legal notices of unpaid 2018 Village Taxes.

Sick Leave

3. Two employees - Public Works Departments.

Village Counsel

4. Proposal for Police Department - Transfer of Funds and Professional Services.

(a) \$20,000 to Board of Trustees - Consultant Fees from Contingent, to fund a supplemental Police Operations Study.

(b) Engage the Services of Center for Public Safety Management, LLC, (CPSM), 475K Street NW, Washington, DC, to conduct an updated data-driven forensic analysis to identify actual workload, etc., as outlined in their proposal dated November 14, 2018, at an amount not to exceed \$20,000. Village Counsel will be provided with the results of the Study so that such office can better provide legal advice to the Village on Police Operations and Procedures.

5. Garden City Casino Agreement.

- *Request authorization to extend the term of the Garden City Casino License Agreement that expires on May 31, 2019 to October 30, 2019. Village Counsel has approved this License Agreement as to form.*

Recreation

6. Emergency Tree Removals - Transfer Funds and Engage Harder Services, Inc.

(a) Transfer Funds - \$7,153 to Parks - Contractual Services, from Parks - Part Time Help, for the removal of five (5) trees along Clinton Road.

(b) Engage Harder Services, Inc. - \$7,153.

- *Request authorization to pay the claim of Harder Services, Inc., 63 Jerusalem Avenue, Hempstead, New York. While the Village tree removal and pruning contractor was pruning designated trees on Clinton Road it was discovered that five (5) trees had significant leans over the road and/or large basal wounds. It was recommended that these trees be removed.*

7. Additional Contract Work - Community Park Field #2 - Electric Feed - The Land Tek Group \$12,648.75. **(Capital Budget)**

- *Requested authorization to approve a Change Order with The LandTek Group, Inc., 235 County Line Road, Amityville, New York, for the installation of a new distribution panel located just outside of the right field outfield fence.*

Public Works

8. Engineering Proposal - 2019 Stormwater Management Program Services and MS4 Permit Compliance Activities - D & B Engineers and Architects, P.C. - \$3,800.

- *Requested authorization to engage D & B Engineers and Architects, P.C., 330 Crossways Park Drive, Woodbury, New York for the preparation of the 2019 Stormwater Management Program Annual Report and MS4 Permit Compliance Activities. This will assist the Village in maintaining its mandated compliance with the DEC General Permit for Stormwater Discharges from MS4's and D&B will continue to review DEC's latest revisions to the MS4 General Permit and submit technical comments to DEC on behalf of the Village. **(Operating Budget)***

Award of Bids

9. Liquid Chlorine.

(a) Renewal of Contract Award for Liquid Chlorine - Renew bid award for an additional year at the same prices and conditions with Autochem Corp., 296 West Montauk Highway, Hampton Bays, New York, for a total award of \$27,400. **(Operating Budget)**

10. Perennials, Annuals and Bulbs.

(a) Perennials - Award Bid to SiteOne Landscape Supply, 323 Long Island Avenue, Holtsville, New York, overall low bidder, for Items 1-15 (assorted perennials), per unit cost, per item.

(b) Annuals - Reject the overall low bid of SiteOne Landscape Supply, as they were the only low bidder in nine (9) categories. Overall purchase cost will be lower due to more items being purchased at the lower unit price.

(c) Annuals - Award Bid to Emma's Garden, 30 East Gate Drive, Huntington, New York, second overall low bidder, for items 16-31 (assorted annuals), per unit cost, per item.

(d) Bulbs - Award Bid to SiteOne Landscape Supply, 999 S Oyster Bay Road, Bethpage, New York, low bidder, (assorted bulbs), per unit cost, per item.

- *Total Award for Perennials, Annuals and Bulbs for 2018/19 - \$22,500.*
- *Total Award for Perennials, Annuals and Bulbs for 2019/20 - \$31,500 (pending approval of the budget) (Operating Budget)*

11. Tablet Chlorine - Award bid to Eagle Control Corporation, 23 Old Dock Road, Yaphank, New York, only bidder, on an as needed basis, for a unit cost of \$116.80 per 50 pound container. **(Operating Budget)**

- *Total Award for Tablet Chlorine for 2018/19 - \$14,400*
- *Total Award for Tablet Chlorine for 2019/20 - \$21,600 (pending approval of the budget)*

Board of Trustees

12. Centennial Celebration.

(a) A Resolution authorizing the Village to execute an agreement with Pyro Engineering, Inc., d/b/a Volt Live, in substantially the form now on file in draft with the Village Clerk, for a Fireworks Display in celebration of Garden City's Centennial, for a fee of \$15,000. In celebration of its Centennial, a Fireworks Display is proposed for May 25 (rain date May 26) at the ballfield of the Middle School. A related "Facilities Use Agreement" is contemplated with the School District.

(b) A Resolution authorizing the Village to execute a Facilities Use Agreement with the Garden City School District, in substantially the form now on file in draft with the Village Clerk, for the use of the Middle School Ballfield for a Fireworks Display in celebration of the Village Centennial. In celebration of its Centennial, a Fireworks Display is proposed for May 25 (rain date May 26) at the ballfield of the Middle School. A related "Fireworks Display Agreement" is contemplated with the producer of the Fireworks Display.

13. St. Paul's.

(a) A Resolution authorizing the appropriation of \$250,000 from Surplus to Capital Projects Account, (to fund the St. Paul's Account), for professional fees and expenditures related to limited remedial and protective work of the building and to assist with the feasibility of the Proposed Concept Plan.

(b) A Resolution authorizing the Mayor to execute Agreements not to exceed \$250,000 (inclusive of fees and expenses) with vendors, including a Construction Manager (to be selected by the Board from amongst the responders to this Board's prior Request for Proposals) in connection with advice regarding the present physical condition of the St Paul's Building(s), the identification of work immediately necessary to stabilize same, and for such further services as may be subsequently authorized by this Board to coordinate rehabilitation and/or construction consistent with any adopted Concept Plan for future use of the building(s).

- *The Village is contemplating the identification of a long-term re-adaptive use of the St. Paul's building(s). In connection with same, it is important to understand the current physical condition of the building(s) and to identify any short-term work needed to stabilize and protect same. The Village's architectural and engineering professionals have recommended hiring a professional construction manager who they will direct and coordinate for the stabilization of the building, creating environmental testing reports, protecting stained glass windows, recommending steps necessary to prevent ingress and water intrusion and address related issues of temporary protection which may be required. To that end, the Village has previously promulgated a Request for Proposals ("RFPs") from professional firms to act as "Construction Managers," i.e., to assess the current building conditions, identify necessary immediate stabilization and environmental abatement work, and to coordinate and provide expert guidance to the Board of Trustees for the development of any plan for rehabilitation of the buildings consistent with any potential plan for re-use, if any such plan is hereafter adopted by this Board. From amongst the responders to the RFP, it is anticipated that the Board will make a selection from between CNY Group, and Triton Construction Corporation, each of which has a proposal on file with the Village Clerk and has been publicly presented to the Board of Trustees; each of which has demonstrated professional expertise in this area of construction management. Adoption of this Resolution would include a direction to Counsel to prepare a contract consistent with the Proposal selected.*

- VIII. Work Session - Continuation of the January 17, 2019 Discussion of Parking Lot 7N and proposals to create segregated parking zones for adjacent residential apartments, buildings, commercial areas and imposition of fees for adjacent residential apartment dwellers.
- IX. Citizen Comment on non-agenda items. (limited to four minutes each)
- X. Adjournment.

BOND RESOLUTION OF THE VILLAGE OF GARDEN CITY, NEW YORK, ADOPTED MARCH 28, 2019, AUTHORIZING (A) THE ENGAGEMENT OF QUALIFIED FIRMS AT THE ESTIMATED MAXIMUM COST OF \$500,000 TO PROVIDE ENGINEERING, ARCHITECTURAL, CONSTRUCTION MANAGEMENT AND RELATED SERVICES AND ADVICE FOR ASSESSMENT OF PRESENT BUILDING CONDITION, TEMPORARY PROTECTION AND PRE-SCHEMATIC DESIGN SERVICES RELATING TO IMPROVEMENTS WHICH MAY BE MADE IN THE FUTURE TO THE ST. PAUL'S MAIN BUILDING, AND (B) THE CONSTRUCTION OF IMPROVEMENTS AT THE ESTIMATED MAXIMUM COST OF \$500,000 FOR PROTECTION AND STABILIZATION OF THE ST. PAUL'S MAIN BUILDING; STATING THE AGGREGATE ESTIMATED MAXIMUM COST THEREOF IS \$1,000,000; APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE; AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$1,000,000 TO FINANCE SAID APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF GARDEN CITY, IN THE COUNTY OF NASSAU, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Garden City, in the County of Nassau, New York (herein called the "Village"), is hereby authorized to: (a) engage qualified firms at the estimated

maximum cost of \$500,000 to provide engineering, architectural, construction management and related services and advice for assessment of present building condition, temporary protection and pre-schematic design services relating to improvements which may be made in the future to the St. Paul's Main Building, as outlined in the Proposal for Temporary Protection and Pre-Schematic Design Services for St. Paul's School, dated as of October 23, 2018, and (b) construct improvements at the estimated maximum cost of \$500,000 for protection and stabilization of the St. Paul's Main Building. The aggregate estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,000,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of \$1,000,000 bonds of the Village to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Village in the principal amount of \$1,000,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The periods of probable usefulness applicable to the objects or purposes for which said \$1,000,000 bonds are authorized to be issued, within the limitations of Section 11.00 a. (62) and (12) of the Law, are equal to or in excess of five (5) years; however, the bonds authorized pursuant to this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds, shall mature no later than five (5) years after the date of original issuance of said bonds or notes.

(b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will not exceed five (5) years.

(d) This bond resolution may be amended or supplemented in the future to include the financing of costs relating to the construction of improvements to the St. Pauls' Main Building.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of

the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and Section 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to executing agreements for credit enhancement, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately, and the Village Clerk is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in the "*Garden City News*" and the "*Garden City Life*," newspapers having a general circulation in the Village and hereby designated the official newspapers of said Village for such publication.

* * *

The adoption of the foregoing resolution was seconded by _____
and duly put to a vote on roll call, which resulted as follows:

AYES:

NOES:

The resolution was declared adopted.

(NOTICE AND SUMMARY OF BOND RESOLUTION FOR PUBLICATION)

NOTICE

The resolution, a summary of which is published herewith, has been adopted on the 28th day of March, 2019, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Village of Garden City, in the County of Nassau, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the constitution.

Karen M. Altman
Village Clerk

BOND RESOLUTION OF THE VILLAGE OF GARDEN CITY, NEW YORK, ADOPTED MARCH 28, 2019, AUTHORIZING **(A)** THE ENGAGEMENT OF QUALIFIED FIRMS AT THE ESTIMATED MAXIMUM COST OF \$500,000 TO PROVIDE ENGINEERING, ARCHITECTURAL, CONSTRUCTION MANAGEMENT AND RELATED SERVICES AND ADVICE FOR ASSESSMENT OF PRESENT BUILDING CONDITION, TEMPORARY PROTECTION AND PRE-SCHEMATIC DESIGN SERVICES RELATING TO IMPROVEMENTS WHICH MAY BE MADE IN THE FUTURE TO THE ST. PAUL'S MAIN BUILDING, AND **(B)** THE CONSTRUCTION OF IMPROVEMENTS AT THE ESTIMATED MAXIMUM COST OF \$500,000 FOR PROTECTION AND STABILIZATION OF THE ST. PAUL'S MAIN BUILDING; STATING THE AGGREGATE ESTIMATED MAXIMUM COST THEREOF IS \$1,000,000; APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE; AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$1,000,000 TO FINANCE SAID APPROPRIATION

The objects or purposes for which the bonds are authorized are to: (a) engage qualified firms at the estimated maximum cost of \$500,000 to provide engineering, architectural, construction management and related services and advice for assessment of present building condition, temporary protection and pre-schematic design services relating to improvements which may be made in the future to the St. Paul's Main Building, as outlined in the Proposal for Temporary Protection and Pre-Schematic Design Services for St. Paul's School, dated as of October 23, 2018, and (b) construct improvements at the estimated maximum cost of \$500,000 for protection and stabilization of the St. Paul's Main Building.

The maximum amount of obligations authorized to be issued is \$1,000,000.

The periods of probable usefulness applicable to purposes for which the bonds are authorized are equal to or in excess of five (5) years; however, the bonds authorized pursuant to this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds, shall mature no later than five (5) years after the date of original issuance of said bonds or notes.

A complete copy of the bond resolution summarized above shall be available for public inspection during normal business hours at the office of the Village Clerk, Village Hall, 351 Stewart Avenue, Garden City, New York.