

BOARD OF TRUSTEES

JUNE 15, 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 June 15, 2023, at 7:44 p.m.

Present: Mayor Mary Carter Flanagan, Trustees Bruce J. Chester, Michele Beach Harrington, Charles P. Kelly, Lawrence N. Marciano, Jr., Michael J. Sullivan and Bruce A. Torino.

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  
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

Absent: Trustee Edward T. Finneran

Attendance: Approximately 17 in person and 10 (via Zoom)

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

Mayor Flanagan stated that the evening will begin with the Board of Trustees taking Quick Resident comments from those who wish to speak about any item for no more than one minute each for a limit of thirty minutes.

Mayor Flanagan stated that the first item on the agenda was a request from Chief Matthew Pearn of the Garden City Fire Department for the approval of the following Garden City Volunteer Firefighters: Isabel A. Byrnes, 154 Chestnut Street, Raymond R. Byrnes, 154 Chestnut Street, Lawraine Guichard, 117 Meadow Street, Jack Levi, 30 Stratford Avenue, Cody J. Wehrum, 108 Ninth Street and Mackenzie S. Wehrum, 108 Ninth Street. The Volunteer Fire Department formally accepted them into the Department at their June 2023 monthly meeting. Mayor Flanagan offered congratulations and thanked them for volunteering their time as Volunteer Firefighters.

On motion of Trustee Chester and unanimously carried, Isabel A. Byrnes, Raymond R. Byrnes, Lawraine Guichard, Jack Levi, Cody J. Wehrum, and Mackenzie S. Wehrum were approved by the Village Board of Trustees to be Volunteer Firefighters for the Garden City Fire Department.

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

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 June 1, 2023 were reviewed, and on motion of Trustee Torino were approved as presented.

NEW BUSINESS

FORMAL AGENDA

1. Creighton Manning, LLP Presentation - Results of the Satellite Study - Traffic Calming Master Plan. Michael Amabile, AICP, Principal Planner of Creighton Manning, LLP, 145 Main Street Ossining, New York, gave a presentation on the Satellite Study - Traffic Calming Master Plan. There were questions raised by both the Board of Trustees and Village residents with regard to the Traffic Calming Master Plan.

Mayor Flanagan made the following required appointments (either by Village Code, State Law or other consideration) for the ensuing official year:

2. John Cantwell, 215 Kilburn Road, is hereby appointed as a Member of the Board of Commissioners of Cultural and Recreational Affairs for a term to expire April 5, 2027. He is replacing Christian Siragusa whose term expired April 3, 2023.

On motion of Trustee Kelly, the following resolution was offered:

RESOLUTION NO. 86-2023

RESOLVED, that the appointment of John Cantwell, 215 Kilburn Road, is hereby appointed as a Member of the Board of Commissioners of Cultural and Recreational Affairs for a term to expire April 5, 2027, be and the same hereby is approved.

The vote on the foregoing resolution was as follows:

AYES: 5  
NOES: 2 (Trustees Torino and Harrington)

Carried.

3. Christian Siragusa, 204 Wellington Road, is hereby appointed as a Member of the Board of Commissioners of Cultural and Recreational Affairs for a term to expire April 5, 2027. This fills an At-Large position that had been previously vacant.

On motion of Trustee Torino, the following resolution was offered:

RESOLUTION NO. 87-2023

RESOLVED, that the appointment of Christian Siragusa, 204 Wellington Road, is hereby appointed as a Member of the Board of Commissioners of Cultural and Recreational Affairs for a term to expire April 5, 2027, be and the same hereby is approved.

The vote on the foregoing resolution was as follows:

AYES: 7  
NOES: 0

Carried.

4. Paul Rothenbiller, 216 Kensington Road, Garden City, New York, is hereby appointed as a Member of the Planning Commission, for a term to expire April 6, 2026. He is replacing H. Bradford Gustavson whose term expired April 3, 2023.

On motion of Trustee Torino, the following resolution was offered:

RESOLUTION NO. 88-2023

RESOLVED, that the appointment of Paul Rothenbiller, 216 Kensington Road, Garden City, New York, as a Member of the Planning Commission, for a term to expire on April 6, 2026, be and the same hereby is approved.

The vote on the foregoing resolution was as follows:

AYES: 7  
NOES: 0

Carried.

5. Jack Hartog, 82 Second Street, Garden City, New York, is hereby appointed as a Member of the Planning Commission, for a term to expire April 6, 2026. He is replacing Scott Brandewiede whose term expired April 3, 2023.

On motion of Trustee Torino, the following resolution was offered:

RESOLUTION NO. 89-2023

RESOLVED, that the appointment of Jack Hartog, 82 Second Street, Garden City, New York, as a Member of the Planning Commission, for a term to expire on April 6, 2026, be and the same hereby is approved.

The vote on the foregoing resolution was as follows:

AYES: 7  
NOES: 0

Carried.

CONSENT CALENDAR

BOARD OF TRUSTEES

1. Establish Consultant Fund - Creighton Manning, LLP. Board authorization is requested to establish a fund of \$25,000 for Creighton Manning, LLP, 145 Main Street Ossining, New York, for Miscellaneous Tasks and Consultations associated with implementing the three Traffic Calming Studies (Cathedral Road Diet, Numbered Streets and Satellite Studies) and addressing issues on high volume traffic on Village Streets and County Roads. These approved hourly rates are on file with the Village Clerk.

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

2. Transfer of Funds - Creighton Manning, LLP. Board authorization is requested to transfer \$25,000 to Account 0A.1010.4160 Board of Trustees - Consultant Fees from Account 0A.1990.4000 Contingent, to fund Creighton Manning, LLP, Miscellaneous Tasks and Consultations associated with implementing three Traffic Calming Studies.

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

3. Traffic Calming Studies - Engagement of Professional Services - Creighton Manning, LLP. Board authorization is requested to engage Creighton Manning, LLP, 145 Main Street Ossining, New York, for Miscellaneous Tasks and Consultations associated with implementing the three Traffic Calming Studies (Cathedral Road Diet, Numbered Streets and Satellite Studies) and addressing issues on high volume traffic on Village Streets and County Roads. These approved hourly rates are on file with the Village Clerk.

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

4. Extension of Professional Services Contract - Public Relations Consultant - Carisa Giardino. Board authorization is requested to extend the contract with the Village's Public Relations Consultant, Carisa Giardino, 45 Woodland Avenue, Rockville Centre,

New York, for an additional ninety (90) days, under the same terms and conditions, to assist the Public Information Committee, Village Executive Staff and Village Departments with Press Releases, Village Website and other Information Dissemination. Funds are available in Account 0A.6410.4160.

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

### SICK LEAVE

### PUBLIC WORKS

1. Sick Leave - Martin, Jr. Board authorization is requested to pay Kevin Martin, Jr., Senior Automotive Mechanic, Village Shop through July 20, 2023, 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, 2021.

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

### HUMAN RESOURCES

1. Village of Garden City Sexual Harassment Amended Policy. Board authorization is requested for the Village to adopt an amended Sexual Harassment Policy. In April of this year, New York State adopted updates to the State's Sexual Harassment Prevention Model Policy and training requirements. Village Labor Counsel has reviewed this amended Policy and approves it to be compliant to the adopted mandatory updates.

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

2. Adopt Amended Part-Time and Seasonal Salary Schedule - Effective June 15, 2023. Board authorization is requested to approve an amended Part-Time and Seasonal Hourly Rates Schedule to include two additional titles Informational Technology Aide I and Water and Sewer Servicer, effective June 15, 2023. (These part-time expenditures were included in the 2023/24 budget.)

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

### RECREATION

1. Purchase of Altec Tree Truck. Board authorization is requested to approve the purchase of a Tree Truck (LR856) from Altec Industries, 210 Inverness Center Drive, Birmingham, Alabama at a cost of \$208,713 (this item was budgeted at \$215,000). This purchase is being made through a "Sourcewell" Contract Number 110421-ALT. Funds are available in Account 0H.7140.2000.

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

2. Purchase of Brush Bandit Wood Chipper. Board authorization is requested to approve the purchase of a Brush Bandit Wood Chipper (200XP) from Malvese Equipment Co., One Henrietta Street, Hicksville, New York, at a cost of \$47,612.50 (this item was budgeted at \$49,000). This purchase is being made through a "Sourcewell" Contract Number 050119-BAN. Funds are available in Account 0H.7140.2000.

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

3. Purchase of Snow Mover/Multi-Use Tractor, with Boom Mower and Brush Attachments. Board authorization is requested to approve the purchase of a Snow Mover/Multi-Use Tractor, with Boom Mower and Brush Attachments (4250), from Storr Tractor, Inc., 175 13<sup>th</sup> Avenue, Ronkonkoma, New York at a cost of \$65,637.82 (this item was budgeted at \$70,000). This purchase is being made through a New York State Contract Number PC69682. Funds are available in Account 0H.7140.2000.

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

4. Accept Grant - Town of Hempstead - New York State Office of Children and Family Services - 2020. Board authorization is requested to accept the 2020 grant from the Town of Hempstead and the New York State Office of Children and Family Services in the amount of \$3,162 for the year ending December 31, 2020. This grant is given to municipalities to assist in running programs and activities for the children of Nassau County. The Village meets this criteria by holding after-school programs for the Village youth. Due to COVID19 this application was delayed.

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

5. Accept Grant - Town of Hempstead - New York State Office of Children and Family Services - 2021. Board authorization is requested to accept the 2021 grant from the Town of Hempstead and the New York State Office of Children and Family Services in the amount of \$3,162 for the year ending December 31, 2021. This grant is given to municipalities to assist in running programs and activities for the children of Nassau County. The Village meets this criteria by holding after-school programs for the Village youth. Due to COVID19 this application was delayed.

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

6. Accept Grant - Town of Hempstead - New York State Office of Children and Family Services - 2022. Board authorization is requested to accept the 2022 grant from the Town of Hempstead and the New York State Office of Children and Family Services in the amount of \$3,162 for the year ending December 31, 2022. This grant is given to municipalities to assist in running programs and activities for the children of Nassau County. The Village meets this criteria by holding after-school programs for the Village youth. Due to COVID19 this application was delayed.

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

## PUBLIC WORKS

1. DAK Services of NY Inc - Engagement of Professional Services. Board authorization is requested to extend the agreement with DAK Services of NY Inc., 23 Westwind Drive, Bohemia, New York, to provide Water Consultation Services for an additional year. The contract is for the period July 18, 2023 to July 17, 2024. The Agreement is on file with the Village Clerk. Village Counsel has approved this agreement as to form. Funds are available in Account 0F.8310.4460.

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

2. Professional Rate Services Renewal - SCADA System and Well Controls. Board authorization is requested to engage Eagle Control Corp., 23 Old Dock Road, Yaphank, New York, Computer Well Contractor for additional Water Well Service Calls for the Supervisory Control and Data Acquisition System (SCADA) and Well Controls for the 2023 calendar year, plus cost of parts. Funds are available in Account 0F.8320.4020.

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

3. Water Quality Testing - Professional Rate Services Renewal - Pace Analytical Services, Inc. Board authorization is requested to approve the rates for Laboratory Analytical Services with Pace Analytical Services, Inc., 575 Broad Hollow Road, Melville, New York, for the period July 2023 to June 2024 according to the pricing schedule on file with the Village Clerk for Village drinking and ground water testing as required by the Nassau County and New York State Health Departments. The Village is also required to sample for the Lead/Copper Program. Funds are available in Account 0F.8330.4460.

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

4. Water Equipment Maintenance Contract - Renewal of Professional Services - Water Equipment Maintenance Contract - Hach, Inc. Board authorization is requested to renew the Water Equipment Maintenance Contract with Hach, Inc., 5600 Lindbergh Drive, Loveland, Colorado, to perform semi-annual maintenance on the chlorine analyzer, PH probe and nitrate analyzer, in the amount of \$45,707. The chlorine analyzers monitor chlorine levels and the PH probes maintain the PH levels at the Village Wells. The nitrate analyzers monitor the nitrate levels at the Clinton Road Well. Hach, Inc., will calibrate the analyzers, monitor them two times a year and respond to emergencies when equipment needs an adjustment. Funds are available in Account 0F.8310.4460.

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

5. Water Main Break and Fire Hydrant - Old Country Road and West Street - Declare an Emergency. Board authorization is requested to declare an emergency so as to necessitate the awarding of a contract without competitive bidding. This is being done because this Water Main leads to a Fire Hydrant which, as a result of a leak, is out of service. This Fire Hydrant provides fire protection to several large buildings, including Nassau County Office Buildings. The time it would take to competitively bid the repair would risk the ability to provide adequate fire protection to those buildings.

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

6. Water Main Break and Fire Hydrant - Old Country Road and West Street - Engage Bancker Construction. Board authorization is requested to engage Bancker Construction, Corp., 171 Freeman Avenue, Islip, New York to make the necessary repairs to the Water Main and Fire Hydrant located on Old Country Road and West Street at a cost of \$63,810. Funds are available in Account 0A.8310.4460.

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

#### AWARD OF BIDS

1. Renewal of Contract Award for Disposal of Grass, Leaves, Brush, Yard Waste 2022 - Vigliotti Recycling Corp. Board authorization is requested to exercise the first renewal year option contained in the competitively bid contract, under the same terms and conditions, for the Disposal of Grass, Leaves, Brush and Yard Waste - 2022 with Vigliotti Recycling Corp., 100 Urban Avenue, Westbury, New York, at the same prices and conditions, for items to be ordered on an “as needed basis”, based upon unit costs. The specifications contain a clause which states, “The contract period will begin on the date the Notice to Proceed is issued and remain in effect until May 31<sup>st</sup> of the succeeding year”. This contract may be extended for an additional year at the same unit price bid with the same conditions if mutually agreed upon by the Village of Garden City and the Vendor. Funds are available in Account 0A.5110.4460.

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

2. Franklin Avenue and Stewart Avenue Fountain Renovation - Reject Bids. Board authorization is requested to reject the sole bid from Sierra Contracting Corp., as they did not meet the specifications.

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

3. Franklin Avenue and Stewart Avenue Fountain Renovation - Approval of Proposal - J. T. Masonry and Landscaping, Inc. Board authorization is requested for the approval of the proposal submitted by J.T. Masonry and Landscaping, P.O. Box 1006, Levittown, New York, to demolish the old fountain and supply and install a new fountain at a cost of \$99,500. Funds are available n Account 0H.5110.2031.

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

## EXTERNAL COMMUNICATIONS

### PERMITS

#### Fireworks:

Cherry Valley Club, Inc., 28 Rockaway Avenue at Third Street, requested to hold its annual Labor Day Carnival and Fireworks Display on Monday, September 4, 2023, and to erect a tent on Third Street at the dead-end closest to the Club and extending approximately 80-100 feet east.

On motion of Trustee Kelly and unanimously carried, the aforesaid authorization was approved, subject to receipt of an original Certificate of Insurance, the permit fee of \$500 and approval from Nassau County as well as coordination with the Garden City Fire and Police Departments.

#### Mayor Flanagan recognized the following:

Steve Ilardi, 139 Meadow Street

Monica Kiely, 95 Huntington Road

On motion of Trustee Torino and unanimously approved, the Board recessed to executive session at 9:20 p.m. for a matter of personnel. The Board reconvened at 10:15 p.m.

There being no further business, on motion duly made, the meeting adjourned at 10:16 p.m.