

BOARD OF TRUSTEES

AUGUST 17, 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 August 17, 2023, at 7:30 p.m.

Present: Mayor Mary Carter Flanagan, Trustees Bruce J. Chester, Edward T. Finneran, 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
Irene Woo, Village Treasurer
Matthew Pearn, Chief Fire Department
Paul Blake, Chairman, Board of Commissioners of Cultural and Recreational Affairs
Gary Fishberg, Cullen and Dykman, LLP

Attendance: Approximately 40 in person and 28 (via Zoom)

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

Mayor Flanagan called the meeting to order and stated that the evening will begin with the Board of Trustees taking 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.

Mayor Flanagan stated that the first item on the agenda was the Oath of Office for Police Sergeant Matthew Baard. Deputy Mayor Marciano/Commissioner of the Police Department administered the Oath of Office to Police Sergeant Matthew Baard of the Garden City Police Department and offered congratulations.

Mayor Flanagan stated that the next item on the agenda was a request from Chief Matthew Pearn of the Garden City Fire Department for the approval Garden City Firefighter Miles Hanson, 435 Terrace Avenue, Garden City, New York. The Volunteer Fire Department formally accepted him into the Department at their August 2023 monthly meeting. Mayor Flanagan offered congratulations and thanked him for volunteering his time as a Volunteer Firefighter.

On motion of Trustee Chester and unanimously carried, Miles Hanson was approved by the Village Board of Trustees to be a Volunteer Firefighter for the Garden City Fire Department.

Mayor Flanagan stated that the next 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 Eligibility for Licenses in Parking Field 7N. This proposed Local Law amends the second sentence of Section 193-41 of the Village Code to read as follows: "Unless otherwise authorized by the Board of Trustees, no license shall be issued to any person who is not a resident of 67 Hilton Avenue or 111 Seventh Street". Trustee Torino 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 Torino and unanimously carried, the public hearing was closed.

On motion of Trustee Chester the following resolution was offered:

RESOLUTION NO. 122-2023

INCORPORATED VILLAGE OF GARDEN CITY
LOCAL LAW NO. 2-2023
A LOCAL LAW TO AMEND THE CODE OF THE VILLAGE OF GARDEN CITY
WITH REGARD TO ELIGIBILITY FOR LICENSES IN PARKING FIELD 7N

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

The second sentence of Section 193-41 of the Code of the Village of Garden City is hereby amended to read as follows: “Unless otherwise authorized by the Board of Trustees no license shall be issued to any person who is not a resident of 67 Hilton Avenue or 111 Seventh Street.”

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

Mayor Flanagan made a statement with regard to St. Paul’s and the upcoming Public Opinion Poll and stated that all of the items that are on the agenda with regard to the St. Paul’s Public Opinion Poll would be discussed. Trustees Torino and Finneran spoke about their proposed St. Paul’s items that were on the agenda. Mayor Flanagan opened up the floor to any residents that wanted to comment about St. Paul’s and any other items that are on the agenda.

BOARD OF TRUSTEES DISCUSSIONS

The following items were discussed at length by the Board of Trustees along with residents who made comments both in person and via Zoom Webinar:

1. St. Paul’s - Village-Wide Opinion Poll. Board authorization is requested to hold a Village-Wide Opinion Poll with regard to St. Paul’s on Saturday, October 21, 2023 between the hours of 7:00 a.m. and 8:00 p.m. at the St. Paul’s Fieldhouse. Further to direct the Village Clerk to contact Nassau County Board of Elections to secure all that is required to hold the St. Paul’s Village-Wide Opinion Poll.

2. St. Paul’s - Village-Wide Opinion Poll - Transfer of Funds. Board authorization is requested to transfer funds of \$12,590 to the following Accounts: \$3,300 Account 0A.1450.4070 Election - Printing, Postage and Stationery, \$790 to Account 0A.1450.4310

Election - Delivery of Machines, \$700 to Account 0A.1450.4300 Election - Legal Ads, \$1,800 to Account 0A.1450.4220 Election - Rental of Machines and \$6,000 to Account 0A.1450.4160 Election - Consultant Fees from Account 0A.1990.4000 Contingent to fund the St. Paul's Opinion Poll.

3. Discussion on the Alternate St. Paul's Plan submitted by Trustee Torino. Trustee Torino requested that there be items placed on the agenda regarding St. Paul's.

A. St. Paul's Adopt a Process.

- To achieve the goal of an open and transparent exchange of information on the future of St. Paul's, Board authorization is requested to adopt the following process.
 - o All individuals or groups in favor of FACADISM, DEMOLITION and ADAPTIVE REUSE provide to the Village their submission concerning all aspects of the use of St. Paul's by October 20, 2023. That information is then posted on the Village's Website.
 - o On the second week in November, 2023, presentations be made to the Village residents by those individuals or groups in favor of Facadism, Demolition and Adaptive Reuse.
 - o In the last week in December a vote of the residents is to be conducted.

B. St. Paul's Westerman Report - Website.

- The Village shall immediately release and publish on the Village Website the June 14, 2023 Westerman Report.

C. To assemble and provide to the residents open and transparent exchange of information which is needed to make an educated vote on the issue of St. Paul's, notable of the type and character as would be required by SEQR on the potential project and environmental options on the future of St. Paul's the Mayor shall appoint each Trustee to a committee of their choosing to assemble information concerning FACADISM, DEMOLITION and ADAPTIVE REUSE, for presentation to the residents prior to any vote that is to be taken, to wit:

1. Conflicts with existing plans or zoning;
2. Change in use or intensity;
3. Impact on community character;
4. Impact on critical environmental areas;
5. Impact on traffic, transportation or pedestrian opportunities;
6. Impact on Energy;
7. Impact on water or wastewater supplies or systems;
8. Impact on historic, archaeological, architectural, or aesthetic resources;
9. Impact on natural resources;
10. Impact on erosion, flooding or drainage;
11. Impact on human health;

4. Discussion on the Alternate St. Paul's Plan submitted by Trustee Finneran. Trustee Finneran requested that there be items placed on the agenda regarding St. Paul's.

A. Board authorization is requested to hold a Village-Wide Opinion Poll with regard to St. Paul's on Saturday, November 18, 2023 between the hours of 6:00 a.m. and 9:00 p.m. at the St. Paul's Fieldhouse. That two Town Hall Meetings be scheduled: one during the week of September 18th and one during the week of October 16th for final presentations on the options for the future of the St. Paul's building and the financing required to undertake same. Further to direct the Village Clerk to contact Nassau County Board of Elections to secure all that is required to hold said Opinion Poll.

B. Board authorization is further requested to transfer and make available \$25,000 from Contingent to the Various Accounts listed below, as necessary, to conduct the St. Paul's Opinion Poll, including but not limited to: a) Rental of Voting Machines;

b) Delivery of Voting Machines; c) Printing, Postage and Stationery; d) Legal Advertisements; and e) Consultant Fees.

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

The minutes of the regular meeting held on July 20, 2023 were reviewed, and on motion of Trustee Torino were unanimously approved as presented.

The minutes of the special meeting held on August 9, 2023 were reviewed, and on motion of Trustee Chester were approved as presented. (Trustee Kelly abstained)

NEW BUSINESS

CONSENT CALENDAR

Trustee Finneran requested that Item #7 (Board of Trustees - St. Paul's Opinion Poll) be removed from the Consent Calendar for discussion.

SUSPEND THE RULES AND PROCEDURES

On motion of Trustee Chester the following resolution was offered:

RESOLUTION NO. 123-2023

RESOLVED, to suspend the Rules and Procedures of the Board of Trustees, to add an item to the agenda namely, to add a Transfer of Funds in order to fund the payment for the engagement of the Consultant for the Village Clerk's Office.

The vote on the foregoing resolution was as follows:

AYES: 8

NOES: 0

The resolution was declared adopted.

Village Clerk's Office - Consultant - Transfer of Funds. Board authorization is requested to transfer funds in the amount of \$30,000 to Account 0A.1230.4160 Board of Trustees - Consultant Fees from Account 0A.1990.4000 Contingent in order to fund the payment to the Consultant for the Village Clerk's Office.

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

FINANCE

1. Appropriation of Termination Reserves. Board authorization is requested to appropriate \$199,890.51 from Account 0A.8670.0000 Reserve for Compensated Absences, to Account 0A.9000.1220 Termination Payout, for employees who left Village service as follows: Rosemary Monahan (Finance Department) - \$20,127.12 and Robert Rothermel (Police Department) - \$179,763.39.

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

2. NYCOM (New York Conference of Mayors) Conference - Lipke. Board authorization is requested to approve the attendance of Adam Lipke, Village Auditor at the NYCOM Annual Fall Training School hosted by the New York Conference of Mayors and the Office of the State Comptroller, scheduled for September 18-22, 2023 in Lake Placid, New York for an approximate cost of \$2,000 funding for which has been provided in the budget.

On motion of Trustee Torino and unanimously carried, Adam Lipke, Village Auditor, was authorized to attend the aforesaid conference and to be reimbursed for such expenses as he may incur in connection therewith.

3. Transfer of Funds - 2023/24 Fiscal Year. Board authorization is requested to transfer funds as follows: \$400 to Account 0A.1450.4220 - Election - Rental of Machines and \$300 to Account 0A.1450.4070 Election - Printing, Postage and Stationery from Account 0A.1990.4000 Contingent to fund increases in costs for the 2024 Village Election.

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.

4. American Rescue Plan Act (ARPA) Increase of Funding - St. Paul's Fieldhouse. Board authorization is requested to approve the increase in the appropriation from ARPA Funds in the amount of \$15,960 for additional work that was done on the St. Paul's Fieldhouse Roof Repairs Project. The Board originally approved \$58,800 at the June 1, 2023 Board Meeting.

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

5. American Rescue Plan Act (ARPA) - Ratification - St. Paul's Fieldhouse. Board authorization is requested for the ratification for the work that was completed on the St. Paul's Roof Repairs Project.

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

SICK LEAVE

POLICE

1. Sick Leave - Three Employees. Board authorization is requested to pay Police Sergeant Keith Wehr, Police Officer Kyle Lucia and Police Officer Thomas Schade, through September 13, 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.

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 Kevin Martin, Jr., Senior Automotive Mechanic, Village Shop, Salvatore Cardinale, Laborer, Street Department and Sean Gillece, Motor Equipment Operator, Sanitation Worker, Sanitation Department, through September 13, 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 - Vaughn. Board authorization is requested to pay Robert Vaughn, Laborer, Recreation and Parks Department, through August 31, 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 Torino and unanimously carried, the aforesaid authorization was approved.

4. Sick Leave - O'Kane. Board authorization is requested to pay Robert O'Kane, Tree Pruner, Recreation and Parks Department, through September 13, 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 Torino and unanimously carried, the aforesaid authorization was approved.

HUMAN RESOURCES

1. Exempt Staff Compensation- Borroni. Board authorization is requested for a salary adjustment for John Borroni, Superintendent of Public Works, effective June 1, 2023, at a salary of \$165,000. (Same Title - Previous Salary - \$160,000)

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

BOARD OF TRUSTEES

1. Public Relations Consultant - Carisa Giardino - Contract. Board authorization is requested to enter into a contract with the Village's Public Relations Consultant, Carisa Giardino, 45 Woodland Avenue, Rockville Centre, New York, through May 31, 2024 under the terms and conditions that are outlined in the contract on file with the Village Clerk. She will continue to assist the Village with Press Releases, Village Website and other Information Dissemination. Village Counsel has reviewed this Contract and approves it as to form. Funds are available in Account 0A.6410.4160.

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

2. Village Clerk's Office - Consultant - Kelly Galanek. Board authorization is requested to enter into a contract with Kelly Galanek, 66 Magnolia Avenue, Garden City, New York to assist in the Village Clerk's Office at the rate of \$66 per hour effective August 17, 2023 through December 31, 2023. Village Counsel has reviewed this Contract and approves it as to form. Funds are available in Account 0A.1230.4160.

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

VILLAGE ADMINISTRATOR

1. Grant Authorizations - District 6. Board authorization is requested to allow the Village Administrator to apply for two (2) Grants through the office of New York State Senator Kevin Thomas as listed below:

- Sidewalk from Cathedral Avenue to Sixth Street along the east side of Cherry Valley Avenue in the amount of \$180,000. Village Counsel has reviewed this grant.
- Three police vehicles with light packages for the Garden City Police Department at \$60,000 per vehicle for a total cost of \$180,000. Village Counsel has reviewed this grant.

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

VILLAGE CLERK

1. Multi-Modal Grant - Adopt Resolution. Board authorization is requested to adopt a resolution as requested by and in the form submitted by New York State Department of Transportation. The adoption of this resolution is part of the application process for the Multi-Modal Grant in the amount of \$50,000 under the category of “municipally owned roads and streets”. The Board of Trustees approved the Village to apply for this grant at its July 15, 2021 Board Meeting. The Village Clerk has been following up on this application and working with Public Works for items that are needed in order to secure this grant.

On motion of Trustee Torino the following resolution was offered:

RESOLUTION NO. 124-2023

RESOLVED that authorizing the implementation, and funding in the first instance of the State Multi-Modal Program-aid eligible costs, of a capital project, and appropriating funds therefor.

WHEREAS a Project for the Incorporated Village of Garden City, 351 Stewart Avenue, Garden City, New York 11530, P.I.N. OMA538.30A (the Project") is eligible for funding under New York State’s Multi-Modal Program administered by the NYS Department of Transportation (NYSDOT); and

WHEREAS the Incorporated Village of Garden City desires to advance the Project by making a commitment of 100% of the costs of work for the Project or portions thereof; and

NOW, THEREFORE, the Incorporated Village of Garden City, duly convened does hereby

RESOLVE, that the Board of Trustees hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Board of Trustees hereby authorizes the Incorporated Village of Garden City to pay in the first instance 100% of the cost of the First Phase(s) of work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$180,000 is hereby appropriated from the Village Budget pursuant to the Village Budget and made available to cover the cost of participation in the above phase(s) of the Project; and

IT IS FURTHER RESOLVED, that in the event the costs of the phase(s) exceed the amount appropriated above, the Incorporated Village of Garden City shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Village Administrator thereof, and

IT IS FURTHER RESOLVED, that the Village Administrator and/or Village Clerk of the Incorporated Village of Garden City be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Multi-Modal Program Funding on behalf of the Incorporated Village of Garden City with NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and all Project costs that are not so eligible, and

IT IS FURTHER RESOLVED that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and;

The vote on the foregoing resolution was as follows:

AYES: 8

NOES: 0

The resolution was declared adopted.

POLICE

1. Attendance at New York State Bureau of Weights and Measures - Truck Scale Calibration - Hudak. Board authorization is requested for Police Officer Peter Hudak to attend the New York State Bureau of Weights and Measures for Truck Scale Calibration, scheduled for September 17 through September 19, 2023, in Syracuse, New York, at an approximate cost of \$600. Funds are available in Account 0A.3120.4120.

On motion of Trustee Torino and unanimously carried, Police Officer Hudak was authorized to attend the aforesaid conference and to be reimbursed for such expenses as he may incur in connection therewith.

RECREATION

1. LED Fixtures - Community Park Indoor Tennis Building - Declare Sole Source - Green Arc Lighting. Board authorization is requested to declare Green Arc Lighting, 909 Third Avenue, New York, New York as the “sole source” for Green Arc Eclipse Replacement LED Fixtures. The Eclipse Fixtures are designed specifically as a retrofit for the existing Green Arc Lighting Fixtures which are installed in the Indoor Tennis Building. There are no alternatives on the market, as the engineering array is proprietary technology specific to Green Arc.

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

2. LED Fixtures - Community Park Indoor Tennis Building - Purchase - Green Arc Lighting. Board authorization is requested to purchase 48 Eclipse 495 Watt LED Array Plates from Green Arc Lighting, 909 Third Avenue, New York, New York at a cost of \$33,446.40. Funds are available in Account ER.1021.0000.

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

3. Platform Tennis Courts - Community Park - Repairs - Declare Sole Source - Reilly/Green Mountain. Board authorization is requested to declare Reilly/Green Mountain, 300 Boston Post Road, Orange, Connecticut as the “sole source” provider for the repairs to the Platform Tennis Courts at Community Park, as the only other vendor (Court Pro) has informed the Village that they are unable to perform this work.

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

4. Platform Tennis Courts Community Park - Repairs - Reilly/Green Mountain. Board authorization is requested to engage Reilly/Green Mountain, 300 Boston Post Road, Orange, Connecticut to perform repairs to the Platform Tennis Courts at Community Park at an estimated cost of \$43,778.46. Funds are available in Account 0A.7140.4030.

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

PUBLIC WORKS

1. Second Street Manhole Renovations - 2022 - Ratify - Change Order - Bancker Construction Corp. Board authorization is requested to ratify Change Order PCO No. 2 submitted by Bancker Construction Corp., 171 Freeman Avenue, Islip, New York, for additional Water Main Work at a cost of \$12,973.27. Funds are available in Account 0H.8120.2020.

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

2. Clinton Road Plant (Well Nos. 10 and 11) - Change Orders - Philip Ross Industries. Board authorization is requested to approve the following Change Orders submitted by Philip Ross Industries, 88 Duryea Avenue, Melville, New York:

- Change Order No. 1 for additional items needed to replace and construct new blower and blower buildings at the Clinton Road Plant at a cost of \$74,175.
- Change Order No. 2 to paint Air Stripping Tower bottom sections at a cost of \$22,276.87.

This bid was awarded on March 2, 2023 for \$925,000. Funds are available in Account 0F.1088.0000.

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

3. Sanitary Sewers - Emergency Repairs - Ratify - Bancker Construction Corp. Board authorization is requested to ratify the work performed during the following emergency:

- Repair of a broken pipe at the Cedar Valley Lift Station by Bancker Construction Corp., 171 Freeman Avenue, Islip, New York, at an estimated cost of \$15,000. Funds are available in Account 0A.8120.4460.

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

4. Sanitary Sewers - Emergency Repairs - Ratify - Orchid Sewer and Water Contracting Company. Board authorization is requested to ratify the work performed during the following emergency:

- Repair of Cherry Valley Pool Sewer Manhole by Orchid Sewer and Water Contracting Corp., 11 Dennis Street, Garden City Park, New York, at a cost of \$5,420. Funds are available in Account 0A.8120.4460.

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

5. AOP Treatment at Well No. 9 - Construction Phase Services - Engagement of Professional Services - H2M Architects and Engineers. Board authorization is requested to approve the proposal submitted by H2M Architects and Engineers, 538 Broad Hollow Road, Melville, New York, for Engineering Services in connection with the Advanced Oxidation Process (AOP) and Granular Activated Carbon (GAC) System to remove 1,4-dioxane and PFOA at Well No. 9, at a cost of \$448,800. Funds are available in Account 0F.1085.0000.

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

6. Extension of Rubbish Removal - 2021 - Ratify - Jamaica Ash and Rubbish Removal. Board authorization is requested to ratify the following extension pending the award of a new Contract:

- Jamaica Ash and Rubbish Removal Co., Inc., 172 School Street, Westbury, New York, to hold their rates for Item Nos. 2 and 3. Funds are available in Account 0A.8160.4460.

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

7. Extension of Rubbish Removal - 2021 - Ratify - National Waste Services, LLC. Board authorization is requested to ratify the following extension pending the Award of a new Contract:

- National Waste Services, LLC, One Jem Court, Bay Shore, New York, to honor their current rates for Item Nos. 1, 4 and 6. Funds are available in Account 0A.8160.4460.

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

8. Purchase of Equipment - Pelican NP Three Wheel Broom Street Sweeper - Long Island Sanitation Equipment Co. Board authorization is requested approve the purchase of a Pelican NP Three Wheel Broom Street Sweeper with Dual Side Brooms and Belt Conveyor from Long Island Sanitation Equipment Co., 1670 New Highway, East Farmingdale, New York, under Sourcewell Contract 093121-ELG, at a cost of \$298,290.30. Funds are available in Account 0H.8160.2000.

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

9. Water Tank Replacement - Increase Capital Budget. Board authorization is requested to increase the Capital Budget for the Water Tank Replacement Capital Account from \$8,700,000 to \$9,100,000 in order to improve the property adjacent to the newly constructed Water Tank as per the February 21, 2017 License Agreement with The Ethical Humanist Society.

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

10. Water Tank Replacement - Approve Final Payment - Caldwell Tanks, Inc. Subject to Board of Trustees acceptance of the requisite Maintenance Bond from Caldwell Tanks, Inc., Board authorization is requested to allow the Village Administrator to approve final payment of \$505,346.73 to Caldwell Tanks, Inc., 4000 Tower Road, Louisville, Kentucky and to execute, in exchange for such payment, a full, permanent and irrevocable mutual release of each other from any and all manner of actions, causes of action, suits, proceedings and claims arising out of, or resulting from, or in any way related to the Water Tank Replacement Project, with the exception of warranty claims and maintenance bond obligations, if any, that may arise in the future; which shall remain subject to the terms of the contract between Caldwell Tanks, Inc., and the Incorporated Village of Garden City.

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

11. Water Tank Replacement - Maintenance Bond - Caldwell Tanks, Inc. Board authorization is requested to accept a Maintenance Bond, in the amount of \$7,643,120.15, from Caldwell Tanks, Inc., 4000 Tower Road, Louisville, Kentucky, for the Water Tank Replacement Project, which guarantees the completed work for one (1) year from the date of acceptance of the Bond. Village Counsel has reviewed the Maintenance Bond and approves it as to form.

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

12. Water Works Building HVAC Renovations - Rescind Engagement of Thornton Thomasetti. Board authorization is requested to Rescind the July 20, 2023, engagement of Thornton Tomasetti as they were unable to comply with Village specifications.

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

13. Water Works Building HVAC Renovations - Engage MG Engineering, D.P.C. Board authorization is requested to engage MG Engineering D.P.C., 116 West 32nd Street, New York, New York, for the Design and Engineering of the new HVAC System for the Water Works Building at a cost of \$31,650. Funds are available in Account 0F.8310.4460.

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

14. Main Avenue Landscaping - Change Order - Coastal Contracting Corp. Board authorization is requested to approve the Change Order submitted by Coastal Contracting Corp., 152 Railroad Street, Huntington Station, New York. for the addition of rototilling, mulch and compost material and seeding the planting beds at a cost of \$27,941.50. Funds are available in Account 0H.5110.2054.

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

15. DPW Municipal Yard Toilet Room Renovations - Increase Capital Project. Board authorization is requested to increase the Capital Budget for the DPW Municipal Yard Toilet Room Renovations from \$165,000 to \$190,000 to cover the increase due to the rental of portable bathrooms.

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

16. DPW Municipal Yard Toilet Room Renovations - Transfer Funds. Board authorization is requested to transfer funds of \$25,000 from the following accounts to Account 0H.1640.2084 DPW - Municipal Yard Toilet Room to cover the rental of portable bathrooms: \$552.73 from Account 0H.1325.2011 Workforce Planning, \$7,551.83 from Account 0H.3120.2070 Police - Security Infrastructure, \$3,913.99 from Account 0H.5010.2011 DPW - IT System, \$7,576.71 from Account 0H.7110.2033 Parks - Security Infrastructure and \$5,404.74 from Account 0H.1680.2040 Data Processing - DPW.

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.

AWARD BIDS

Requisition No. 23-2, Dated August 17, 2023, Purchase of Materials for the Public Works Department.

1. Concrete Purchase. Board authorization is requested to award the bid to Phoenix Ready-Mix, 321 Denton Avenue, New Hyde Park, New York, only bidder, for items to be ordered on an "as needed" basis based upon unit costs on file with the Village Clerk. One bid was received and Bid Specifications were advertised on New York State Contract Reporter. The approximate cost of this purchase is \$15,000. Funds are available in Account 0A.8140.4010.

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

2. Precast Drywell, Catch Basins and Miscellaneous Items. (a) Board authorization is requested to accept the letter submitted by Graci Paving Associates, Inc., to withdraw their bid.

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

(b) Board authorization is requested to award the bid to Pelkowski Precast Corp., 294A Old Northport Road, Kings Park, New York, low bidder for Item Nos. 1-5 and 26-50 to be ordered on an "as needed" basis based upon unit costs on file with the Village Clerk. Two bids were received and Bid Specifications were advertised on New York State Contract Reporter. The approximate cost of this purchase is \$15,350. Funds are available in Account 0A.8140.4010.

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

(c) Board authorization is requested to rebid any items that are not included in the award recommendation.

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

3. Work Uniforms. (a) Board authorization is requested to rescind the bid which was awarded on July 20, 2023 to S & H Uniform Group, Inc., low bidder for Item Nos. 1 and 4, as they did not meet Village specifications.

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

(b) Board authorization is requested to award the bid to UniPro Uniforms, 390 Nye Avenue, Irvington, New Jersey, overall second low bidder for “brand specific” Item Nos. 1 and 4 to be ordered on an “as needed” basis based upon unit costs on file with the Village Clerk. Seven vendors were invited to bid and seven bids were received. Bid specifications were advertised on New York State Contract Reporter. Funds are available in Various Accounts.

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. 125-2023

RESOLVED, that Requisition No. 23-2, dated August 17, 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: 8
NOES: 0

The resolution was declared adopted.

4. Rubbish Removal - 2023. Reported that a tabulation of bids had been circulated to each Member of the Board for the Rubbish Removal - 2023 bid and it was recommended that the bid be awarded to Winter Bros. Hauling of Long Island, LLC, 120 Nancy Street, West Babylon, New York, overall low bidder, for items to be ordered on an “as needed” basis based upon unit cost on file with the Village Clerk at an approximate cost of \$528,475. Specification pickups reached three companies and three bids were received. Bid specifications were advertised on New York State Contract Reporter. Funds are available in Account 0A.8160.4460.

On motion of Trustee Torino the following resolution was offered:

RESOLUTION NO. 126-2023

RESOLVED, that the proposal of Winters Bros. Hauling of Long Island, LLC, 120 Nancy Street, West Babylon, New York, at a cost of \$528,475, 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 Winters Bros. Hauling of Long Island, LLC, 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.

5. Water Main Replacement - Clinton Road and Stewart Avenue. Reported that a tabulation of bids had been circulated to each Member of the Board for the Water Main Replacement on Clinton Road and Stewart Avenue bid and it was recommended that the bid be awarded to Merrick Utility Associates, Inc., 91 Marine Street, Farmingdale, New York, for the total base bid amount of \$3,318,950. On behalf of the Village, H2M Architects and Engineers, 538 Broad Hollow Road, Melville, New York has reviewed the bids and has recommended the award of this bid. Specification pickups reached four companies and four bids were received. Bid specifications were advertised on New York State Contract Reporter. Funds are available in Account 0F.1052.0000.

On motion of Trustee Torino the following resolution was offered:

RESOLUTION NO. 127-2023

RESOLVED, that the proposal of Merrick Utility Associates, Inc., 91 Marine Street, Farmingdale, New York, at a cost of \$3,318,950, 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 Merrick Utility Associates, Inc., 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.

6. Rehabilitation of Tullamore Tennis Court. Reported that a tabulation of bids had been circulated to each Member of the Board for the Rehabilitation of Tullamore Tennis Court bid 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 \$29,000. Specification pickups reached three companies and three bids were received. Bid specifications were advertised on New York State Contract Reporter. Funds are available in Account 0H.7140.2040.

On motion of Trustee Torino the following resolution was offered:

RESOLUTION NO. 128-2023

RESOLVED, that the proposal of National Installation & GC Corp., 337 West John Street, Hicksville, New York, at a cost of \$29,000, 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.

Following discussion, the following items were acted upon:

Agenda Item #7 of the Consent Calendar

BOARD OF TRUSTEES

1. St. Paul's - Village-Wide Opinion Poll. Board authorization is requested to hold a Village-Wide Opinion Poll with regard to St. Paul's on Saturday, October 21, 2023 between the hours of 7:00 a.m. and 8:00 p.m. at the St. Paul's Fieldhouse. Further to direct the Village Clerk to contact Nassau County Board of Elections to secure all that is required to hold the St. Paul's Village-Wide Opinion Poll.

On motion of Trustee Chester, the aforesaid authorization was approved. AYES: 5; NOES: 3 (Trustees Finneran, Harrington and Torino).

2. St. Paul's - Village-Wide Opinion Poll - Transfer of Funds. Board authorization is requested to transfer funds of \$12,590 to the following Accounts: \$3,300 Account 0A.1450.4070 Election - Printing, Postage and Stationery, \$790 to Account 0A.1450.4310 Election - Delivery of Machines, \$700 to Account 0A.1450.4300 Election - Legal Ads, \$1,800 to Account 0A.1450.4220 Election - Rental of Machines and \$6,000 to Account 0A.1450.4160 Election - Consultant Fees from Account 0A.1990.4000 Contingent to fund the St. Paul's Opinion Poll.

On motion of Trustee Chester, the aforesaid recommendation was approved and the Treasurer was authorized to make the necessary transfer of funds. AYES: 5; NOES: 3 (Trustees Finneran, Harrington and Torino).

Mayor Flanagan recognized the following:

Steve Ilardi, 139 Meadow Street

There being no further business, on motion duly made, the meeting adjourned at 10:41 p.m.