

BOARD OF TRUSTEES

MAY 18, 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 Webinar (with Trustees, Department Heads and Village Counsel and audience present in the Board Room) at 351 Stewart Avenue in said Village on May 18, 2023, at 7:31 p.m.

Present: Mayor Mary Carter Flanagan, Trustees Bruce J. Chester (arrived at 7:33 p.m.), Edward T. Finneran, Michele Beach Harrington, Charles P. Kelly, Lawrence N. Marciano, Jr. (arrived at 7:40 p.m.), Michael J. Sullivan and Bruce A. Torino.

Also Present: Ralph V. Suozzi, Village Administrator
Karen M. Altman, Village Clerk
Steven Braun, Inspector, Police Department
Irene Woo, Village Treasurer
Giuseppe Giovanniello, Superintendent of Building Department
Matthew Pearn, Chief Fire Department
Paul Blake, Chairman, Board of Commissioners of Cultural and Recreational Affairs
John Borroni, Superintendent of Public Works
Gary Fishberg, Cullen and Dykman, LLP

Attendance: Approximately 29 in person and 23 (via Zoom)

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

Mayor Flanagan opened the meeting and stated that the evening will begin with Quick Residents Comments from those who wish to speak about any item for no more than one minute each for a limit of thirty minutes. Ryder Weinstein spoke briefly about his request for the Village to allow ice cream trucks in the Village of Garden City. The Mayor thanked him for his input. The Mayor and Board of Trustees briefly discussed this later on in the meeting and agreed that they would need more information before making a decision on this matter.

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

Mayor Flanagan stated that the first item on the agenda was a public hearing with regard to a Local Law to Amend the Code of the Village of Garden City in relation to Prohibiting Certain Transient Dwelling Uses. Trustee Chester 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 Chester and unanimously carried, the public hearing was closed.

On motion of Trustee Chester the following resolution was offered:

RESOLUTION NO. 68-2023

INCORPORATED VILLAGE OF GARDEN CITY
LOCAL LAW NO. 1-2023
A LOCAL LAW TO AMEND THE CODE OF THE VILLAGE OF GARDEN CITY, IN
RELATION TO PROHIBITING CERTAIN TRANSIENT DWELLING USES

BE IT ENACTED, by the Board of Trustees of the Village of Garden City:

The Code of the Village of Garden City is hereby amended, to add the following:

§200-45.5 Transient Dwelling Units

- A. Transient Dwelling Unit: an entire dwelling unit, or a room or group of rooms within a dwelling unit, made available to rent, lease, or otherwise assigned for an occupancy of less than thirty (30) consecutive days to one or more persons who are not the owner, or a family member of the owner of such dwelling unit. The term “Transient Dwelling Unit” shall include both owner-occupied and non-owner occupied dwelling units, and shall not include: (i) any lawfully permitted dormitories; (ii) any lawfully permitted hotel or motel rooms, bed-and-breakfast inns or lodging houses, or business establishment operating exclusively for and catering to transient clientele (that is, persons who customarily reside at these establishments for short durations for the purpose of vacationing, travel, business, recreational activities, conventions, emergencies, and other activities that are customary to a commercial hotel/motel business); and (iii) any lawfully operating medical, health care, nursing home, assisted living, or other similar facility.
- B. Presumption of Use. There shall be a presumption that a property or dwelling unit is a “Transient Dwelling Unit” if the following is found to exist:
 - 1. The property or dwelling unit is advertised or offered on any medium, including Airbnb, Home Away, VRBO, or similar short term rental website, as being available for occupancy for a period of less than thirty (30) days.
 - 2. The foregoing presumption may be rebutted by documentary or other evidence presented and satisfactory to the Superintendent of Buildings that the property or dwelling unit is not a “Transient Dwelling Unit.” In all such cases, the burden of proof to establish that a property or dwelling unit is not a “Transient Dwelling Unit” shall be upon the owner or occupant of the property. Any property aggrieved by a determination of the Superintendent of Buildings in this regard may appeal such determination to the Board of Appeals.
- C. Applicability to Owners. For the purposes of defining a “Transient Dwelling Unit”, the term “owner” shall mean and include any individual or individuals, partnership or corporation or other organization in possession of and having a fee interest in the real property where a dwelling unit is located. The term “owner” also shall include a corporation, limited-liability company, partnership, association, trustee or other business entity or nonbusiness forms of ownership.
- D. Transient Dwelling Units prohibited. No dwelling unit, whether single-family, multi- dwelling, or mixed residential use, shall be used or occupied as a Transient Dwelling Unit. No permit shall be issued for the use of any property within the Village as a Transient Dwelling Unit.
- E. Application for Search Warrant. The Superintendent of Buildings, or such Superintendent’s designated representative, is authorized to make an application to the Village Court or any court with appropriate jurisdiction for the issuance of a search warrant in order to conduct an inspection of any premises which is subject to this section, where the owner or occupant of such premises refuses or fails to permit an inspection of such premises and where there is reasonable cause to believe that a violation of this section has occurred. Such application for a search warrant shall in all respects be made in conformance with, and shall comply with, the applicable laws of the State of New York and the United States.
- F. Warrantless inspections and searches prohibited. Nothing in this section shall be deemed to authorize the Superintendent of Buildings, or the authorized representative of such Superintendent, to conduct an inspection or search of any premises pursuant to this section without the consent of the owner or occupant of the premises or without a warrant duly issued by an appropriate court, except where such inspection or search may be permitted by law. Nothing in this section shall be deemed to limit the authority of the Superintendent of Buildings or the authorized

representative of such Superintendent, to conduct a search without a warrant where such search is authorized by law.

- G. Civil Action. Village Counsel is authorized to institute a civil litigation to obtain and enforce any available remedy, including injunctive relief, in the event of any violation of this section. In any such litigation, the court may award the Village its reasonable attorneys' fees and expenses of such litigation.

Any local law or provision of the Code of the Village of Garden City in conflict with this local law is hereby repealed to the extent of such conflict, except that such repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of such local law, ordinance, or resolution prior to the effective date of this local law.

If any clause, sentence, paragraph, section, article, or part of this local law shall be adjudged to be invalid by any court of competent jurisdiction, such judgment shall not affect, impair, or invalidate any part of the local law, or the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, article or part thereof directly involved in the controversy in which such judgment shall have been rendered.

This local law shall take effect immediately upon adoption and filing pursuant to the Municipal Home Rule Law.

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

AYES: 8
NOES: 0

The resolution was declared adopted.

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

The minutes of the regular meeting held on May 4, 2023 were reviewed, and on motion of Trustee Kelly were approved as presented.

NEW BUSINESS

CONSENT CALENDAR

FINANCE

1. Appropriation of Termination Reserves. Board authorization is requested to appropriate \$108,260.93 from Account 0A.8670.0000 Reserve for Compensated Absences, to Account 0A.9000.1220 Termination Payout, for employees who left Village service as follows: Nicolas Comunale (Recreation Department) - \$910.03, John Lalonde (Public Works Department) - \$8,350.90 and Domenick Stanco (Public Works Department) \$99,000.

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

2. Professional Service Agreement - Bond Resolutions - Legal Opinions - Hawkins Delafield & Wood, LLP. Board authorization is requested to renew the agreement with Hawkins Delafield and Wood, LLP, 7 World Trade Center, 250 Greenwich Street, New York, to prepare Bond Resolutions and Legal Opinions for Financing of Capital Projects for the 2023/24 fiscal year. This renewal agreement has been reviewed by Village Counsel and approved as to form.

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

3. Professional Service Agreement - Financial Advisory Services - Capital Markets Advisors, LLC. Board authorization is requested to renew the agreement with Capital Markets Advisors, LLC, 11 Grace Avenue, Great Neck, New York, to provide Financial Advisory Services related to Debt Insurance and Annual Required Continuing Disclosures to the SEC for the 2023/24 fiscal year. This renewal agreement has been reviewed by Village Counsel and approved as to form.

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

4. Professional Service Agreement - Assessment Services - Small Claims Proceedings - Thomas Donato - Michael Haberman Associates, Inc. Board authorization is requested to renew the agreement with Thomas Donato, of Michael Haberman Associates, Inc., 3000 Hempstead Turnpike, Levittown, New York, to Perform Assessment Services and Small Claims Proceedings for the Village for the 2023/24 fiscal year. This renewal agreement has been reviewed by Village Counsel and approved as to form.

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

5. Adopt a Bond Resolution for the Improvements to Tennis Facility. Board authorization is requested to adopt a Bond Resolution for the Improvements to Tennis Facility in the amount of \$1,432,000, as provided by Bond Counsel.

Trustee Marciano offered the following resolution and moved its adoption:

RESOLUTION NO. 69-2023

BOND RESOLUTION OF THE VILLAGE OF GARDEN CITY, NEW YORK, ADOPTED MAY 18, 2023, AUTHORIZING THE ISSUANCE OF BONDS IN A PRINCIPAL AMOUNT NOT TO EXCEED \$1,432,000 TO FINANCE THE REPLACEMENT OF THE OUTER VINYL COVERING ON THE VILLAGE TENNIS FACILITY, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,432,000 AND APPROPRIATING SAID AMOUNT FOR SUCH 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 issue bonds in a principal amount not to exceed \$1,432,000 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 replacement of the outer vinyl covering on the Village tennis facility.

Section 2. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,432,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in a principal amount not to exceed \$1,432,000 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 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 19 (c) of the Law, is fifteen (15) 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 the execution of credit enhancement agreements, 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 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.

EXHIBIT A
VILLAGE OF GARDEN CITY, NEW YORK

PLEASE TAKE NOTICE that on May 18, 2023, 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 May 18, 2023, authorizing the issuance of bonds in a principal amount not to exceed \$1,432,000 to finance the replacement of the outer vinyl covering on the Village tennis facility, stating the estimated maximum cost thereof is \$1,432,000 and appropriating said amount for such purpose,”

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

FIRST: AUTHORIZING the Village of Garden City, New York to issue bonds in a principal amount not to exceed \$1,432,000 pursuant to the Local Finance Law of the State of New York, to finance the replacement of the outer vinyl covering on the Village tennis facility;

SECOND: STATING that the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,432,000; appropriating said amount for such purpose; and STATING that the plan of financing includes the issuance of bonds in a principal amount not to exceed \$1,432,000 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;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued is fifteen (15) 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: STATING the conditions under which the validity of the bonds and any notes issued in anticipation thereof may be contested: and

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

DATED: May 18, 2023

Karen M. Altman
Village Clerk

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: 8
NOES: 0

The resolution was declared adopted.

6. Adopt a Bond Resolution for the Improvements to Water Mains. Board authorization is requested to adopt a Bond Resolution for the Improvements to Water Mains in the amount of \$4,201,500, as provided by Bond Counsel.

Trustee Marciano offered the following resolution and moved its adoption:

RESOLUTION NO. 70-2023

BOND RESOLUTION OF THE VILLAGE OF GARDEN CITY, NEW YORK, ADOPTED MAY 18, 2023, AUTHORIZING THE ISSUANCE OF BONDS IN A PRINCIPAL AMOUNT NOT TO EXCEED \$4,201,500 TO FINANCE THE CONSTRUCTION OF WATER MAIN IMPROVEMENTS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$4,201,500 AND APPROPRIATING SAID AMOUNT FOR SUCH 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 issue bonds in a principal amount not to exceed \$4,201,500 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 construction of water main improvements in the Village, consisting of replacement and increase in size of the water main on Clinton Road, south of Osborne to Commercial Avenue, and repair of a valve on Stewart Avenue, east of Clinton Road, and also including the resurfacing of roads as an ancillary and necessary part of Village water main improvement projects.

Section 2. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$4,201,500 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in a principal amount not to exceed \$4,201,500 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 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 4 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 the execution of credit enhancement agreements, 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 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.

EXHIBIT A
VILLAGE OF GARDEN CITY, NEW YORK

PLEASE TAKE NOTICE that on May 18, 2023, 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 May 18, 2023, authorizing the issuance of bonds in a principal amount not to exceed \$4,201,500 to finance the construction of water main improvements, stating the estimated maximum cost thereof is \$4,201,500 and appropriating said amount for such purpose,”

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

FIRST: AUTHORIZING the Village of Garden City, New York to issue bonds in a principal amount not to exceed \$4,201,500 pursuant to the Local Finance Law of the State of New York, to finance construction of water main improvements in the Village, consisting of replacement and increase in size of the water main on Clinton Road, south of Osborne to Commercial Avenue, and repair of a valve on Stewart Avenue, east of Clinton Road, and also including the resurfacing of roads as an ancillary and necessary part of Village water main improvement projects;

SECOND: STATING that the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$4,201,500; appropriating said amount for such purpose; and STATING that the plan of financing includes the issuance of bonds in a principal amount not to exceed \$4,201,500 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;

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: STATING the conditions under which the validity of the bonds and any notes issued in anticipation thereof may be contested: and

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

DATED: May 18, 2023

Karen M. Altman

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: 8
NOES: 0

The resolution was declared adopted.

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

(a) \$202,000 to Account 0F.8320.4060 Source of Supply, Power and Pumping - Electricity, \$122,000 from Account 0F.8310.1010 Water Administration - Regular Salary and \$80,000 from Account 0F.8320.1010 Source of Supply, Power and Pumping - Regular Salary to fund PSEG invoices for the rest of the fiscal year.

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

(b) \$5,000 to Account 0A.8120.4060 Sewer - Electricity from Account 0A.8120.1010 Sewer - Regular Salary to fund PSEG invoices for the rest of the fiscal year.

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

(c) \$13,000 to Account 0F.8320.4020 Transmission and Distribution - Maintenance of Equipment from Account 0F.8340.1010 Transmission and Distribution - Regular Salary to fund emergency service to Carner Bros.

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

(d) \$553,500 to various salary accounts from Account 0A-1990-4000 Contingent to fund the salary increases per the union contracts as follows:

\$ 16,000	Administration - Regular Salary
\$ 3,000	Technology - Regular Salary
\$450,000	Police - Regular Salary
\$ 20,000	Street Maintenance - Regular Salary
\$ 6,000	Storm Sewers - Regular Salary
\$ 20,000	Sanitation - Overtime
\$ 4,500	Sanitation - Stability
\$ 25,000	Sanitation - Part-Time Help
\$ 9,000	Recycling - Regular Salary
\$553,500	Total Amount of Transfer

On motion of Trustee Marciano 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 - Latif. Board authorization is requested to pay Police Officer Amir Latif, through June 15, 2023, or such earlier date as he 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.

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

PUBLIC WORKS

2. Sick Leave - Two Employees. Board authorization is requested to pay Michael Siwick, Motor Equipment Operator, Street Department and Kevin Martin, Jr., Village Shop, Senior Automotive Mechanic through June 15, 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 Marciano and unanimously carried, the aforesaid authorization was approved.

HUMAN RESOURCES

1. Contractual Salary and Wage Adjustments - CSEA Rank and File Unit. Board authorization is requested for the approval of Contractual Salary and Wage Adjustments for the Civil Service Employees' Association Rank and File Unit (Non-Supervisory Unit) of certain Village of Garden City employees, to be effective June 1, 2023.

On motion of Trustee Marciano the following resolution was offered:

RESOLUTION NO. 71-2023

RESOLVED, that the salaries and wages listed in the accompanying schedule of certain Village of Garden City employees, effective June 1, 2023, are hereby fixed consistent with the terms and provisions of the current Agreement between the Village and the Civil Service Employees' Association Rank and File Unit (Non-Supervisory Unit).

(See schedule appended to minutes)

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

The resolution was declared adopted.

2. Contractual Salary and Wage Adjustments - CSEA Supervisory Unit. Board authorization is requested for the approval of Contractual Salary and Wage Adjustments for the Civil Service Employees' Association Supervisory Unit of certain Village of Garden City employees, to be effective June 1, 2023.

On motion of Trustee Marciano the following resolution was offered:

RESOLUTION NO. 72-2023

RESOLVED, that the salaries and wages listed in the accompanying schedule of certain Village of Garden City employees, effective June 1, 2023, are hereby fixed consistent with the terms and provisions of the current Agreement between the Village and the Civil Service Employees' Association Supervisory Unit.

(See schedule appended to minutes)

The vote on the foregoing resolution was as follows:

AYES: 8
NOES: 0

The resolution was declared adopted.

3. Contractual Salary and Wage Adjustments - PBA. Board authorization is requested for the approval of Contractual Salary and Wage Adjustments for the Police Benevolent Association of certain Village of Garden City employees, to be effective June 1, 2023.

On motion of Trustee Marciano the following resolution was offered:

RESOLUTION NO. 73-2023

RESOLVED, that the salaries and wages listed in the accompanying schedule of certain Village of Garden City employees, effective June 1, 2023, are hereby fixed consistent with the terms and provisions of the current Agreement between the Village and the Police Benevolent Association.

(See schedule appended to minutes)

The vote on the foregoing resolution was as follows:

AYES: 8

NOES: 0

The resolution was declared adopted.

VILLAGE ADMINISTRATOR

1. Engagement of Professional Services - Source Pass. Board authorization is requested to engage Source Pass, 81 Larkfield Road, East Northport, New York to provide the Village with 24x7 Network Monitoring and Alerting Support, network management tools to manage all network devices, infrastructure, alerts and troubleshooting. A Help Desk Ticketing System for employee issues, IT notes and creation of a knowledge base. Technical advisors for emerging technologies, virtualization of servers, budgeting, quarterly onsite technology review. Antivirus, malware, spyware protection and cybersecurity vulnerability and penetration testing. Remote application deployment for security patches and software changes, network management reports for better decisioning regarding changes to the network and reallocation of system resources to provide smoother recovery/iCloud Backup which includes monitoring, support and applicable software licensing with offsite data retained for one (1) year. These combined services are a monthly cost of \$14,250 for an annualized cost of \$171,000. In addition, the Village will purchase time blocks, as needed, in 20-hour increments @ \$195/hour for onsite remediation and for assistance with special projects that are outside the scope of the monthly services. This agreement is on file in the Village Clerk's Office. This Agreement has been reviewed by Counsel to form. Funds are available in the 2023/24 Operating Account.

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

BUILDING

1. Professional Service Agreement - Richard Barbieri. Board authorization is requested to engage the services of Richard Barbieri, 234 Captains Drive, West Babylon, New York, to provide plan review and inspection services at a rate of \$95 per hour on an "as needed basis". The term of the contract is from June 1, 2023 to May 31, 2024. Funds are available in the 2023/24 Operating Budget.

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

POLICE

1. 2023 Annual Training Conference - Police Department. Board authorization is requested to approve the attendance of Commissioner and Inspector to travel to Albany, New York to attend the 2023 Annual Training Conference hosted by the New York State Association of Chiefs of Police from July 15 through July 19, 2023, at an approximate cost of \$2,500. This training will cover a variety of Police-related topics that will enhance leadership skills while addressing community concerns and demands. Funds are available in Account 0A.3120.4120.

On motion of Trustee Marciano and unanimously carried, Commissioner and Inspector, were authorized to attend the aforesaid conference and to be reimbursed for such expenses as they may incur in connection therewith.

2. 2023 Institute of Police Technology and Management (IPTM) Symposium on Traffic Safety - Police Department. Board authorization is requested to approve the attendance of a Police Officer to travel to Orlando, Florida to attend the IPTM Symposium on Traffic Safety from June 26 through June 29, 2023. The New York State Association of Chiefs of Police has advised the Village that due to the leadership and support of the Garden City Police Department in making Traffic Safety a priority in this community, they

will be sponsoring the attendance so there will be no cost to the Village for the Police Officer's attendance.

On motion of Trustee Marciano and unanimously carried, the Police Officer is authorized to attend the aforesaid conference.

FIRE

1. Professional Service Contract - Commercial Building Inspections - Long Island Fire Technology. Board authorization is requested to engage Long Island Fire Technology, 166 Dartmouth Road, Massapequa, New York to provide Commercial Building Inspection Services for the Fire Department from June 1, 2023 through May 31, 2024 at an amount not to exceed \$50,000. Village Counsel has approved this contract as to form. Funds are available in the 2023/24 Operating Budget.

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

2. Professional Service Contract - Computer Software - Alpine Software. Board authorization to requested to engage Alpine Software Corporation, P.O. Box 281, Pittsford, New York. This system controls all of the department's functions from attendance to call tracking and includes NFIRS 5.0 National Fire Incident Reporting, from June 1, 2023 to May 31, 2024, at a cost of \$16,189.32. Village Counsel has approved this contract as to form. Funds are available in the 2023/24 Operating Budget.

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

RECREATION

1. Professional Service Agreement - Talent Consultant - Steve Dassa Entertainment. Board authorization is requested to engage Steve Dassa Entertainment, 220 Tuscany D, Delray Beach, Florida to coordinate the Summer Concert Series on the Village Green. Under the terms of the agreement, the consultant will make the necessary arrangements for musical entertainment and in exchange, will receive 10% of the compensation paid to each musical act or performer engaged by the Village at a cost not to exceed \$20,000. Village Counsel has approved this agreement as to form. Funds are available in the 2023/24 Operating Budget.

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

2. Extension of License Agreement for Concession at Garden City Pool, Community Park and St. Paul's - D & J Refreshments. Board authorization is requested for a two-year extension of the existing License Agreement with D & J Refreshments, 2600 Newbridge Road, Bellmore, New York at the current rate of \$25,000 per year. As part of this extension, D & J will supply and install a new ice machine, a new canopy by the snack bar entrance and digital flat screen menu boards in the Pool Snack Bar. Village Counsel has approved this agreement as to form.

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

PUBLIC WORKS

1. Approval for the Change from Cement to Grass for Sidewalk Easement - 234 Whitehall Boulevard. Board authorization is requested for the homeowner at 234 Whitehall Boulevard to change their sidewalk from cement to grass. A cement sidewalk currently exists in front of 234 Whitehall Boulevard, but other homes on Whitehall Boulevard have grass rather than cement. The homeowner has requested, and the Department of Public Works concurs, that the homeowner be permitted to remove the cement and restore the easement area to grass at the homeowner's expense.

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

2. Fourth Street “During” Study - Transfer of Funds. Board authorization is requested to transfer \$3,600 to Account 0A.1440.4460 Engineer - Contractual Services from Account 0A.1990.4000 Contingent, to fund Creighton Manning Engineering for installation of measuring devices “During” temporary speed humps and report comparing traffic to 2019 statistics.

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

3. Fourth Street “During” Study - Engagement of Professional Services - Creighton Manning Engineering, LLP. Board authorization is requested for ratification of the fee to be paid to Creighton Manning Engineering, LLP, 145 Main Street, Ossining, New York, for their installation of speed and volume measuring devices “During” the period of installation of temporary speed humps and writeup of a comparison between this traffic and the 2019 statistics, in the amount of \$3,600.

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

AWARD OF BIDS

1. Nassau Haven Tennis Court Rehabilitation - National Installation & GC Corp. Reported that a tabulation of bids had been circulated to each Member of the Board for the Nassau Haven Tennis Court Rehabilitation and it was recommended that the bid be awarded to National Installation & GC Corp., 337 West John Street, Hicksville, New York, low bidder at a cost of \$26,900. This project was budgeted at an estimated cost of \$30,000. Specification pickups reached a total of two companies and two bids were received. A Notice to bidders was sent to Dodge Data & Analytics and CMD Group and bid specifications were advertised on New York State Contract Reporter. Funds are available in Account 0H.7140.2040.

On motion of Trustee Marciano the following resolution was offered:

RESOLUTION NO. 74-2023

RESOLVED, that the proposal of National Installation & GC Corp., 337 West John Street, Hicksville, Great Neck, New York, at a cost of \$26,900, 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 National Installation & GC Corp., for this work, pursuant to the terms and conditions set forth in the request for bids and in the proposal submitted by said Company, the form of contract to be approved by Village Counsel; and

FURTHER RESOLVED, that all other bids be rejected.

The vote on the foregoing resolution was as follows:

AYES: 8

NOES: 0

The resolution was declared adopted.

2. Community Park Miniature Golf Course - Reject Bid - Pratt Brothers, Inc. Board authorization was requested to reject the bid from Pratt Brothers, Inc., as it did not meet the specifications.

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

3. Community Park Miniature Golf Course - Lomma Championship Miniature Golf Courses. Reported that a tabulation of bids had been circulated to each Member of the Board for the Community Park Miniature Golf Course and it was recommended that the bid be awarded to Lomma Championship Miniature Golf Courses, 305 Cherry Street, Scranton, Pennsylvania, low bidder at a cost of \$82,680. This project was budgeted at an estimated cost of \$65,000, however, there are adequate funds in the Recreation Capital Budget Line. Specification pickups reached a total of two companies and two bids were received. A Notice to bidders was sent to Dodge Data & Analytics and CMD Group and bid specifications were advertised on New York State Contract Reporter. Funds are available in Account OH.7140.2411.

On motion of Trustee Marciano the following resolution was offered:

RESOLUTION NO. 75-2023

RESOLVED, that the proposal of Lomma Championship Miniature Golf Courses, 305 Cherry Street, Scranton, Pennsylvania, at a cost of \$82,680, 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 Lomma Championship Miniature Golf Courses, for this work, pursuant to the terms and conditions set forth in the request for bids and in the proposal submitted by said Company, the form of contract to be approved by Village Counsel; and

FURTHER RESOLVED, that all other bids be rejected.

The vote on the foregoing resolution was as follows:

AYES: 8

NOES: 0

The resolution was declared adopted.

Requisition No. 22-11, Dated May 18, 2023, Purchase of Materials for the Public Works Department.

4. Streetlight Poles, Luminaires and Accessories. (a) Reject the bids from Magniflood, Inc., low bidder and Sentry Electric Co., Inc., second low bidder for Item Nos. 3, 4 and 5 as they do not meet specifications.

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

(b) Reject the bid from Sentry Electric Co., Inc., low bidder for Item No. 33 as it did not meet specifications.

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

(c) Board authorization is requested to award the bid to Spring City Electrical Manufacturing Co., One South Main Street, Spring City, Pennsylvania, low bidder for Item Nos. 6, 34 and 35, second low bidder for Item No. 33 and third low bidder for Item Nos. 3 and 4.

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

(d) Board authorization is requested to award the bid to Sentry Electric Co., Inc., 185 Buffalo Avenue, Freeport, New York, low bidder for Item Nos. 26, 27, 59 and 60.

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

(e) Board authorization is requested to award the bid to Magniflood, Inc., 7200 New Horizons Boulevard, Amityville, New York, low bidder for Item Nos. 7, 9 and 61.

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

(f) Board authorization is requested to award the bid to Conserve Lighting and Electrical, 475 Underhill Boulevard, Syosset, New York, low bidder for Item Nos. 8, 40-43, 48-58 and third low bidder for Item No. 5.

On motion of Trustee Marciano 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 Bid Reporter and Bid Specifications were advertised on New York State Contract Reporter.

On motion of Trustee Marciano the following resolution was offered:

RESOLUTION NO. 76-2023

RESOLVED, that Requisition No. 22-11, dated May 18, 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. All items to be ordered on an "as needed" basis based upon unit cost and the approximate cost is \$65,000. Funds are available in Account 0A.5182.4010.

FURTHER RESOLVED, that all other bids be rejected.

The vote on the foregoing resolution was as follows:

AYES: 8

NOES: 0

The resolution was declared adopted.

EXTERNAL COMMUNICATIONS

PERMITS:

Solicit

1. Ms. Carolina Ramos, Events and Outreach Manager, Mpire Promotions, writing on behalf of the ASPCA, 500 Old Country Road, Garden City, New York, requesting permission set up a table to promote their charity outside Kings Market, 870 Franklin Avenue. They have received permission from Kings Market and they would like to set up their table on the following dates: June 5 to June 11, 2023 and July 10 to July 16, 2023 from 10:00 a.m. to 6:00 p.m. to reach members of the public about the ASPCA's Program which provides assistance for animals, clinics and various animal welfare organizations.

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

Mayor Flanagan recognized the following:

Steve Gorray, 44 Cambridge Avenue

Leo Stimmler, 67 Huntington Road

Judy Courtney, Three Tremont Street

Steve Ilardi, 139 Meadow Street

John Wilton, President, Garden City Chamber of Commerce

Carl Russo, 6 Edgemere Road

Robert Vassalotti, 32 Brixton Road

Bob Orosz, 28 Grove Street

There being no further business, on motion duly made, the meeting adjourned at 9:47 p.m.