

CITY OF GLEN COVE

MINUTES

CITY COUNCIL

AUGUST 27, 2019

Mayor Tenke called the meeting to order at 7:45 p.m. and asked Glenn Howard to lead those assembled in the Pledge of Allegiance.

PRESENT: Mayor Tenke, Councilpersons DiLeo, Panzenbeck, Maccarone, Silverman, McNaughton and Capobianco

ABSENT: None

ALSO PRESENT: City Attorney, Charles McQuair and City Clerk, Tina Pemberton

PUBLIC HEARING:

To discuss amending Sec. 95-8. Fishing, of the Code of Ordinances

Mayor Tenke stated:

“Tonight’s Public Hearing will be left open until further notice.”

Mayor Tenke moved that the Minutes of July 23, 2019 be approved and adopted.

Councilman DiLeo seconded the motion.

Motion was unanimously adopted.

Mayor Tenke moved that the Minutes of August 13, 2019 be approved and adopted.

Councilwoman Panzenbeck seconded the motion.

Motion was unanimously adopted.

Financial Report from City Controller was not available.

Mayor Tenke moved that the following Warrants be approved as paid:

Payroll Warrant	7/25/2019	General Fund	\$818,508.56
		Water Fund	\$18,812.07
	July O/T	General Fund	\$179,427.61
		Water Fund	\$22,953.73
	8/8/2019	General Fund	\$821,817.94
		Water Fund	\$18,787.83
	1912	General Fund	\$429,608.96
		Water Fund	\$110,123.63
		Capital Fund	\$340,929.17
		insurance	\$89,274.73
		Agency	
		Trust	\$197.80
		Prepaid invoice	\$743,623.65

Councilwoman Silverman seconded the motion.
 Motion was unanimously adopted.
 Mayor Tenke stated:
 “I move to remove the following budget transfer from tonight’s agenda.”

Mayor’s Office:

	<u>Increase Budget</u>	<u>Decrease Budget</u>
Contingency	\$20,000	
Telecommunications		\$20,000

Councilwoman Panzenbeck seconded the motion.
 Motion was unanimously adopted.

Mayor Tenke stated:
 “I move to remove Resolution 7A form tonight’s agenda.”

Resolution 7A

BE IT RESOLVED, that the City Council hereby appoints Michael A. Piccirillo as City Controller, with Finance Department, \$140,000 annual salary, effective August 28, 2019.

Funding: A1310 - 51101

Councilwoman Panzenbeck seconded the motion.
 Motion was adopted by a vote of six (6) ayes and one (1) nay, with Councilwoman Silverman voting nay.

Mayor Tenke stated:
 “I move to add Resolution 6Z to tonight’s agenda.”
 Councilwoman Silverman seconded the motion.
 Motion was unanimously adopted.

Mayor Tenke stated:
 “I move to add 6AA to tonight’s agenda.”
 “Councilwoman Silverman seconded the motion.
 Motion was unanimously adopted.

Mayor Tenke offered Resolution 6AA and moved for its adoption.

Resolution 6AA

RESOLUTION AUTHORIZING THE CERTIFICATION OF PAYROLL AND BUDGET TRANSFERS BY THE DEPUTY MAYOR

WHEREAS, City currently does not have a Controller to perform the required duties as the head of the Department of Finance as enumerated §C2-9 of the Glen Cove City Charter;

WHEREAS, the City has to certify its payroll in order to pay its employees and make certain budget transfers in order for the City to maintain its operations;

WHEREAS, the City Council would like to temporarily appoint the Deputy Mayor to perform some of the duties traditionally performed by the Controller pending the resolution of the above litigation or the appointment of a new controller;

NOW, THEREFORE BE IT RESOLVED by the Glen Cove City Council as follows:

1. The Deputy Mayor is hereby authorized to certify the payroll in conjunction with duties of the payroll clerk and write checks and/or initiate direct deposits as payment to all City of Glen Cove employees;
2. The Deputy Mayor is hereby authorized, subject to the approval of the City Council, to make budget transfer in order for the City to carry out its business.

Councilwoman Silverman seconded the motion.

Motion was adopted by a vote of six (6) ayes and one (1) nay, with Councilman Maccarone voting nay.

Mayor Tenke offered Resolutions 6A, 6B, 6C, 6D, 6E, 6F, 6G, 6H, 6I, 6J, 6K, 6L, 6M, 6N, 6O, 6P, 6Q, 6R, 6S, 6T, 6U, 6V, 6W, 6X, 6Y and 6Z and moved for their adoption.

Resolution 6A

RESOLUTION AUTHORIZING THE CITY OF GLEN COVE TO ENTER INTO AN INTER-MUNICIPAL AGREEMENT WITH THE COUNTY OF NASSAU TO ACCEPT A GRANT IN THE AMOUNT OF \$73,127.00 FOR THE PROCUREMENT OF PERSONAL PROTECTIVE EQUIPMENT (PPE) FOR THE GLEN COVE FIRE DEPARTMENT

WHEREAS, the City of Glen Cove and the County of Nassau recognize the need to more efficiently utilize the tax dollars of our residents; and

WHEREAS, the County of Nassau would like to make certain resources available to the City of Glen Cove when it is in the public interest; and

WHEREAS, the County of Nassau would like to provide certain funds to the City of Glen Cove in the form of a grant in order to purchase PPE Fire Equipment to protect the City's first responder's capability in furtherance of the Nassau County Fire Mutual Aid Plan; and

WHEREAS, the City has determined that such shared resources provide a benefit of the residents of the City and of the County of Nassau; and

WHEREAS, the General Municipal Law authorizes municipalities to enter into inter-municipal agreements, and

BE IT RESOLVED that the City Council of Glen Cove hereby authorizes the following:

1. The City Council hereby adopt the inter municipal agreement dated August 27, 2019;
2. The Mayor is hereby authorized to enter into an inter-municipal agreement with the County of Nassau for the purchase of said equipment in accordance with the agreement herein.

Resolution 6B

Authorizing the approval of Supplemental Agreement #1 with New York State Department of Transportation for Detailed Design phase funds and the start of the next phase of the project for Downtown District Pedestrian Improvements by L.K. McLean Associates, P.C.

WHEREAS, on October 10, 2017, the City Council adopted Resolution 6A,

which authorized the implementation, and funding in the first instance, 100% of the Federal-aid eligible costs, of a transportation Federal-aid project, the Pedestrian Improvements for Glen Cove Downtown Business Improvement District (“BID”) Project, and appropriating funds therefore; and

WHEREAS, the New York State Department of Transportation (“NYSDOT”) designation for this project is PIN 0761.38; and

WHEREAS, the Professional Engineering and Construction Management/Construction Inspection (“CM/CI”) Services for the Pedestrian Improvements for Glen Cove Downtown BID Project, as well as Construction, are funded through the above-stated NYSDOT PIN, with \$362,208 in Federal funding (80%) and \$90,552 in local City match (20%); and

WHEREAS, on March 27, 2018, the City Council adopted Resolution 6G, which accepted the proposal of L.K. McLean Associates, P.C., to provide Professional Engineering and CM/CI Services to the City of Glen Cove for the Pedestrian Improvements for Glen Cove Downtown BID Project, and authorized the start of the first phase of the project; and

WHEREAS, the City has received Federal and State authorization for the next phase of the project, Detailed Design; and

WHEREAS, additional funding for the next authorized phase of the project has been transferred to PIN 0761.38 through Supplemental Agreement #1 of State and Local Agreement D035828; and

WHEREAS, the next authorized phase of the project has a total cost not to exceed \$35,000;

NOW, THEREFORE BE IT RESOLVED, that the City Council hereby approves and finds that:

1. The Mayor of the City of Glen Cove is hereby authorized to execute Supplemental Agreement #1 on behalf of the City of Glen Cove with NYSDOT in connection with the advancement of the project and the City of Glen Cove’s first instance funding of the Federal and non-Federal share of project costs concerning PIN 0761.38; and
2. A certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to Supplemental Agreement #1; and

L.K. McLean Associates, P.C. is authorized to proceed with the next phase of this project, Detailed Design, for an amount not to exceed \$35,000.

Resolution 6C

BE IT RESOLVED, that the City Council hereby authorizes the purchase of a Stryker Power Load and a Power Stretcher, and authorizes the Mayor to enter into service agreement with Stryker, with price being obtained from the sole source vendor of \$55,109.59.

Funding: A 4540-41641

Resolution 6D

BE IT RESOLVED, that the City Council hereby authorizes the Mayor to enter into an equipment maintenance contract with All-Ways Elevator, Inc., to provide necessary maintenance for passenger elevator at EMS, at a rate of \$689 every two (2) months, effective July 1, 2019 through April 30, 2020.

Funding: A 4540-55407

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Resolution 6E

BE IT RESOLVED, that the City Council hereby authorizes the Mayor to accept the proposal of and enter into an agreement with Otis Elevator to install a new closed loop door operator, including repairs, labor and materials for the Senior Center elevator, in the amount of \$16,200.

Funding: H 7030-52240-1802

Resolution 6F

BE IT RESOLVED, that the City Council hereby authorizes the Mayor to enter into an agreement with Quincy Compressor, to provide preventative maintenance service of an air compressor, for Department of Public Works garage, in the amount of \$1,250 annually, effective for five (5) years.

Funding: A 1640-54301

Resolution 6G

BE IT RESOLVED, that the City Council hereby authorizes the Mayor to enter into a Shared Service Agreement with New York State Department of Transportation (NYSDOT), to share services, exchange or lend materials or equipment, which shall promote and assist the maintenance of State and Municipal roads and highways, in an amount not to exceed \$25,000

Resolution 6H

BE IT RESOLVED, that the City Council hereby authorizes the Mayor to accept the proposal of and enter into an agreement with Boccia Inc., to dewater soils below the Police Department building's basement flooring, at a cost not to exceed \$3,875.

Funding: A3120-55420

Resolution 6I

WHEREAS, the Purchasing Agent was authorized to advertise for bids for court facade (Cornice) masonry restoration work; and

WHEREAS, Chase Building Renovation, Inc., 1936 Hempstead Turnpike Suite 179, East Meadow, NY 11554, submitted the lowest responsible bid; and

WHEREAS, it is in the best interest of the City to accept such a low bid; and

NOW, THEREFOR, BE IT RESOLVED, that the Purchasing Agent is hereby authorized to accept the low bid of \$65,861.00 for the court facade (Cornice) masonry restoration work.

Funding: H5110-52240-1815

Resolution 6J

BE IT RESOLVED, that the City Council approve Budget Transfers and Amendments as submitted and reviewed by the Mayor's Office.

(See Attached)

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Resolution 6K

BE IT RESOLVED, that the City Council hereby authorizes the City Attorney to settle the following claims in full and final settlement:

<u>Name</u>	<u>Claim Number</u>	<u>Amount</u>
John Alessandri	19-2686	\$1,965.38
Wilber & Associates	19-2677	\$6,201.68
Maxine Mayreis	15-2537	\$7,000

Resolution 6L

BE IT RESOLVED, that the City Council hereby authorizes Friends Academy to host their annual “Fall Fair”, October 5, 2019, annual bonfire October 4, 2019, and to erect lawn signs to advertise same.

Resolution 6M

BE IT RESOLVED, that the City Council hereby authorizes Hermandad Latin-American Fraternity of El Senor De Los Milagros of Glen Cove Incorporated to host their annual “Procession” on October 13th, 2019, 1:30 p.m. through 6:00 p.m., and the closing of Pearsall Avenue between Walnut Road and Saint Patrick’s Church.

Resolution 6N

BE IT RESOLVED, that the City Council hereby authorizes Glen Cove Jr. Soccer to host their annual Soccer Parade, September 7, 2019 and the closing of the following streets 9:30 a.m. to 11:30 a.m.:

Closing:

- Forest Avenue
- School Street
- Brewster Street
- Pratt Blvd.
- Glen Cove Avenue
- Morris Avenue

Resolution 6O

BE IT RESOLVED, that the City Council hereby authorizes Yelena Quiles to attend 14th Annual NYSAMPO Long Island Regional Conference and Tradeshow, October 22 – 24, 2019, at East Wind Conference Center, at an estimated cost of \$626.26.

Funding: A1310-5442

Resolution 6P

BE IT RESOLVED, that the City Council hereby authorizes Tina Pemberton to attend NYCOM Fall Training, September 16 – 19, 2019, in Saratoga Springs, New York, at an estimated cost of \$1,544.80.

Funding: A1410-55442

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Resolution 6Q

BE IT RESOLVED, that the City Council hereby authorizes Jason Heller to attend Pulse Check 2019, September 12 – 15, 2019, in Suffern, New York, at an estimated cost of \$725.

Funding: A45405-5442

Resolution 6R

BE IT RESOLVED, that the City Council hereby authorizes Justin M. Valeo, Eugene B. McGuire, Jr., Robert M. Sujeski, Rafal Haluch and Michael MacMenamie to attend Firehouse Expo Seminar, in Nashville, Tennessee, October 9, 2019 through October 13, 2019, at an estimated cost of \$2,108.25 per person.

Funding: A34105-5442

Resolution 6S

BE IT RESOLVED, that the City Council hereby waive the requirements to resubmit any request to erect political signs every thirty days, prior to Election Day, November 5, 2019.

Resolution 6T

BE IT RESOLVED, that the City Council hereby authorizes the Glen Cove Democratic Committee to erect temporary political signs at the following locations, August 28, 2019 through November 12, 2019:

220 Glen Cove Avenue
155 School Street
1 Dosoris Lane
1 Roosevelt Street
2 Alexander Place
236 Glen Cove Avenue
136 Highland Road
32 Cottage Row
65 Glen Cove Avenue
4 Shore Road
112 Glen Cove Road
77 New Woods Road
80 Walnut Road

Resolution 6U

BE IT RESOLVED, that the City Council hereby authorizes the Glen Cove Republican Committee to erect temporary political signs at the following locations, August 28, 2019 through November 12, 2019:

5 & 7 Cedar Swamp Rd.
111 Sea Cliff Ave.
100 Walnut Rd.
37 Town Path.
13 Cedar Swamp Rd.
62 Dosoris Lane
146 Sea Cliff Ave.
6 Frost Pond Rd.
47 Southridge Dr.

36 Pearsall Ave.
15 Cedar Swamp Rd.
100 Elm Ave.
3 Daugherty St.
59 Sea Cliff Ave.
52 Duck Pond Road
150 Forest Avenue
123 Elm Avenue
297 Glen St.
73 Cedar Swamp Rd.
220 Glen Cove Avenue
232 Glen Cove Avenue
80 Forest Avenue
9 Walnut Rd.
1A Center Street
Corner Club and Titus Road
Triangle Brewster St. – Cottage Row – Forest Avenue
8 Valentine Avenue
50 Hazel Street
1 Roosevelt Street
4 Landing Road
114 Sea Cliff Avenue
17 Oak Lane
18 Oak Lane

Resolution 6V

BE IT RESOLVED, that the City Council hereby authorizes Friends of Gaitley to erect temporary political signs at the following locations, August 28, 2019 through November 12, 2019:

163 Landing Road
165 Landing Road
2 Alexander Place
13 Germaine Street
15 Elm Avenue
23 Germaine Street

Resolution 6W

BE IT RESOLVED, that the City Council hereby authorizes Nicholas Pedone Foundation to erect signs August 22, 2019 through September 1, 2019, at the following locations, to advertise annual “Nicholas Pedone 5K Walk.”

Entrance into Glen Cove – Glen Cove Road
Pratt Park
Police Department

Resolution 6X

BE IT RESOLVED, that the City Council hereby authorizes North Country Reform Temple to erect twenty (20) lawn signs August 28, 2019 through September 8, 2019, to advertise annual “Open House”.

Resolution 6Y

BE IT RESOLVED, that the City Council hereby authorizes the Mayor to accept the proposal of enter into contract with Healthplex Inc. for the provision of dental and vision insurance benefits for employees represented by the Glen Cove PBA to be effective October 1, 2019.

**RESOLUTION AUTHORIZING THE APPOINTMENT
OF SPECIAL COUNSEL**

WHEREAS, an Article 78 Proceeding was filed in the Supreme Court of Nassau County, In the Matter of the application of Sandra Yu – Clarson v. City of Glen Cove and Timothy Tenke under Index 00902/2019.

WHEREAS, City Council feels that the Mayor should have special counsel appointed to represent his interests in the within matter;

WHEREAS, the City Council would like to appoint the Law Offices of Ogeltree & Deakins to represent the Mayor in the above titled action;

NOW, THEREFORE BE IT RESOLVED by the Glen Cove City Council as follows:

1. The Mayor is hereby authorized to execute a retainer agreement with Ogeltree & Deakins with an hourly rate not to exceed the sum of \$195.00 per hour for their representation in the matter;
2. The appointment of special counsel for the Mayor herein shall be limited to the within Article 78 proceeding titled Sandra Yu — Clarson v. City of Glen Cove and Timothy Tenke under Index 00902/2019.

Councilwoman Panzenbeck seconded the motion.

Resolutions 6A, 6B, 6C, 6D, 6E, 6F, 6G, 6H, 6I, 6J, 6K, 6L, 6M, 6N, 6O, 6P, 6Q, 6R, 6S, 6T, 6U, 6V, 6W, 6X, 6Y and 6Z were unanimously adopted.

Mayor Tenke offered Resolutions 7B and 7C, and moved for their adoption.

Resolution 7B

BE IT RESOLVED, that the City Council hereby appoints Rocco Graziosi as Project Manager, with Department of Public Works, Grade 13, Step 1, annual salary of \$52,125, effective August 28, 2019.

Funding: A1490 - 51101

Resolution 7C

BE IT RESOLVED, that the City Council hereby appoints Kaitlin Maccarone as Park Attendant, with Parks and Recreation, \$10.00 per hour, effective August 9, 2019 through September 2, 2019.

Funding: A7140 - 51120

Councilwoman Panzenbeck seconded the motion.

Resolution 7B was unanimously adopted.

Resolution 7C was adopted by a vote of six (6) ayes and one (1) abstention, with Councilman Maccarone abstaining.

Mayor Tenke offered Resolution 9A, and moved for its adoption.

Resolution 9A

BE IT RESOLVED, that the City Council hereby adjusts the hourly salaries for the following persons, in the Youth Bureau, as indicated, effective April 1, 2019 through November 20, 2019, as indicated:

<u>Name</u>	<u>Original Salary</u>	<u>Amended to</u>
Ashley Morace	\$7.75 per hour	\$9.50 Per hour
Grace Spoto	\$7.75 per hour	\$8.50 per hour
Nick Kodis	\$7.75 per hour	\$8.50 per hour
Tigist Willson	\$7.75 per hour	\$8.50 per hour
Dylan Pajuelo	\$7.75 per hour	\$8.50 per hour

Councilman Maccarone seconded the motion.
Resolution 9A was unanimously adopted.

There being no further business before the City Council, Mayor Tenke adjourned the meeting at 8:39 p.m.

Tina Pemberton
City Clerk