

Local Law offered by Mayor Panzenbeck and seconded by _____

LOCAL LAW 01-2023
A LOCAL LAW AMENDING CHAPTER 111, ARTICLE II, ADDING
SECTION 111-11.1 “CONSTRUCTION SITE SAFETY TRAINING”, TO
REQUIRE SAFETY TRAINING FOR ALL WORKERS EMPLOYED OR
OTHERWISE ENGAGED AT CONSTRUCTION SITES

Section 1: Legislative Intent and Purpose.

The provisions of this section are intended to provide the safety of Minor and Major construction sites within the City. The provisions of this section are designated to provide that workers employed or otherwise engaged at such construction sites have received adequate safety training; that contractors performing construction work have essential safety training and that contractors performing construction work have essential safety training systems to prevent injuries and protect workers who are injured.

Section 2: Authority.

This local law is enacted in accordance with Municipal Home Rule Law Section 10(c)(1).

Section 3: Legislation:

BE IT ENACTED as follows:

The City Council hereby makes the following additions to the Code of the City of Glen Cove:

Chapter 111, Article II

§ 111-11.1

As used in this Article, the following terms shall have the meaning indicated:

A. Definitions

PERMIT HOLDER

The person to whom a building permit has been issued or for whom a building permit has been applied.

PERSON

An individual, corporation, limited liability company, partnership, limited partnership, business, trust, estate, trust, association or any other legal or commercial entity of any kind or description.

CONTRACTOR

Any person contracted or subcontracted to perform work covered by this section for or on behalf of any other person.

MAJOR CONSTRUCTION PROJECT

The total demolition, alteration or construction of any building or structure equal to or more than 50,000 gross square feet or exceeding four stories or 45 feet above lowest adjacent grade elevation or more than one story below lowest adjacent grade level.

MINOR CONSTRUCTION PROJECT

The total demolition, alteration (more than 50% of the floor area) or construction of any building or structure equal to or more than 20,000 gross square feet.

OSHA

The United State Department of Labor Occupational Safety and Health Administration.

OSHA 30-HOUR CLASS

A class that includes 30 or more hours in construction industry safety and health instruction that is intended for workers and satisfies the following conditions:

- i. Such class is (i) approved by OSHA and conducted in accordance with the OSHA, outreach training program or (ii) an equivalent 30 or more-hour construction industry safety and health class approved by the Building Department; and
- ii. Such class consists of in-person training, actively proctored on-line training or, if such training is conducted before the effective date of this section, on-line training.

OSHA 100-HOUR CLASS

A class or program that:

- i. Includes 100 or more hours of training in technical subjects relating to a construction trade, including an apprenticeship program registered with the New York State Department of Labor; and
- ii. Is approved by OSHA, the United States Department of Labor, the New York State Department of Education or the New York State Department of Labor.

SITE SAFETY DESIGNEE

A person who has completed an OSHA 100-hour class. On a Major Construction Project, the Site Safety Designee shall use reasonable prudence to ensure that safety is maintained as job conditions dictate and shall complete any tasks required of a Site Safety Designee under this Chapter.

B. Safety Training Requirements.

1. In addition to any other applicable city, state or federal law or rule, each permit holder:
 - a. for a Minor Construction Project, shall be responsible for ensuring that each construction or demolition worker employed or otherwise engaged in such project by the permit holder, or any person performing work for or on behalf of such permit holder at such project, has successfully completed and maintains a current OSHA 30-hour class certificate.
 - b. for a Major Construction Project, shall be responsible for ensuring that a foreman or designated employee or individual otherwise engaged at such project by the permit holder, or any person performing work for or on behalf of such permit holder, is designated as a Site Safety Designee. The Site Safety Designee shall be tasked with ensuring that each construction or demolition worker employed or otherwise engaged at such project by the permit holder, or any person performing work for or on behalf of such permit holder at the project, is in compliance with section 111-11.1(B)(1)(a) and shall report violations of this Chapter to the Building Department.
2. The Applicant, Permit Holder or any person performing such work on behalf of the permit holder shall certify to the Director of the Building Department, in a form and manner established by the Director, that the requirements of section 111-11.1(B)(1)(a) and/or section 111-11.1(B)(1)(b) have been met. No permit for construction or demolition work for which training is required pursuant to this section shall be issued or renewed until the applicant has certified that all workers who will be working under such permit will have the requisite training throughout the duration of such permit.
3. The Applicant, Permit Holder or any person performing such work on behalf of the permit holder shall certify that all New York State and OSHA safety requirements and workers compensation and insurance requirements have been met.
4. The Permit Holder shall maintain at such site a daily log that identifies each such worker and that includes, for each such worker, proof of compliance with 111-11.1(B)(1)(a) and/or section 111-11.1(B)(1)(b) as applicable. Such logs shall be made available to the Director of the Building Department and shall be submitted to the Building Department as a prerequisite to the issuance of a Certificate of Occupancy, Certification of Completion and/or Certificate of Approval.

C. Penalties.

1. Any violations of this action by a permit holder shall be punishable by a fine not less than \$1,000 nor more than \$10,000. Each worker performing work on a construction site covered by this section without required safety training shall constitute a separate additional offense. Each day that the violation continues shall constitute a separate additional offense.
2. For a second offense committed by a permit holder within a period of five years, such violation shall be punishable by a fine of not less than \$3,000 nor more than \$20,000, or by imprisonment for a period not to exceed 15 days, or both.

3. Permits issued may be immediately revoked by the Building Department if the permit holder is found to be in violation of this section.
4. The Building Department shall be authorized to issue stop orders for violations of this section. Upon the issuance of a stop order, the owner of the affected property, the permit holder and any other person or contractor performing, taking part in or assisting in the work, shall suspend all building activities in violation of this section until the stop order has been rescinded.

*This Local Law shall take effect immediately upon filing with Secretary of State.

Resolution 6B

Resolution offered by Mayor Panzenbeck and seconded by _____

BE IT RESOLVED, that the City Council hereby authorizes the Mayor to enter into an annual on-call agreement with Lizardos Engineering Associates P.C., to provide mechanical/electrical design services, effective January 1, 2023 through December 31, 2023, compensation for design services shall be paid per direct technical labor rates times a multiplier of 3.0 with a not-to exceed rate of \$210/hour and construction inspection services shall be paid per direct technical labor rates times a multiplier of 2.3 with a not-to-exceed rate of \$170 per hour.

Resolution 6C

Resolution offered by Mayor Panzenbeck and seconded by _____

BE IT RESOLVED, that the City Council hereby authorizes services to be provided by Orchid Sewer and Water Contracting, for the emergency water main repairs at various locations, in the total amount of \$68,810.00

Funding: F8300-55420

Resolution 6D

Resolution offered by Mayor Panzenbeck and seconded by _____

BE IT RESOLVED, that the City Council hereby authorizes the Mayor to accept the proposal of and enter into an agreement with H2M Architects & Engineers for preparation of the 2022 Annual Water Supply Report, in the total amount of \$3,300.

Funding: F8300-55438

Resolution 6E

Resolution offered by Mayor Panzenbeck and seconded by _____

BE IT RESOLVED, that the City Council hereby authorizes the Mayor to designate H2M Architects & Engineers as the engineering representative of the City of Glen Cove and IDA, to perform the required periodic site inspections at Garvies Point for the not to exceed amount of \$12,000.

Funding: Garvies Point HOA

Resolution 6F

Resolution offered by Mayor Panzenbeck and seconded by _____

BE IT RESOLVED, that the City Council hereby authorizes the Mayor to approve the December 15, 2022 proposal of LiRo Engineers, Inc., Addendum No. 2, relative to professional construction phase services in association with the added streets for-re-construction under the contract of Road Work Ahead in the not-to-exceed amount, inclusive of expenses, of \$42,100.

Funding: H5110-52260-1811

Resolution 6G

Resolution offered by Mayor Panzenbeck and seconded by _____

BE IT RESOLVED, that the City Council hereby authorizes the Mayor to accept the proposal of and enter into an agreement with P.W. Grosser Consulting, Inc. to provide

professional environmental and engineering services in conjunction with the Interim Site Management Plan, located at the City Ferry Terminal and adjacent City roadways for the not to exceed amount of \$6,200.

Funding: A1490-55438

Resolution 6H

Resolution offered by Mayor Panzenbeck and seconded by _____

BE IT RESOLVED, that the City Council hereby authorizes the Mayor to approve the change order of Bensin Contracting Inc., in the amount of \$87,780, to increase the size of the well casing and screen, in conjunction with the on-going installation of the Packed Tower Aeration System at the City of Glen Cove Seaman Road Station.

Funding: H8300-52260-2142

Resolution 6I

Resolution offered by Mayor Panzenbeck and seconded by _____

BE IT RESOLVED, that the City Council hereby authorizes the Mayor to enter into a 2023 Revocable Marine Equipment License agreement with New York State Parks, Recreation and Historic Preservation, for the use of 2018 Brunswick, to be used by the Glen Cove Harbor Patrol, at no cost to the City.

Resolution 6J

Resolution offered by Mayor Panzenbeck and seconded by _____

BE IT RESOLVED, that the City Council hereby authorizes the Mayor to enter into a membership application and facility agreement with MMCAP Infuse, a purchasing organization cooperative group, for the purchase of products and services, at no cost to the City.

Resolution 6K

Resolution offered by Mayor Panzenbeck and seconded by _____

BE IT RESOLVED, that the City Council hereby authorizes the Mayor to enter into an agreement with Savvik Buying Group, for the purchase of products and services, at no cost to the City.

Resolution 6L

Resolution offered by Mayor Panzenbeck and seconded by _____

BE IT RESOLVED, that the City Council hereby authorizes the Mayor to enter into an agreement with Nassau NDI Diagnostics, for the purpose of providing physicals to members of the Glen Cove Volunteer Fire Department, effective January 24, 2023 through January 24, 2028, as per rates listed on agreement.

Funding: A3410-55438

Resolution 6M

Resolution offered by Mayor Panzenbeck and seconded by _____

BE IT RESOLVED, that the City Council hereby amends Resolution 6G, adopted January 24, 2023, amending term of agreement, with Stericycle, to reflect January 1, 2023 through December 31, 2027 and amending annual amount to \$864.96, with subsequent years increasing by no more than 7%.

Funding: A4540-55438

Resolution 6N

Resolution offered by Mayor Panzenbeck and seconded by _____

BE IT RESOLVED, that the City Council hereby authorizes the Mayor to enter into an agreement with Christine Mihailescu, to provide Theater and Science, Technology, Engineering and Math (STEM) classes, for Youth Services and Recreation, in the amount of \$25 per hour (10 hours per month).

Funding: A7050-55450

Resolution 6O

Resolution offered by Mayor Panzenbeck and seconded by _____

BE IT RESOLVED, that the City Council hereby authorizes the Mayor to enter into an agreement with Jack Morelli Music, Inc., to provide eight (8) musical performances for the Senior Center, in the amount of \$2,000.

Funding: A7030-55439 Funded by SAGE

Resolution 6P

Resolution offered by Mayor Panzenbeck and seconded by _____

BE IT RESOLVED, that the City Council hereby authorizes the Mayor to enter into an agreement with Quadient Leasing, for the lease of a postage meter, for the Senior Center, effective January 2023 through January 2024, at a rate of \$31.01 per month.

Funding: A7030-55438

Resolution 6Q

Resolution offered by Mayor Panzenbeck and seconded by _____

BE IT RESOLVED, that the City Council hereby authorizes the Mayor to enter into an agreement with Town Web, for web design and setup, hosting, maintenance and support for the Senior Center, effective for a term of three (3) years, at a total cost of \$3,643.00

Funding: A7030-55438

Resolution 6R

Resolution offered by Mayor Panzenbeck and seconded by _____

BE IT RESOLVED, that the City Council hereby authorizes the Mayor to enter into an agreement with EmblemHealth, to provide retirees with dental plan coverage, effective April 1, 2023 through March 31, 2024, at a cost of approximately \$1,500 per month.

Funding: A9010-57168

Resolution offered by Mayor Panzenbeck and seconded by _____

WHEREAS, the Purchasing Agent was authorized to advertise for a BID for Pest Exterminating Services; and

WHEREAS, AKA Pest/Select Exterminating, 149 New Hyde Park Road, Franklin Square, NY 11010 submitted the **lowest** responsive and responsible bid; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Purchasing Agent is hereby authorized to accept the bid of AKA Pest/Select Exterminating, 149 New Hyde Park Road, Franklin Square, NY 11010, in the amount of:

SELECT EXTERMINATING					
PRICING (price per month based on 1 visit/month)**					
ITEM	DESCRIPTION	YEAR 1 2023	YEAR 2 2024	YEAR 3 2025	FUND LINE
1	Emergency Medical Services (EMS) 8 Glen Cove Avenue	\$40.00	\$40.00	\$40.00	A4540-55438
2	Fire Department 10 Glen Cove Avenue	\$40.00	\$40.00	\$40.00	A3410-55438
3	Police Department 1 Bridge Street	\$40.00	\$40.00	\$40.00	A3120-55438
4	Senior Center 130 Glen Street	\$40.00	\$40.00	\$40.00	A7030-55438

5	Water Department (Duck Pond Rd. Station) 105 Duck Pond Road	\$40.00	\$40.00	\$40.00	F8300-55438
6	Youth Bureau 128 B Glen Street	\$40.00	\$40.00	\$40.00	A7050-55438
7	City Hall- Court 9 Glen Street (rear entrance)	\$40.00	\$40.00	\$40.00	A1490-55501
8	Animal Shelter 40 Shore Road	\$40.00	\$40.00	\$40.00	A3510-55438
9	DPW Yard 100 Morris Avenue	\$40.00	\$40.00	\$40.00	A1640-55438

Resolution 6T

Resolution offered by Mayor Panzenbeck and seconded by _____

BE IT RESOLVED, that the City Council hereby authorizes the Mayor to enter into an agreement with Pitney Bowes for the purchase, rental and software maintenance of a postage meter for the Glen Cove Police Department, in the amount of \$1,227.67 for purchase of machine, \$29 per month for rental of meter and \$21 per year for equipment maintenance.

Funding: A3120-52230

Resolution 6U

Resolution offered by Mayor Panzenbeck and seconded by _____

BE IT RESOLVED, that the City Council hereby authorizes the Mayor to enter into an agreement with Island Tech Services (ITS), to provide remote access to manage wireless modems in EMS vehicles, in the total annual amount of \$108.00

Funding: A4540-55416

Resolution 6V

Resolution offered by Mayor Panzenbeck and seconded by _____

BE IT RESOLVED, that the City Council hereby authorizes the Mayor to enter into a bi-annual preventative maintenance agreement with Cooper Power Systems, for the Glen Cove Volunteer Fire Department generator, in the amount of \$1,192.00

Funding: A3410-55438

Resolution 6W

Resolution offered by Mayor Panzenbeck and seconded by _____

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

<u>Name</u>	<u>Claim Number</u>	<u>Amount</u>
Gerardo Flores Benitez	22-2775	\$1,456.56

<u>Name</u>	<u>Claim Number</u>	<u>Amount</u>
Ryan Friedman Motor Cars, LLC	22-2787	\$1,334.50

<u>Name</u>	<u>Claim Number</u>	<u>Amount</u>
GEICO Insurance Company Haizing Liang	22-2785	\$11,437.18

Funding: MS1930-55995

Resolution 6X

Resolution offered by Mayor Panzenbeck and seconded by _____

BE IT RESOLVED, that the City Council hereby authorizes the Mayor to enter into an agreement with Prochamps, to provide services pursuant to register vacant, abandoned, and foreclosed properties, in the amount of 50% of collected registration fee.

Resolution 6Y

Resolution offered by Mayor Panzenbeck and seconded by _____

BE IT RESOLVED, that the City Council hereby authorize the amendments to the Glen Cove Volunteer Fire Department By-Laws, Article III, Section 1. Procedure and Article III, Section 6. Reinstatement.

(See Attached)

Resolution 6Z

Resolution offered by Mayor Panzenbeck and seconded by _____

BE IT RESOLVED, that the City Council hereby approve Budget Transfers and Amendments as submitted and reviewed by the City Controller.

(See Attached)

Resolution 6AA

Resolution offered by Mayor Panzenbeck and seconded by _____

BE IT RESOLVED, that the City Council hereby authorizes Police Officer Peter Grella to attend Drug Recognition Expert Requalification training, at Suffolk County Police Academy, February 17, 2023, with no cost for class and \$168.42 for travel time.

Funding: A3120-51140

Resolution 6BB

Resolution offered by Mayor Panzenbeck and seconded by _____

BE IT RESOLVED, that the City Council hereby authorizes the Glen Cove Parade Committee, Inc. to host their annual St. Patrick's Day parade, March 19, 2023, and the closing of certain streets 11:30 a.m. to 3:00 p.m.

Resolution 6CC

Resolution offered by Mayor Panzenbeck and seconded by _____

BE IT RESOLVED, that the City Council hereby authorizes the Mayor to enter into the T-Mobile For Business Demo Device Agreement with T-Mobile, allowing the city's IT department, along with the Glen Cove Police Department, to test and compare T-Mobile network to our current provider for a period of 30 days, additionally, T-Mobile will be providing the thirty-day connectivity, along with the devices, at no cost to the city.

Resolution 6DD

Resolution offered by Mayor Panzenbeck and seconded by _____

BE IT RESOLVED, that the City Council hereby authorizes the City Attorney to settle the following tax judgment claims:

<u>Location</u>	<u>Years</u>	<u>Amount</u>
Sec. 31, Blk. 58, Lot 11 (Commercial)	2008/09-2019/20	\$357
Sec. 30, Blk. 64, Lot 18 (Commercial)	2008/09-2019/20	\$345
Sec. 23, Blk. 56, Lot 29 (Commercial)	2008/09-2019/20	\$202

Resolution 7A

Resolution offered by Mayor Panzenbeck and seconded by _____

WHEREAS, Councilman Joseph Capobianco was elected City Judge of the Glen Cove City Court and commenced his position on January 1, 2023; and

WHEREAS, Section C2-8 of the Glen Cove Charter provides that the Mayor and Council shall appoint a person to fill a vacancy on the City Council until the next general election; and

NOW, THEREFORE, BE IT RESOLVED, that Grady Farnan is hereby appointed to the position of Council Member, effective February 15, 2023 through and including December 31, 2023.

Resolution 7B

Resolution offered by Mayor Panzenbeck and seconded by _____

BE IT RESOLVED, that Mary Rieger is hereby appointed as part-time Recreation Leader in the Senior Center Adult Day Program at \$15.00 per hour, effective February 15, 2023.

Funding: A7035 51120

Resolution 8A

Resolution offered by Mayor Panzenbeck and seconded by _____

BE IT RESOLVED, that the following persons are hereby appointed to Beautification Commission, effective January 1, 2023 through December 31, 2023, as indicated:

Joan Bessette, Chairwoman
Gigi Ferrante
Robert Labaw

Resolution 8B

Resolution offered by Mayor Panzenbeck and seconded by _____

BE IT RESOLVED, that the following persons are hereby appointed to Planning Board, as indicated:

Brian DiResta effective 1/1/2023 – 12/31/2025
Ellen Pantazakos effective 2/15/2023 – 12/31/2025