

**CITY OF GLEN COVE**  
**MINUTES**  
**CITY COUNCIL MEETING**  
**FEBRUARY 14, 2023**

Mayor Panzenbeck called the meeting to order at 7:30 p.m. and asked John Zozzaro to lead those assembled in the Pledge of Allegiance.

**PRESENT:** Mayor Panzenbeck, Councilpersons Peebles, Mancusi, Silverman, Fugazy-Scagliola and Maccarone

**ABSENT:** None

**ALSO PRESENT:** City Attorney, Tip Henderson and City Clerk, Tina Pemberton

**PUBLIC HEARING:**

**A** To discuss Local Law 01-2023, amending Chapter 111, Article II, adding Section 111-11.1, Construction Site Safety Training, to the City of Glen Cove Code of Ordinances

Mayor Panzenbeck stated:  
“I move to close Public Hearing A.”  
Councilwoman Silverman seconded the motion.  
Motion was unanimously adopted.

**B** To discuss Local Law 02-2023, adding Sec. 280-65.1. CBD Overlay Commercial District, K. Vacant Store Front Registry

Mayor Panzenbeck stated:  
“Public Hearing B will remain open until our next Council meeting of February 28, 2023.”

**C** To provide citizens with an opportunity to propose activities for inclusion in the 2023-2024 Community Development Block Grant Program for the City of Glen Cove pursuant to TITLE 1 of the Housing and Community Development Act of 1974, as amended, (Public Law 93-382) and Title 24 of the Code of Federal Regulations (Part 570).

Mayor Panzenbeck stated:  
“Public Hearing C will remain open until our next Council meeting of February 28, 2023.”

Mayor Panzenbeck moved that the Minutes of January 24, 2023 be approved and adopted.  
Councilwoman Silverman seconded the motion.  
Minutes of January 24, 2023 were unanimously adopted.

Mayor Panzenbeck moved that the following Warrant No. 2223 be approved as paid:

<b>2223</b>	<b>A</b>	General Fund	\$315,850.72	\$1,245,884.91
	<b>CT</b>	Ferry		
	<b>F</b>	Water Fund	\$99,845.94	
	<b>H</b>	Capital Fund	\$830,188.25	

MS Insurance  
TA Agency  
TE Trust

Councilwoman Silverman seconded the motion.  
Warrant 2223 was unanimously adopted.

Mayor Panzenbeck moved that the following Warrant No. 2303 be approved as paid:

Payroll Warrant	2/2/2023	A	General Fund	\$763,543.81	\$785,433.50	
		F	Water Fund	\$21,889.69		
	Jan O/T	A	General Fund	\$167,320.84	\$179,390.23	
		F	Water Fund	\$12,069.39		
	2303		A	General Fund	\$1,398,677.30	\$1,498,878.00
			F	Water Fund	\$63,155.59	
H			Capital Fund	\$37,045.11		
MS			Insurance			
TA			Agency			
TE			Trust			

Wire or ACH Payments for period:		1/20/2023	2/7/2023	
Date:	Vendor:	Reason:		Amount:
2/1/2023	DTC	debt service		\$360,000.00
2/1/2023	DTC	debt service		\$77,987.50
	Capital			
2/3/2023	One	cc payment		\$1,160.56
	PSEG	utility payment		\$3,332.22
	National			
	Grid	utility payment		\$15,696.60

Councilwoman Peebles seconded the motion.  
Warrant 2303 was unanimously adopted.

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

Local Law 6A

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

**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

**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

**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

**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

**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

**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

**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

**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

**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

**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

**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

**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

**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

**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

**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

**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

**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

**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

BID # 2022-018

Resolution 6T

**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

**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

**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

**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
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Funding: MS1930-55995

Resolution 6X

**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

**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

**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

**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

**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

**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

**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

Councilwoman Fugazy-Scagliola seconded the motion.  
Local Law 6A, Resolutions 6B, 6C, 6D, 6E, 6F, 6G, 6H, 6I, 6J, 6K, 6L, 6M, 6N, 6O, 6P, 6Q, 6R, 6S, 6T, 6U, 6V, 6W, 6X, 6Y, 6Z, 6AA, 6BB, 6CC and 6DD were unanimously adopted.

Mayor Panzenbeck offered Resolutions 7A and 7B, and moved for their adoption.

Resolution 7A

**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

**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

Councilwoman Peebles seconded the motion.  
Resolutions 7A and 7B were unanimously adopted.

Mayor Panzenbeck offered Resolutions 8A and 8B, and moved for their adoption.

Resolution 8A

**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

**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

Councilwoman Peebles seconded the motion.

Resolutions 8A and 8B were unanimously adopted.

There being no further business before the City Council, Mayor Panzenbeck moved to adjourn the meeting.

Councilwoman Silverman seconded the motion.

The motion was unanimously adopted, and the meeting adjourned at 8:27 p.m.

Tina Pemberton  
City Clerk