

## BOARD OF TRUSTEES

OCTOBER 3, 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 October 3, 2019 at 7:30 p.m.

Present: Mayor Theresa A. Trouvé, Trustees Robert A. Bolebruch, 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  
Irene Woo, Village Treasurer  
Giuseppe Giovanniello, Superintendent of Building Department  
Joseph DiFrancisco, Superintendent of Public Works  
Thomas Stryko, Chief Fire Department  
Paul Blake, Chairman, Board of Commissioners of Cultural and  
Recreational Affairs  
Peter A. Bee, Bee Ready Fishbein Hatter & Donovan, LLP

Absent: Trustee Brian C. Daughney.

Attendance: Approximately 21

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

On motion of Trustee Delany, the Board recessed to executive session at 7:31 p.m. for a matter of litigation and advice of Counsel. The Board reconvened at 8:00 p.m.

In executive session, the Board voted unanimously on motion of Mayor Trouvé to “opt-out” of the multi-district litigation alleging various causes of action against opioid manufacturers et al, and to pursue such claims independently (with other “opting out” municipalities). On motion of Mayor Trouvé, and unanimously carried, the Board voted to retain the firm of Tate Grossman Kelly & Iaccarino, LLP, Three Surrey Lane, Hempstead, New York, to represent the Village of Garden City in the prosecution of any legal claim against manufacturers and distributors of opioids arising out of the manufacturers’ and distributors’ fraudulent, negligent and otherwise wrongful conduct. This firm and Bee Ready Fishbein Hatter & Donovan, LLP, will share in a small portion of the contingent fee, if the separate litigation fee is successful. Mayor Trouvé executed the retainer agreement which was approved by Village Counsel as to form.

Mayor Trouvé called the meeting to order and stated that the first item on the agenda was a request from Chief Thomas Stryko of the Garden City Fire Department for the approval of Garden City Volunteer Firefighter Michael D. Nguyen, 5 Raymond Court, Garden City, New York. The Volunteer Fire Department formally accepted him into the Department at their October 2019 monthly meeting.

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

Mayor Trouvé called upon Ralph Suozzi along with the Department Heads who spoke about their agenda items.

Mayor Trouvé stated that the next item on the agenda was the public hearing with regard to a “A Proposed Local Law to Repeal Chapter 90 of the Village Code (relating to recovery of the costs of Emergency Response Actions)”. Village Counsel has recommended repeal of this Chapter of the Village Code as a technical amendment since the Chapter sections have been found to be inconsistent with state law. 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 Makrinos and unanimously carried, the public hearing pursuant to the proposed local law was closed.

On motion of Trustee Delany the following resolution was offered:

RESOLUTION NO. 112-2019

LOCAL LAW NO. 4-2019  
A LOCAL LAW REPEALING CHAPTER 90 OF THE  
VILLAGE CODE ENTITLED "EMERGENCY RESPONSE ACTIONS"

BE IT ENACTED, by the Board of Trustees of the Incorporated Village of Garden City, in the County of Nassau, as follows:

Section 1. Legislative Intent.

In light of recent case law, Chapter 90 of the Village Code, entitled Emergency Response Actions, shall be and is hereby repealed.

Section 2.

Chapter 90 of the Village Code is hereby amended to solely read as follows:

§90-1 through § 90-5 [Reserved].

~~§90-1. Definitions.~~

~~As used in this chapter, the following terms shall have the meanings indicated:~~

~~EMERGENCY RESPONSE ACTION~~

~~All of the activities conducted by the Village and/or the Village Fire Department to clean up, remove, prevent, contain or mitigate a discharge of oil, gasoline or other hazardous materials or a response to an electric or natural gas emergency on a public street or public right of way or in a utility easement.~~

~~EXPENDABLE ITEMS~~

~~Any materials, equipment or supplies used in an emergency response action which cannot be reused or cannot be replenished without cost after a particular emergency response action as defined in this chapter. These include but are not restricted to chemical extinguishing agents, absorbent material, sand, recovery drums and specialized protective equipment, to include but not be restricted to acid suits, acid gloves, goggles and protective clothing.~~

~~HAZARDOUS MATERIALS~~

~~Any material solid, liquid or gas listed as such under the National Fire Protection Association Guide to Hazardous Materials or the Department of Transportation Emergency Guidebook.~~

~~VEHICLE~~

~~Any motorized equipment, registered or unregistered, including but not limited to passenger cars, motorcycles, trucks, tractor trailers, construction equipment and farm machinery.~~

~~VESSEL~~

~~Any container, drum, box cylinder or can used to hold or contain or carry or store any hazardous material.~~

~~§90-2. Reimbursement for services; responsibility.~~

~~Reimbursement to the Village for any expendable items used in any emergency response action, as defined in § 90-1 of this chapter, shall be made, after receipt of a bill from the Village for such items, by the following responsible party/parties within 45 days:~~

~~A. The owner or operator of any vehicle which is involved in a leak or spill of oil, gasoline or other hazardous material, whether stationary or in transit, whether accidental or through negligence.~~

~~B. The owner or person responsible for any vessel containing hazardous materials involved in any leak or spill, whether stationary or in transit, whether accidental or through negligence.~~

~~C. The owner or person responsible for any property from which any leak or spill of hazardous material emanates, whether accidental or through negligence.~~

~~D. Any person or entity responsible for any leak or spill of oil, gasoline or other hazardous material, whether accidental or through negligence.~~

~~E. Any person or entity responsible for any property which is the subject of an emergency response action involving an electric or natural gas emergency, whether accidental or through negligence.~~

~~§90-3. Fees.~~

~~In addition to any reimbursements for expendable items, the Village may charge the responsible party/parties, as set forth in § 90-2 of this chapter, fees for services rendered or other technical assistance provided by the Village in response to any emergency response action as defined in this chapter. Fees for such services shall be as set from time to time by resolution of the Village Board of Trustees.~~

~~§90-4. Civil penalty upon failure to pay reimbursements or fees.~~

~~Any party/parties responsible for services as set forth in this chapter who fails to reimburse the Village or pay the fees as set forth in this chapter, within the time set forth in this chapter, shall be subject to a civil penalty, including the actual costs involved in any incident, plus 50% administrative fees for collection.~~

~~§90-5. Conflict with other provisions.~~

~~Nothing in this chapter shall be construed to conflict with any state or federal laws requiring persons causing or responsible for any release or threatened release of hazardous material to engage in remediation activities or pay the costs thereof, or both.~~

Section 3. Severability.

If any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 4. Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State.

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

AYES: 7  
NOES: 0

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 meeting held on September 19, 2019 were reviewed, and on motion of Trustee Bolebruch were approved as presented. (Trustee Minuto abstained)

## NEW BUSINESS

### CONSENT CALENDAR

Mayor Trouvé requested that item #3 (Village Administrator - Engagement of Consultant - Deferred Compensation Plan - Centurion, a Marsh McLennan Agency Company and Item #4a (Recreation - Ballfield Renovations - Capital Project - Renovation of Baseball Field at St. Paul's) be removed from the Agenda.

Mayor Trouvé requested that Item #5d (Purchase Ultraviolet Advanced Oxidation Equipment for Well Nos. 13 and 14), Item #5e (Purchase Water-Shed UV Reactor and Control Stations for Well Nos. 13 and 14) and Item #7 (Purchase of UV Reactor and Control Stations for Well Nos. 7, 8, 10, 11 and 12) be removed from the Consent Calendar for discussion.

### FINANCE

Sundry Write Off. Board authorization is requested to write off \$260.36 for damages to signs listed on the books and records of the Village as accounts receivable and now deemed uncollectible. A write off of this amount is recommended by Village Counsel.

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

### SICK LEAVE

Sick Leave - Gazarian. Board authorization is requested to pay Police Communications Operator Andrea Gazarian through October 17, 2019, or such earlier date as she 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 Civil Service Employees' Association, which became effective June 1, 2010.

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

### RECREATION

1. Ball Field Renovations - Stewart Avenue Baseball Infield (Field #2) - Transfer of Funds. Board authorization is requested to transfer \$17,800 to Account 0H.7140.2003 - Stewart Field Project, from Account 0H.7140.2408 - St. Paul's Field Renovation to refurbish the Stewart Avenue Baseball Infield (Field #2).

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

2. Ball Field Renovations - Stewart Avenue Baseball Infield (Field #2). Board authorization is requested to utilize a portion of the remaining funds in this account to renovate the infield at Stewart Field #2. This work can be completed under the Nassau County Requirements Contract #H66302V using The Landtek Group, Inc., 235 County Line Road, Amityville, New York, at a cost of \$17,800. Funds are available in Account 0H.7140.2003.

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

PUBLIC WORKS

1. Wellhead Treatment - Well Nos. 13 and 14 - Authorize Expenditure. Board authorization is requested for the expenditure of \$6,500,000 to fund the project “Wellhead Treatment at Well Nos. 13 and 14 for AOP Removal”.

Trustee Delany offered the following resolution and moved its adoption:

RESOLUTION NO. 113-2019

WHEREAS the Board of Trustees is desirous of providing wellhead treatment for Well Nos. 13 and 14 and AOP treatment plant and had authorized H2M Architects and Engineers to prepare an engineering report and submit and comply with Nassau County and New York State Department of Health requirements for said modifications.

WHEREAS the project to complete the stated modifications will include, engineering, permit review fees, controls modifications, laboratory sampling and analysis, and contractor piping modifications estimated as not to exceed \$6,500,000.

NOW THEREFORE, after discussion and due deliberation, and in consideration of the above recitals;

BE IT RESOLVED, that the Board of Trustees of the Incorporated Village of Garden City authorizes the expenditure of \$6,500,000 to fund the project: Wellhead Treatment at Well Nos. 13 and 14 for AOP Removal.

The vote on the foregoing resolution was as follows:

AYES: 7  
NOES: 0

The resolution was declared adopted.

2. Wellhead Treatment - Well Nos. 13 and 14 - SEQRA Review - Type II. Request authorization for the approval of the SEQRA.

Trustee Delany offered the following resolution and moved its adoption:

RESOLUTION NO. 114-2019

WHEREAS H2M Architects and Engineers has completed a Short Form Environmental Assessment analysis of the subject project and recommended that the project is a Type II action because it is a “nonresidential structure or facility having less than 4,000 square feet of gross floor area”.

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees of the Incorporated Village of Garden City determined that the project is a Type II action under SEQRA and therefore requires no further review in accordance with 6 NYCRR 617.5(c)(7).

The vote on the foregoing resolution was as follows:

AYES: 7  
NOES: 0

The resolution was declared adopted.

3. Bond Resolution - Well Treatment - Well Nos. 13 and 14. Requested authorization for a bond resolution for Well Nos. 13 and 14. The total cost of the bond

for Well Nos. 13 and 14, including financing costs and additional contingencies for unforeseen expenses is estimated to be \$6,500,000.

Trustee Delany offered the following resolution and moved its adoption:

RESOLUTION NO. 115-2019

BOND RESOLUTION OF THE VILLAGE OF GARDEN CITY, NEW YORK, ADOPTED OCTOBER 3, 2019, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO THE VILLAGE WATER SYSTEM, CONSISTING OF WELLHEAD TREATMENT IMPROVEMENTS FOR EMERGING CONTAMINANTS AT WELL NOS. 13 AND 14, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$6,500,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$6,500,000 TO FINANCE SAID APPROPRIATION, AND AUTHORIZING THE EXPENDITURE OF ANY GRANT FUNDS RECEIVED OR TO BE RECEIVED FOR SAID PURPOSE

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 construct improvements to the Village water system, consisting of wellhead treatment improvements for emerging contaminants at Well Nos. 13 and 14, as described in the report dated June 2019, prepared for the Village by H2M Architects + Engineers. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$6,500,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of \$6,500,000 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. Any grant funds received by the Village and any other funds available for such purpose are authorized to be applied toward the cost of said project or redemption of the Village's bonds or notes issued therefor, or to be budgeted as an offset to the taxes to be collected for the payment of the principal of and interest on said bonds or notes.

Section 2. Bonds of the Village in the principal amount of \$6,500,000 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 period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 1 of the Law, is forty (40) years.
- (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 exceed five (5) years.

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 is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to publish or cause to be published, in full, in the "Garden City News" and the "Garden City Life," which are hereby designated the official newspapers of the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the following form:

VILLAGE OF GARDEN CITY, NEW YORK

PLEASE TAKE NOTICE that on October 3, 2019, the Board of Trustees of the Village of Garden City, in the County of Nassau, New York, adopted a bond resolution entitled:

"Bond Resolution of the Village of Garden City, New York, adopted October 3, 2019, authorizing the construction of improvements to the Village water system, consisting of wellhead treatment improvements for emerging contaminants at Well Nos. 13 and 14, stating the estimated maximum cost thereof is \$6,500,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of not to exceed \$6,500,000 to finance said appropriation, and authorizing the expenditure of any grant funds received or to be received for said purpose"

an abstract of such bond resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Village to construct improvements to the Village water system, consisting of wellhead treatment improvements for emerging contaminants at Well Nos. 13 and 14, as described in the report dated June 2019, prepared for the Village by H2M Architects + Engineers; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$6,500,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of \$6,500,000 bonds of the Village to finance said appropriation, and the levy of a tax upon all the taxable real property within the Village to pay the principal of said bonds and interest thereon; and STATING that any grant funds received by the Village and any other funds available for such purpose are authorized to be applied toward the cost of said project or redemption of the Village's bonds or notes issued therefor, or to be budgeted as an offset to the taxes to be collected for the payment of the principal of and interest on said bonds or notes;

SECOND: AUTHORIZING the issuance of \$6,500,000 bonds of the Village pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued is forty (40) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Village for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Village; and PLEDGING to their payment the faith and credit of the Village;

FIFTH: DELEGATING to the Village Treasurer the powers and duties as to the issuance of said bonds, and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: October 3, 2019

Karen M. Altman  
Village Clerk

Section 8. The Village Clerk is hereby directed, after said bond resolution shall take effect, to cause said bond resolution to be published, in summary or in full, in the newspapers referred to in Section 7 hereof, and hereby designated the official newspapers for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Law.

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

AYES: 7

NOES: 0

The resolution was declared adopted.

4. Engineering Services - Well Nos. 13 and 14 - H2M Architects and Engineers. Board authorization is requested to engage the services of H2M Architects and Engineers, 538 Broadhollow Road, Melville, New York, for professional engineering services associated with pilot testing a new wellhead treatment system for 1,4-dioxane removal at Well Nos. 13 and 14, for a total cost of \$194,500.

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

5. Engineering Services - Well Nos. 8 and 12 - H2M Architects and Engineers. Board authorization is requested to engage the services of H2M Architects and Engineers, 538 Broadhollow Road, Melville, New York, for professional engineering services associated with pilot testing a new wellhead treatment system for 1,4-dioxane removal at Well Nos. 8 and 12, for a total cost of \$194,500.

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

#### AWARD OF BIDS

##### Requisition No. 19-4, Dated October 3, 2019, Purchase of Materials for the Public Works Department.

1. Streetlight Poles, Luminaires and Accessories. (a) Award bid to Sentry Electric, Co., Inc., 185 Buffalo Avenue, Freeport, New York, only bidder for Item Nos. 6, 10-12 and 32-33, or Village approved equal, on an “as needed basis” based upon unit cost.

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

(b) Reject the second low bids of Sentry Electric for Item Nos. 3 and 4 and low bids for Item Nos. 9 and 34 as they do not meet specifications.

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

(c) Reject the low bids of Magniflood, Inc., for Item Nos. 3 and 4 as they do not meet specifications.

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

(d) Award bid to Kelley & Hayes Electric Supply of LI, Inc., 66 Southern Boulevard, Nesconset, New York, only bidder for Item Nos. 1, 2, 5, 7-8, 13-31, 35-42, 47-65 and 67, or Village approved equal, on an “as needed basis” based upon unit costs.

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

(e) Award bid to Kelley & Hayes Electric Supply of LI, Inc., 66 Southern Boulevard, Nesconset, New York, low bidder for Item Nos. 44-46 or Village approved equal, on an “as needed basis” based upon unit costs.

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

(f) Award bid to Kelley & Hayes Electric Supply of LI, Inc., 66 Southern Boulevard, Nesconset, New York, second low bidder for Item Nos. 9 and 34, or Village approved equal, on an “as needed basis” based upon unit costs.

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

(g) Award bid to Kelley & Hayes Electric Supply of LI, Inc., 66 Southern Boulevard, Nesconset, New York, third low bidder for Item Nos. 3 and 4 or Village approved equal, on an “as needed basis” based upon unit costs.

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

(h) Award bid to Magniflood, Inc., 7200 New Horizons Boulevard, North Amityville, New York, low bidder for Item No. 66 or Village approved equal, on an “as needed basis” based upon unit costs.

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

(i) Award bid to Champion Wire & Cable, 695 Summa Avenue, Westbury, New York, low bidder for Item No. 43 or Village approved equal, on an “as needed basis” based upon unit costs. The approximate cost of Streetlight Poles, Luminaires and Accessories is \$48,000. Funds are available in Account 0A.5182.4010.

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

A total of fifteen invitations to bid were sent and four bids were received. A Notice to Bidders was sent to McGraw Hill Information Systems and CMD Group and advertised on New York State Contract Reporter. Total approximate bid award for Streetlight Poles, Luminaires and Accessories is \$48,000.

On motion of Trustee Delany the following resolution was offered:

RESOLUTION NO. 116-2019

RESOLVED, that Requisition No. 19-4, dated October 3, 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: 7  
NOES: 0

The resolution was declared adopted.

2. Tree and Shrub Planting Contract - Louis Barbato Landscaping, Inc. Reported that a tabulation of bids had been circulated to each Member of the Board for the Tree Planting Contract and recommended that the bid be awarded to Louis Barbato Landscaping, Inc., 1600 Railroad Avenue, Holbrook, New York, low bidder, at a cost of \$38,960.

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

On motion of Trustee Delany the following resolution was offered:

RESOLUTION NO. 117-2019

RESOLVED, that the proposal of Louis Barbato Landscaping, Inc., 1600 Railroad Avenue, Holbrook, New York, at a cost of \$38,960, 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 Louis Barbato 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: 7

NOES: 0

The resolution was declared adopted.

## EXTERNAL COMMUNICATIONS

### PERMITS:

#### Solicitation:

1. American Legion Auxiliary, William Bradford Turner Post, Unit 265, requested authorization to distribute poppies in the area surrounding the Veterans Memorial at the Library on Seventh Street on Veterans Day, Monday, November 11, 2019 and also to distribute poppies throughout Garden City for the month of November.

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

2. Garden City Chamber of Commerce, 230 Seventh Street, Garden City, New York, requested authorization to hold their Annual Village Christmas Tree Lighting Ceremony, on Sunday, December 8, 2019 beginning at 3:30 p.m. Further requested to close Stewart Avenue, between Franklin and Hilton Avenues from 3:30 p.m. to 4:45 p.m.

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

#### On-Street Parking:

3. (a) Kemp and Bronwyn Hannon, 15 Franklin Court (2)
- (b) Ralph and Debbie Pastore, 19 Franklin Court (1)
- (c) John and Karen Munkenbeck, 22 Franklin Court (2)
- (d) Alexandra and Daphne Spirakis, 20 Franklin Court West (2)
- (e) Andrew T. Hulse, 23 Franklin Court (1)
- (f) Yvonne Visca, 23 Franklin Court (1)
- (g) Virginia Cook, 26 Franklin Court (1)
- (h) Margaret M. Murphy, 47 Franklin Court (1)
- (i) Kathleen Duffy, 48 Franklin Court (1)
- (j) Dehong Hu, 21 Meadow Street (1)
- (k) Chris Valerakis, 27 Meadow Street (1)

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

### **Following discussion, the following items were acted upon:**

## PUBLIC WORKS

1. Emergency Declaration - Purchase of Equipment for Wells. Requested authorization to the following emergency declaration with regard to Agenda Item #5d (Purchase Ultraviolet Advanced Oxidation Equipment for Well Nos. 13 and 14), Agenda Item #5e (Purchase Water-Shed UV Reactor and Control Stations for Well Nos. 13 and 14) and Agenda Item #7 (Purchase of UV Reactor and Control Stations for Well Nos. 7, 8, 10, 11 and 12).

On motion of Trustee Minuto the following resolution was offered:

### RESOLUTION NO. 118-2019

WHEREAS, the Village of Garden City has been notified by the State of New York that its water supply may not meet certain health standards, particularly in connection with certain emergent contaminants, and

WHEREAS, the Village desires to assure the highest quality water quality for its residents and considers doing so a matter of vital public health and safety, and

WHEREAS, the Village Board of Trustees has been notified by staff of the necessity of making certain purchases more particularly described in this evening's agenda items 5d, 5e and 7, and

WHEREAS, the Village staff has investigated such purchases and the time frame within which such purchases must be made, acquired, installed and operated in order to safeguard the public health;

NOW, THEREFORE, IT IS RESOLVED that an emergency is hereby declared pursuant to Village Procurement Policy and General Municipal Law section 103(4) such that the items described in agenda items 5d, 5e and 7 must be purchased immediately, and a delay in order to seek alternate proposals may threaten the life, health, safety or welfare of the residents; and

IT IS FURTHER RESOLVED that, accordingly, the requirements for public bidding with respect to said purchases is waived and the Mayor and/or Village Administrator are authorized to forthwith make such purchases pursuant to the proposals received without competitive bidding.

The vote on the foregoing resolution was as follows:

AYES: 7  
NOES: 0

The resolution was declared adopted.

2. Purchase Ultraviolet Advanced Oxidation Equipment - Trojanuvflex Advanced Oxidation Process (AOP) System for Well Nos. 13 and 14 - Trojan Technologies. Board authorization is requested to purchase Trojanuvflex Advanced Oxidation Process (AOP) System for Well Nos. 13 and 14 from Trojan Technologies, 3020 Gore Road, Ontario, Canada, is a single source supplier and the only system approved for use by the New York State Department of Health for the removal of 1,4 dioxane, at a cost of \$1,212,600.

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

3. Purchase of UV Reactor and Control Stations for Well Nos. 13 and 14 - EFI Solutions. Board authorization is requested to purchase (2) two Water-Shed UV Reactor and Control Stations for Well Nos. 13 and 14 from EFI-Solutions 1221 North Elm Street, Centralia, Illinois, at a cost of \$587,660. This station is needed to house the Ultraviolet Advanced Oxidation Equipment.

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

4. Purchase of UV Reactor and Control Stations for Well Nos. 7, 8, 10, 11 and 12 - EFI Solutions. Board authorization is requested to purchase one (1) Water-Shed UV Reactor and Control Station for Well No. 7, at a cost of \$293,830; two (2) for Well Nos. 10 and 11, at a cost of \$587,660 and two (2) for Well Nos. 8 and 12 (Well No. 12b), at a cost of \$587,660 from EFI-Solutions, 1221 North Elm Street, Centralia, Illinois. These stations are needed to house the Ultraviolet Advanced Oxidation Equipment. (Funding was approved at the August 15 and September 19, 2019 Board of Trustees' Meetings.)

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

TEMPORARILY SUSPEND THE RULES AND PROCEDURES

On motion of Mayor Trouvé the following resolution was offered:

RESOLUTION NO. 119-2019

RESOLVED, to temporarily suspend the Rules and Procedures of the Board of Trustees, to add two items to the agenda, specifically a Change Order for the Garden City Library Bathroom Renovation and a Transfer of Funds and a Change Order for the St. Paul's Comfort Station.

The vote on the foregoing resolution was as follows:

AYES: 7  
NOES: 0

The resolution was declared adopted.

1. Change Order Garden City Library Bathroom Renovation - Flagship Contractors, Inc. Board authorization is requested to pay the invoice for Change Order #1, with Flagship Contractors, Inc., 7815 4<sup>th</sup> Avenue, Brooklyn, New York which is for additional work to replace the condensate drain line located in the wall of the first floor bathrooms. This change order is in the amount of \$9,750. Funds are available in the Capital Project Account.

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

2. St. Paul's Comfort Station - Transfer of Funds. Requested authorization to transfer funds as follows:

(a) \$20,000 from Account 0A.1990.4000 - Contingent, to Account 0H.7140.2405 - St. Paul's - Comfort Station Rehabilitation, to fund additional work that is needed.

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

3. Change Order (No. 6) - St. Paul's Comfort Station - B & B Contracting Group - Revised Plans. Board authorization is requested to pay the invoice for Change Order (No. 6) which is for Revised Plans for tile work. This work is to be completed by B & B Contracting Group, 247 West 35<sup>th</sup> Street, New York, New York in the amount of \$54,772. Funds are available in the Capital Project Account.

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

Mayor Trouvé recognized the following:

Edgar Alzner, 164 Whitehall Boulevard  
Kathy Auro, 4 Merillon Avenue  
George Salem, 24 St. Paul's Place  
Leo Stimmler, 67 Huntington Road  
Robert Orosz, 28 Grove Street  
Steve Ilardi, 139 Meadow Street

There being no further business, on motion duly made, the meeting adjourned at 9:20 p.m.