

BOARD OF ASSESSMENT REVIEW

MARCH 2, 2023

A meeting of the Board of Assessment Review of the Village of Garden City in the County of Nassau, New York, was held via Zoom video/audio (with Trustees, Department Heads and Village Counsel and audience present) at the Village Hall, 351 Stewart Avenue in said Village on March 2, 2023, at 7:30 p.m.

Present: Mayor Cosmo Veneziale, Trustees Bruce J. Chester, Charles P. Kelly, Lawrence N. Marciano, Jr., Thomas J. O'Brien (via Zoom) and Bruce A. Torino.

Absent: Trustees Terence P. Digan and Mary Carter Flanagan.

Also Present: Ralph V. Suozzi, Village Administrator
Karen M. Altman, Village Clerk
Gary Fishberg, Cullen and Dykman, LLP

Attendance: Approximately 19 in person and 35 via Zoom

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

Grievance Night Applications. Mayor Veneziale stated that the Board of Assessment Review held Grievance Night on February 21, 2023 and determined that many grievants failed to provide any information or provided insufficient information to permit the Board to make proper determinations that their assessments were illegal, erroneous or unequal. The meeting was adjourned until March 2, 2023, to allow those grievants who did not supply relevant information an opportunity to do so if they chose to.

Trustee Torino offered the following resolution and moved its adoption:

RESOLUTION NO. 26-2023

WHEREAS, at the Grievance Night hearing of the Board of Assessment Review held on February 21, 2023, the Board found that certain grievants for real property tax assessment reductions failed to provide any information or provided insufficient information to permit the Board to make proper determinations that their assessments were illegal, erroneous or unequal; and

WHEREAS, the Board of Assessment Review adjourned the Grievance Hearing to allow grievants who had timely filed a grievance to supply additional information, if they wished, by 3:30 p.m. on March 2, 2023; and

WHEREAS, all the grievants who were not granted assessment reductions have failed to supply sufficient information to support a reduction of their assessment, and

NOW, THEREFORE, BE IT RESOLVED, that the Board finds that the aforesaid grievants have provided insufficient information to allow the Board of Assessment Review to make a determination that such assessments are illegal, erroneous or unequal and that such failure to provide sufficient information was willful, and therefore, pursuant to Section 525(2)(a) of the Real Property Tax Law, the aforesaid grievants are not entitled to any reduction of their assessments.

<u>Petitioner/Address</u>	<u>Current A/V</u>	<u>New A/V</u>
Eric Chan and Lan Truong 63 Pell Terrace	18,500	N/C
Peter Durkovic 21 Raymond Court	9,660	N/C

<u>Petitioner/Address</u>	<u>Current A/V</u>	<u>New A/V</u>
Cathedral of the Incarnation 36 Cathedral Avenue	61,000	N/C
Genevieve E. Young Living Trust 36 Brompton Road	12,300	N/C
Michael and Theanne Ricci 81 Chelsea Road	15,900	N/C
Josephine and Rosemarie Fusco 162 Meadbrook Road	23,500	N/C
Robert and Caitlin Hendrickson 34 Colonial Avenue	12,200	N/C
Geoge and Christine Ruhl Four Monroe Street	13,600	N/C
Mohammad Tarerhasankhan 133 Roosevelt Street	12,500	N/C
Brandon Kai Chung and Christina Lee 115 Jefferson Street	10,800	N/C

NOW THEREFORE, BE IT RESOLVED, that the Board has determined that the aforesaid Grievance Night grievances be denied; and

BE IT FURTHER RESOLVED that all other grievances filed and not specifically addressed above have been reviewed by the Board of Assessment Review and Village Assessor and have been found insufficient in proof that the complained-of assessments are illegal, erroneous or unequal, and accordingly, said grievances are hereby denied; and

BE IT FURTHER RESOLVED that the Board shall notify each grievant of its determination in writing prior to publication of the Final Assessment Roll.

The vote on the foregoing was as follows:

AYES: 6
NOES: 0

The resolution was declared adopted.

Trustee Torino offered the following resolution and moved its adoption:

RESOLUTION NO. 27-2023

WHEREAS, at the Grievance Night hearing of the Board of Assessment Review held on February 21, 2023, the Board found that certain grievants for real property tax assessment reductions failed to provide any information or provided insufficient information to permit the Board to make proper determinations that their assessments were illegal, erroneous or unequal; and

WHEREAS, the Board of Assessment Review adjourned the Grievance Hearing to allow grievants who had timely filed a grievance to supply additional information, if they wished, by 3:30 p.m. on March 2, 2023, and

WHEREAS, several grievants have now provided sufficient information to support the reduction of their assessments as set forth below:

<u>Petitioner/Address</u>	<u>Current A/V</u>	Reduction	<u>New A/V</u>
John and Cathy Lattica 44 Hilton Avenue	23,000	1,800	21,200
Nalin Fernando Two Maria Lane	14,000	1,140	12,860
Zachery and Lauren Truesdell 46 Yale Street	22,000	1,840	20,160

NOW THEREFORE, BE IT RESOLVED, that the Board has determined that the aforesaid Grievance Night grievances are hereby granted and that their assessments be reduced in the aforesaid amounts for the 2023/2024 assessment roll subject to the agreement by the applicants; and

BE IT FURTHER RESOLVED that the Board shall notify each grievant of its determination, in writing, prior to publication of the Final Assessment Roll.

The vote on the foregoing was as follows:

AYES: 6
NOES: 0

The resolution was declared adopted.

On motion of Mayor Venezia and unanimously carried, the meeting of the Board of Assessment Review was closed at 7:42 p.m.

BOARD OF TRUSTEES

MARCH 2, 2023

A meeting of the Board of Trustees of the Village of Garden City in the County of Nassau, New York, was held via Zoom video/audio (with Trustees, Department Heads and Village Counsel and audience present in the Board Room) at 351 Stewart Avenue in said Village on March 2, 2023, at 7:43 p.m.

Present: Mayor Cosmo Veneziale, Trustees Bruce J. Chester, Charles P. Kelly, Lawrence N. Marciano, Jr., Thomas J. O'Brien, and Bruce A. Torino.

Also Present: Ralph V. Suozzi, Village Administrator
Karen M. Altman, Village Clerk
Kenneth O. Jackson, Chairman, Board of Police Commissioners
Irene Woo, Village Treasurer (via Zoom)
Giuseppe Giovannello, Superintendent of Building Department
Paul Blake, Chairman, Board of Commissioners of Cultural and Recreational Affairs
John Borroni, Superintendent of Public Works
James Taunton, First Assistant Chief Fire Department
Gary Fishberg, Cullen and Dykman, LLP

Absent: Trustees Terence P. Digan and Mary Carter Flanagan.

Attendance: Approximately 19 in person and 35 (via Zoom)

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

Mayor Veneziale called the meeting to order and called upon Ralph Suozzi along with the Department Heads who spoke about their agenda items.

Mayor Veneziale stated that the first item on the agenda was approval of the minutes of the last meeting of the Board of Trustees.

The minutes of the regular meeting held on February 21, 2023 were reviewed, and on motion of Trustee Chester were approved as presented. (Trustee Marciano abstained)

NEW BUSINESS

FORMAL AGENDA

FIRE

1. Acquisition of Fire Trucks - Bond Resolution. Board authorization is requested to approve the Bond Resolution, as provided by Bond Counsel, for the purchase of three (3) Fire Trucks and equipment totaling \$3,300,000. The Village will spend \$979,000 from existing funds and financing will not exceed \$2,321,000.

Trustee Torino offered the following resolution and moved its adoption:

RESOLUTION NO. 28-2023

BOND RESOLUTION OF THE VILLAGE OF GARDEN CITY, NEW YORK, ADOPTED MARCH 2, 2023, AUTHORIZING THE ISSUANCE OF BONDS IN A PRINCIPAL AMOUNT NOT TO EXCEED \$2,321,000 TO FINANCE THE ACQUISITION OF THREE FIRE TRUCKS; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$3,300,000; APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, INCLUDING THE

EXPENDITURE OF \$979,000 IN AVAILABLE VILLAGE FUNDS TO PAY A PART OF SAID APPROPRIATION; AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$2,321,000 TO FINANCE THE BALANCE OF 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 issue bonds in a principal amount not to exceed \$2,321,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance the acquisition of three fire trucks.

Section 2. The aggregate estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$3,300,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the expenditure of \$979,000 in available Village funds to pay a part of said appropriation, the issuance of bonds of the Village in the principal amount of \$3,321,000 to finance the balance of 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 3. The following additional matters are hereby determined and declared:

- (a) The period of probable usefulness of the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 27 of the Law, is twenty (20) 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 the issuance 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 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 the execution of agreements for credit enhancements, 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 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 official newspaper of the Village, having a general circulation within said Village, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the form appearing in Exhibit A hereto.

Section 8. The Village Clerk is hereby authorized and directed, after said bond resolution shall take effect, to cause said bond resolution to be published, in summary, in the official newspaper of the Village, having a general circulation within said Village, 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: 3 (Mayor Venezia, Trustees O'Brien and Torino)
NOES: 3 (Trustees Chester, Kelly and Marciano)

The motion failed to carry.

CONSENT CALENDAR

SICK LEAVE

POLICE

1. Sick Leave - Four Employees. Board authorization is requested to pay Police Sergeant Keith Wehr, Police Officer Kyle Lucia and Police Communications Operator Katelyn McKay and Christopher Cacioppo, Police Officer, through April 3, 2023, 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, 2020 and the provisions of the contract between the Incorporated Village of Garden City and the Civil Service Employees' Association, which became effective June 1, 2021.

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

PUBLIC WORKS

2. Sick Leave - Three Employees. Board authorization is requested to pay John Valentine, Motor Equipment Operator, Street Department, Salvatore Cardinale, Laborer, Street Department and Sean Gillice, Motor Equipment Operator, Sanitation Department through April 3, 2023, or such earlier date as they may be able to return to duty as determined by the Village medical advisor and pursuant to the provisions of the contract between the Incorporated Village of Garden City and the Civil Service Employees' Association, which became effective June 1, 2021.

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

RECREATION

3. Sick Leave - Two Employees. Board authorization is requested to pay Robert Vaughn, Laborer, Recreation and Parks Department and Kevin Jackowski, Maintenance Helper, Recreation and Parks Department through April 3, 2023, or such earlier date as they may be able to return to duty as determined by the Village medical advisor and pursuant to the provisions of the contract between the Incorporated Village of Garden City and the Civil Service Employees' Association, which became effective June 1, 2021.

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

RECREATION

1. Arbor Day Proclamation - Tree City. Board authorization is requested to declare Friday, April 28, 2023 as Arbor Day in Garden City. This proclamation will also serve as one of the requirements for the Village of Garden City being named "Tree City" by the Arbor Day Foundation.

On motion of Trustee Torino the following resolution was offered:

RESOLUTION NO. 29-2023

WHEREAS, in 1872, the Nebraska Board of Agriculture established a special day to be set aside for the planting of trees; and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS, Arbor Day is now observed throughout the nation and the world; and

WHEREAS, trees can be a solution to combating climate change by reducing the erosion of our precious topsoil by wind and water, cutting heating and cooling costs, moderating the temperature, cleaning the air, producing life-giving oxygen and providing habitat for wildlife; and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and

WHEREAS, trees in our Village increase property values, enhance the economic vitality of business areas and beautify our community; and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal.

NOW, THEREFORE, I, Mayor of the Village of Garden City, do hereby proclaim April 28, 2023 as Arbor Day in the Village of Garden City and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands; and

BE IT FURTHER RESOLVED, I urge all citizen to plant trees to gladden the heart and promote the well-being of this and future generations.

The vote on the foregoing resolution was as follows:

AYES: 6
NOES: 0

The resolution was declared adopted.

PUBLIC WORKS

1. Transfer of Funds. Board authorization is requested to transfer funds as follows:

(a) \$29,768 to Account 0A.5182.4010 Street Lighting - Materials and Supplies from Account 0A.1990.4000 Contingent for the purchase of three (3) temporary speed humps in response to a study performed by the Traffic Commission.

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

(b) \$18,150 to Account 0A.8160.4020 Refuse and Garbage (Sanitation) - Maintenance of Equipment from Account 0A.1990.4000 Contingent for needed repairs to Garbage Truck No. 212.

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

2. Clinton Road Plant (Well Nos. 10 and 11) - Declare an Emergency. Board authorization is requested to declare an emergency so as to necessitate the awarding of a contract without competitive bidding to replace and construct new blower and blower buildings at the Clinton Road Plant as they are past their useful life and in need of replacement.

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

3. Clinton Road Plant (Well Nos. 10 and 11) - Engage Philip Ross Industries. Board authorization is requested to engage Philip Ross Industries, 88 Duryea Avenue, Melville, New York, to replace and construct new blower and blower buildings at the Clinton Road Plant, for a total cost of \$925,000. Funds are available in Water Department Surplus.

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

4. Garden City Public Library Children's Room Renovation - Intelli-Tec Security Services. Board authorization is requested to approve the proposal submitted by Intelli-Tec Security Services, 150 Eileen Way, Syosset, New York, to install the video surveillance at the Garden City Library, for a total cost of \$10,695.70. Funds are available in Account 0H.7410.2011.

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

5. Garden City Public Library Children's Room Renovation - Declare Sole Source - PLAY Interactive Touch Table - After-Mouse.com New York. Board authorization is requested to declare After-Mouse.com New York, 181 Timberland Manor Drive, Bentonville, Virginia as the "Sole Source" to purchase the PLAY Interactive Touch Table for the Garden City Public Library Children's Room Renovation.

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

6. Garden City Public Library Children's Room Renovation - Declare Sole Source - IQ Blackboard - Intelligent School Systems. Board authorization is requested to declare Intelligent School Systems, 325 Rabro Drive, Hauppauge, New York as the "Sole Source" for the purchase of the IQ Blackboard for the Garden City Public Library Children's Room Renovation.

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

AWARD OF BIDS

Requisition No. 22-8, Dated March 2, 2023, Purchase of Materials for the Public Works Department.

1. Assorted Traffic Signs. (a) Lightle Enterprises of Ohio, LLC, P.O. Box 329, Frankfort, Ohio, low bidder, for Item Nos. 8, 69, 100, 108-109, 113, 119-125, 134-136, 147-154, 156-159, 161-162 and 165, as specified, or Village approved equal, on an “as needed basis”, based upon unit costs on file with the Village Clerk.

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

(b) Award bid to Garden State Highway Products, Inc., 301 Riverside Drive, Millville, New Jersey, low bidder, for Item Nos. 1, 3, 5-7, 9-13, 15-18, 27, 49-56, 58-60, 63-65, 77-78, 81-90, 106-107, 111-112, 114-117, 130-133, 137-146, 160, 164 and 166-168, as specified, or Village approved equal, on an “as needed basis”, based upon unit costs on file with the Village Clerk.

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

(c) Award bid to Osburn Associates, Inc., P.O. Box 912, Logan, Ohio, low bidder, for Item Nos. 2, 4, 14, 19-26, 28-48, 57, 61-62, 66-68, 70-76, 79-80, 91-99, 101-105, 110 and 126-129, as specified, or Village approved equal, on an “as needed basis”, based upon unit costs on file with the Village Clerk.

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

(d) Award bid to Independent Metal Strap Co., Inc., 883 Horsepond Road, Dover, Delaware, low bidder, for Item Nos. 155 and 163, as specified, or Village approved equal, on an “as needed basis”, based upon unit costs on file with the Village Clerk. Estimated cost for Assorted Traffic Signs is \$40,000. This amount could be more or less depending upon what items are needed throughout the year. A total of twelve invitations to bid were sent and five bids were received. Bid Specifications were advertised on New York State Contract Reporter. Funds are available in Account 0A.5182.4010.

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

On motion of Trustee Torino the following resolution was offered:

RESOLUTION NO. 30-2023

RESOLVED, that Requisition No. 22-8, dated March 2, 2023, 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: 6
NOES: 0

The resolution was declared adopted.

EXTERNAL COMMUNICATIONS

PERMITS:

Mr. John E. Wilton, President, Garden City Chamber of Commerce, requested authorization to hold its annual Vintage Car Parade on Easter Sunday, April 9, 2023 beginning at 1:00 p.m. (no rain date). Further requested to close Franklin and Stewart Avenues and Seventh Street during the parade.

On motion of Trustee Torino and unanimously carried, the aforesaid recommendation was approved, subject to coordination with the Police Department and receipt of an original Certificate of Insurance.

SUSPEND THE RULES AND PROCEDURES

On motion of Trustee Torino the following resolution was offered:

RESOLUTION NO. 31-2023

RESOLVED, to suspend the Rules and Procedures of the Board of Trustees, to add two items to the agenda namely, Garden City Public Library - Raise the Capital Project Total and Transfer of Funds and the Garden City Senior Center, Transfer of Funds for the repair of the Senior Center.

The vote on the foregoing resolution was as follows:

AYES: 6
NOES: 0

The resolution was declared adopted.

1. Garden City Public Library Children's Room Renovation - Increase Capital Project. Board authorization is requested to Increase the Capital Project of the Garden City Public Library Children's Room Renovation by \$24,000. This will bring the total up from \$1,298,624 to a new total of \$1,322,624.

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

2. Garden City Public Library Children's Room Renovation - Transfer Funds. Board authorization is requested to transfer funds of \$24,000 to Account 0H.7410.2011 Library Children's Room - Capital Project from 0A.1990.4000 Contingent, for the funding which was previously approved at the December 15, 2022 Board of Trustees Meeting for work to be performed by Intelli-tec Security Services, 150 Eileen Way, Syosset, New York.

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

3. Senior Center Repairs - Transfer of Funds. Board authorization is requested to transfer funds of \$253,499.04 to Account 0A.7140.4480 Maintenance - Senior Recreation Center from Account 0A.2680.100 Insurance Recoveries, so that the recovered funds can be utilized in order to facilitate the needed repairs of the Senior Center.

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

Mayor Veneziale recognized the following:

Steve Gorray, 44 Cambridge Avenue

Mary McGuire, 67 Kingsbury Road

Ed Finneran, 301 Franklin Avenue

Richard Williams, 411 Stewart Avenue

Kathy Auro, Four Merillon Avenue

Lynn Krug, Two Wydler Court

Jane Duan, One Harvard Street

Robert Vassalotti, 32 Brixton Road

There being no further business, on motion duly made, the meeting adjourned at 9:40 p.m.