

BOARD OF TRUSTEES

SEPTEMBER 19, 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 September 19, 2019 at 8:00 p.m.

Present: Mayor Theresa A. Trouvé, Trustees Robert A. Bolebruch, Stephen S. Makrinos, John M. Delany, Mark A. Hyer, 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
Giuseppe Giovanniello, Superintendent of Building Department
Joseph DiFrancisco, Superintendent of Public Works
William K. Castoro, Third Assistant Chief Fire Department
Darcia Palmer, Deputy Village Treasurer
Kenneth Gray, Bee Ready Fishbein Hatter & Donovan, LLP

Absent: Trustee Louis M. Minuto

Attendance: Approximately 40

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

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 Gregory M. Turovsky, 287 Bedell Terrace, West Hempstead, New York. The Volunteer Fire Department formally accepted him into the Department at their September 2019 monthly meeting.

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

Mayor Trouvé stated that the next item on the agenda was approval of the minutes of the last meetings of the Board of Trustees.

The minutes of the regular meeting held on August 15, 2019 were reviewed, and on motion of Trustee Makrinos were approved as presented.

The minutes of the special meeting held on September 5, 2019 were reviewed, and on motion of Trustee Delany were approved as presented.

The minutes of the special meeting held on September 12, 2019 were reviewed, and on motion of Trustee Bolebruch were approved as presented.

NEW BUSINESS

FORMAL AGENDA

1. Set Date for Public Hearing - Proposed Local Law to Repeal Chapter 90 of the Village Code. After discussion, Mayor Trouvé introduced the following resolution and moved its adoption:

RESOLUTION NO. 103-2019

RESOLVED, that the Board of Trustees hold a public hearing on a proposal to enact

a Local Law entitled, “A Proposed Local Law to 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.

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 3rd day of October, 2019.

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

AYES: 7
NOES: 0

The resolution was declared adopted.

2. Paul Blake, is hereby appointed Chairman, Board of Commissioners of Cultural and Recreational Affairs, effective September 30, 2019, (or upon Civil Service Approval), for the balance of the official year, expiring on April 6, 2020, at a salary of \$130,000.

On motion of Trustee Hyer the following resolution was offered:

RESOLUTION NO. 104-2019

RESOLVED, that the appointment of Paul Blake, as Chairman, Board of Commissioners of Cultural and Recreational Affairs of the Incorporated Village of Garden City, effective September 30, 2019 (or upon Civil Service approval) to serve for the balance of the official year, expiring April 6, 2020, at a salary of \$130,000, be and the same hereby is approved.

The vote on the foregoing resolution was as follows:

AYES: 6
NOES: 1 (Trustee Daughney)

Carried.

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

NEW BUSINESS

CONSENT CALENDAR

Trustee Daughney requested that Item #4 (Transfer of Funds - to fund Sewer Repairs) be removed from the Consent Calendar.

Trustee Makrinos requested that Item #5 (Sick Leave) be removed from the Consent Calendar.

FINANCE

1. Attendance at NASU 2019 Keystone Information System Conference. Requested authorization for Darcia Palmer, Deputy Village Treasurer and Adam Lipke, Accountant, to attend the NASU 2019 Keystone Information System Conference, scheduled for October 2 through October 4, 2019 in Charlotte, North Carolina, at an approximate cost of \$2,000, funding for which has been provided in the budget.

On motion of Trustee Delany and unanimously carried, Darcia Palmer, Deputy Village Treasurer and Adam Lipke, Accountant, were authorized to attend the aforesaid conference and to be reimbursed for such expenses as they may incur in connection therewith.

2. Appropriation of Termination Reserve. Board authorization is requested to appropriate \$322,512.08 from Account 0A.8670.0000 - Reserve for Compensated Absences, to Account 0A.9000.1220 - Termination Payout for an employee in the Police Department who retired. (Detective Richard Pedone).

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

3. Appropriation of Revenue - Fire Department. Board authorization is requested to appropriate \$3,043.25 from Account 0A.2280.1000 - Insurance Recoveries to Account 0A.3410.4260 - Fire Department Maintenance/Conversion of Apparatus. These are funds received by the insurance carrier due to damages to a Fire Department vehicle.

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

4. Appropriation of Revenue - Fire Department. Board authorization is requested to appropriate \$1,395 from Account 0A.2701.1000 - Refund of Appropriation to Account 0A.9950.9000 - Capital Projects (0H.3410.2081 - Fire Portable Radio Upgrade), as the result of a refund due to ordered radio cases that were returned.

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

5. Appropriation of Revenue - Police Department. Board authorization is requested to appropriate \$645.64 from Account 0A.2701.1000 - Refund of Appropriation to Account 0A.3120.1020 - Police - Overtime, for reimbursement of an officer who appeared as a witness in a case.

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

VILLAGE ADMINISTRATOR

1. Engage Services - Disability Management Associates, Inc. - Medical Management Services. Board authorization is requested to engage Disability Management Associates, Inc., 118 Queens Lane, Rochester, New York, at an amount not to exceed \$5,000 (as per the rates on file in the Village Clerk's Office), to provide the Village assistance in the area of Worker's Compensation and Disability Case Management for uniformed and non-uniformed service employees. Funds are available in Account 0A.1430.4160.

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

2. Motor Parkway - Lease Agreement - County of Nassau. Board authorization is requested to adopt a resolution declaring the execution of a certain long-term lease (for the parking lot/Motor Parkway area adjacent to Stewart School) between the County of Nassau and the Village of Garden City to be an Unlisted Action under SEQRA, and to determine that same has no significant environmental impact; and authorize the Mayor to execute the Lease Agreement. This is the long-term lease which replaces the current License Agreement for the same property, and which will allow construction of the parking lot and signage to begin. Same is recommended by Department of Public Works and Counsel to be classified as an Unlisted Action under SEQRA with a Negative Declaration.

On motion of Trustee Delany the following resolution was offered:

RESOLUTION NO. 105-2019

WHEREAS, the County is the fee owner of a parcel of vacant and unimproved land known and designated as Section 44, Block 77, Lot 2 on the Nassau County Land and Tax Map; and

WHEREAS, the Village has requested that the County lease the premises to it for the purposes of (i) constructing and maintain a parking and access area to and from Stewart Field, known and designated as Section 44 Block 75 Lot 10 on the Nassau County Land and Tax Map ("Stewart Field") and (ii) promoting the area as part of the original Vanderbilt Motor Parkway which is of historical note to the County and the Village; and

WHEREAS, the County approved said request and the parties have prepared a Lease Agreement, on file in the Office of the Village Clerk, to lease the premises according to certain limitations contained therein;

NOW THEREFORE, BE IT RESOLVED, by the Board of Trustees of the Incorporated Village of Garden City, that the execution of the Lease Agreement and actions contemplated therein constitute an Unlisted Action under the State Environmental Quality Review Act ("SEQRA");

BE IT FURTHER RESOLVED, that the Board of Trustees of the Incorporated Village of Garden City hereby finds and concludes that the Board is the Lead Agency with respect to review of the proposed action pursuant to SEQRA;

BE IT FURTHER RESOLVED, that no likely, significant and adverse environmental impacts have been identified or found with respect to the Action such that further environmental impact study pursuant to SEQRA is required;

BE IT FURTHER RESOLVED, that the Board of Trustees of the Incorporated Village of Garden City hereby adopts a Negative Declaration pursuant to SEQRA;

BE IT FURTHER RESOLVED, that the Board of Trustees of the Incorporated Village of Garden City hereby accepts the Lease Agreement and authorizes the execution of same by the Mayor or the Village Administrator.

The vote on the foregoing resolution was as follows:

AYES: 7

NOES: 0

The resolution was declared adopted.

3. Garden City Casino - License Agreement Extension. Requested authorization to extend the term of the Garden City Casino License Agreement twchich expires on October 30, 2019 to January 5, 2021. Village Counsel has approved this License Agreement Extension as to form.

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

PUBLIC WORKS

1. Attendance at NYCOM's 2019 Public Works School. Board authorization is requested for Joseph DiFrancisco, Superintendent of Public Works, Domenick Stanco, Deputy Superintendent of Public Works and Craig Bandini, Village Engineer to attend the New York Conference of Mayor's (NYCOM) 2019 Public Works School, scheduled for October 21 through October 23, 2019 in Ithaca, New York, at an approximate cost of \$3,700, funding for which has been provided in the budget.

On motion of Trustee Delany and unanimously carried, Joseph DiFrancisco, Superintendent of Public Works, Domenick Stanco, Deputy Superintendent of Public Works and Craig Bandini, Village Engineer were authorized to attend the aforesaid conference and to be reimbursed for such expenses as they may incur in connection therewith.

2. Acceptance of Maintenance Bond - Furnish, Deliver and Install New Emergency Standby Generator and New Automatic Transfer Switch and Concrete Pad Complete - Corkrey Electric Services, Inc. Board authorization is requested to accept Maintenance Bond No. OFB2531222 in the amount of \$99,375, which guarantees for one year the work performed by Corkrey Electric Services, Inc., 300 Jerusalem Avenue, Hempstead, New York. The bond was issued by Old Republic Insurance Company, 133 Oakland Avenue, Greensburg, Pennsylvania, for the above project at the Garden City Fire Department - Station No. 3. This Maintenance Bond has been reviewed by Counsel and approved as to form.

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

3. Purchase Additional Solar Powered Waste and Recycling Compactor Systems. Board authorization is requested to purchase an additional five (5) solar powered waste and recycling compactor systems from Bigbelly, 250 A Street, Needham, Massachusetts, for an approximate cost of \$60,000. (The bid to purchase nine (9) solar powered waste and recycling compactor systems was awarded to Bigbelly on May 24, 2018).

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

4. Wellhead Treatment - Well No. 7 - Authorize Expenditure. Board authorization is requested for the expenditure of \$5,200,000 to fund the project "Wellhead Treatment at Well No. 7 for AOP Removal".

On motion of Trustee Delany the following resolution was offered:

RESOLUTION NO. 106-2019

WHEREAS the Board of Trustees is desirous of providing wellhead treatment for Well No. 7 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 \$5,200,000.

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 \$5,200,000 to fund the project: Wellhead Treatment at Well No. 7 for AOP Removal.

BE IT RESOLVED, conditioned on the award of the grant that the Board of Trustees of the Incorporated Village of Garden City authorizes the expenditure of \$5,200,000 to fund the project; Well No. 7 for AOP Removal.

The vote on the foregoing resolution was as follows:

AYES: 7
NOES: 0

The resolution was declared adopted.

5. Wellhead Treatment - Well No. 7 - SEQRA Review - Type II. Request authorization for the approval of the SEQRA.

On motion of Trustee Delany the following resolution was offered:

RESOLUTION NO. 107-2019

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.

6. Bond Resolution - Well Treatment - Well No. 7. Requested authorization for a bond resolution for Well No. 7. The total cost of the bond for the Well No. 7, including financing costs and additional contingencies for unforeseen expenses is estimated to be \$5,200,000.

On motion of Trustee Delany the following resolution was offered:

RESOLUTION NO. 108-2019

BOND RESOLUTION OF THE VILLAGE OF GARDEN CITY, NEW YORK, ADOPTED SEPTEMBER 19, 2019, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO THE VILLAGE WATER SYSTEM, CONSISTING OF WELLHEAD TREATMENT IMPROVEMENTS AT WELL NO 7, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$5,200,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$5,200,000 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 No. 7, 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 \$5,200,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of \$5,200,000 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 \$5,200,000 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 September 19, 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 September 19, 2019, authorizing the construction of improvements to the Village water system, consisting of wellhead treatment improvements for emerging contaminants at Well No. 7, stating the estimated maximum cost thereof is \$5,200,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of not to exceed \$5,200,000 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 No. 7, 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 \$5,200,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of \$5,200,000 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 \$5,200,000 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: September 19, 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.

7. Purchase Ultraviolet Advanced Oxidation Equipment - Well No. 7 - Trojanuvflex Advanced Oxidation Process (AOP) System. Board authorization is requested to purchase Ultraviolet Advanced Oxidation Equipment from Trojan Technologies, 3020 Gore Road, Ontario, Canada, as they are the 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 from Well No. 7.

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

8. Purchase of Ultraviolet Advanced Oxidation Equipment - Well Nos. 8, 10, 11 and 12 - Trojanuvflex Advanced Oxidation Process (AOP) System. Board authorization is requested to purchase Ultraviolet Advanced Oxidation Equipment from Trojan Technologies, 3020 Gore Road, Ontario, Canada, as they are the 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 from Well Nos. 8, 10, 11 and 12.

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

9. St Paul's Building- Increase Budget. Requested authorization to increase the budget for the St. Paul's Building from \$1,000,000 to \$1,625,000.

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

10. Adopt Amending Bond Resolution - St. Paul's Building. Requested authorization to amend the Bond Resolution for the St. Paul's Building. This will amend the original Bond Resolution which was adopted at the March 28, 2019 Board of Trustees Meeting from \$1,000,000 to \$1,625,000. This original Bond Resolution was adopted and recommended to be a Type II and exempt from further SEQRA Review.

On motion of Trustee Delany the following resolution was offered:

RESOLUTION NO. 109-2019

RESOLUTION OF THE VILLAGE OF GARDEN
CITY, NEW YORK, ADOPTED SEPTEMBER 19,
2019, AMENDING THE BOND RESOLUTION
ADOPTED ON MARCH 28, 2019

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

Recitals

WHEREAS, the Board of Trustees of the Village of Garden City, in the County of Nassau, New York, has heretofore duly authorized the issuance of bonds 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, at the estimated total cost of \$500,000; the aggregate amount thereof being \$1,000,000, which amount was appropriated for such purpose by said Board of Trustees, pursuant to the bond resolution adopted by the Board of Trustees on March 28, 2019; and

WHEREAS, it has now been determined that the cost of the work to be done in connection with the protection and stabilization is \$1,125,000, and it is in the public interest to increase said appropriation by \$625,000;

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

Section (A) The bond resolution of said Village duly adopted by the Board of Trustees on March 28, 2019, entitled:

"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," is hereby amended to read as follows:

BOND RESOLUTION OF THE VILLAGE OF GARDEN CITY,
NEW YORK, ADOPTED MARCH 28, 2019 AND AMENDED
SEPTEMBER 19, 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 \$1,125,000 FOR PROTECTION AND STABILIZATION OF THE ST. PAUL'S MAIN BUILDING; STATING THE AGGREGATE ESTIMATED MAXIMUM COST THEREOF IS \$1,625,000; APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE; AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$1,625,000 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 \$1,125,000 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 \$1,625,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of \$1,625,000 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 \$1,625,000 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 \$1,625,000 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. Paul's' 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.

Section (B) The amendment of the bond resolution set forth in Section (A) of this resolution, shall in no way affect the validity of the liabilities incurred, obligations issued, or action taken pursuant to said bond resolution, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond resolution, as so amended.

The vote on the foregoing resolution was as follows:

AYES: 7

NOES: 0

The resolution was declared adopted.

AWARD OF BIDS

1. Requisition No. 19-3, Dated September 19, 2019, Purchase of Materials for the Recreation Department.

(a) Winged Rotary Motor. Recommend the purchase of a Belco Cyclone Super Flex Winged Rotary Motor, or Village approved equal, from Malvese Equipment Co., Inc., One Henrietta Street, Hicksville, New York, low bidder, at a cost of \$19,253. Funds are available in Account 0H.7140.2000. A total of four invitations to bid were sent and two bids were received. A Notice to Bidders was sent to Bid Reporter and bid specifications were advertised on New York State Contract Reporter.

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

On motion of Trustee Delany the following resolution was offered:

RESOLUTION NO. 110-2019

RESOLVED, that Requisition No. 19-3, dated September 19, 2019, filed under separate cover, be made a part of these minutes and that materials and equipment be purchased for the Recreation 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. GAC Adsorber Contract - SEQRA. Recommend the purchase of a GAC Adsorber Contract, from Tigg, LLC, One Willow Avenue, Oakdale, Pennsylvania, for items to be ordered on an “as-needed basis” based upon unit cost for the 2019 period, with a renewal option for 2020 and/or 2021. Funding will be made available through bonding and potential grant money under the Federal Clean Water Infrastructure Act for the purpose of dealing with emerging contaminants in the water supply of New York State, including the water supply of Garden City. This is recommended to be a Type II and would then be exempt from further SEQRA Review. A total of three invitations to bid were sent and three bids were received. Bid specifications were advertised on New York State Contract Reporter.

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

On motion of Trustee Delany the following resolution was offered:

RESOLUTION NO. 111-2019

RESOLVED, that the proposal of Tigg, LLC, One Willow Avenue, Oakdale, Pennsylvania, for items to be ordered on an “as-needed basis” based upon unit cost for the 2019 period, with a renewal option for 2020 and/or 2021, 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 Tigg, LLC, 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:

1. Mrs. RoseAnn Vernice, President, Western Property Owners' Association, P. O. Box 7976, requesting permission for the Western Section of the Village to host a traditional tree lighting ceremony on Friday, December 6, 2019, from 6:00 p.m. to 7:00 p.m., at the south end of New Hyde Park Road.

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

Parade:

2. The Turkey Trot Committee of Garden City, Inc., requested to hold its 42nd Annual Running of the Garden City Turkey Trot on Thanksgiving Day, Thursday, November 28, 2019 and further requested the use of the St. Paul's Fieldhouse on Wednesday, November 27 and Thursday, November 28, 2019.

On motion of Trustee Delany 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 with the Police Department.

On-Street Parking:

3. (a) Sean R. McCoyd, 37 Franklin Court (1)
- (b) Mary E. Messmer, 19 Meadow Street (1)

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

Following discussion, the following items were acted upon:

FINANCE

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

(a) \$260,000 to Account 0A.9950.9000 - Capital Projects (to fund 0H.8120.2020 - Sewer Repairs), from Account 0A.1990.4000 - Contingent, for the emergency repair of three (3) sewer main collapses.

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 - Three employees. Board authorization is requested to pay Police Officer Carlo Fracassa, Police Officer Michael Punch and Police Officer Tiffany D'Alessandro, through October 17, 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 Makrinos and unanimously carried, the aforesaid authorization was approved.

2. Sick Leave - Two employees. Board authorization is requested to pay Police Communications Operator Dana Gasparec through October 3, 2019 and Police Communications Operator Andrea Gazarian through October 1, 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 Civil Service Employees' Association, which became effective June 1, 2010.

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

PUBLIC WORKS

3. Sick Leave - Kratina. Board authorization is requested to pay Joseph Kratina, Sanitation Worker, Sanitation Department through October 17, 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 Makrinos and unanimously carried, the aforesaid authorization was approved.

BOARD OF TRUSTEES

H2M Architects and Engineers - Water Update. Presentation by Mr. Dennis Kelleher, P.E., President and Mr. Jim Roberts, P.E., Vice-President H2M Architects and Engineers, 538 Broadhollow Road, Melville, New York, to give an update and to answer any questions the Board may have on the new regulations and what they know about the current situation with New York State, the Water Advisory Board and pending regulations.

Mayor Trouvé recognized the following:

Robert Orosz, 28 Grove Street

Steve Ilardi, 139 Meadow Street

John Wilton, Chairman, Garden City Chamber of Commerce Merchants Group

Ed Finneran, 86 Sixth Street

Maura Clancy, 114 Seventh Street

Andrew Shumelda, P.O. Box 719

Paul Rothenbiller, 216 Kensington Road

There being no further business, on motion duly made, the meeting adjourned at 10:15 p.m.