**Minutes - Board Meeting 07/10/2013**

Minutes of the meeting of the Board of Trustees of the Incorporated Village of Mineola held Wednesday, July 10, 2013 at Village Hall, 155 Washington Avenue, Mineola, New York 11501.

| | |
|---|---|
| **PRESENT:** | Mayor Scott P. Strauss<br>Trustee Paul S. Cusato<br>Trustee Paul A. Pereira<br>Trustee George R. Durham<br>Trustee Dennis J. Walsh |
| **ALSO PRESENT:** | John M. Spellman Village Attorney<br>Village Clerk Joseph R. Scalero<br>Deputy Village Clerk Cora T. Kelly<br>Village Treasurer Giacomo A. Ciccone<br>Superintendent of Public Works Thomas J. Rini |
| **Press Observers:** | *Williston Times*<br>*Patch .com* |
| **Sunshine Observers:** | 5 Observers |

**Mayor Scott P. Strauss called the Work Session to order at 6:40 PM**

**Resolution No. 169-13**

Resolved to approve bills and payroll.

Motioned by Trustee Paul S. Cusato
Seconded by Trustee George R. Durham

**Vote:**

| Yes | No | Abstain |
|---|---|---|
| Mayor Scott P. Strauss | | |
| Trustee Paul S. Cusato | | |
| Trustee Paul A. Pereira | | |
| Trustee George R. Durham | | |
| Trustee Dennis J. Walsh | | |

**Resolution No. 170-13**

Resolved to approve the minutes from the meetings of the Board of Trustees of June 5, 2013, June 12, 2013 and June 19, 2013.

Motioned by Trustee Paul S. Cusato
Seconded by Trustee Paul A. Pereira

**Vote:**

| Yes | No | Abstain |
|---|---|---|
| Mayor Scott P. Strauss | | |
| Trustee Paul S. Cusato | | |
| Trustee Paul A. Pereira | | |
| Trustee George R. Durham | | |
| Trustee Dennis J. Walsh | | |

**Resolution No. 171-13**

Resolved to approve a request by the Mineola AARP Chapter 4202 for the use of the Community Center for their 2013/2014 general membership meetings and a general purpose room for their Board of Directors' meeting on the following Wednesday dates from 8:30 AM – 1:00 PM:

September 18, 2013 January 22, 2014 May 28, 2014

| | | |
|---|---|---|
| September 25, 2013 | February 26, 2014 | June 25, 2014 |
| October 23, 2013 | March 26, 2014 | |
| November 20, 2013 | April 23, 2014 | |

Motioned by Trustee Dennis J. Walsh
Seconded by Trustee Paul A. Pereira

**Vote:**

| **Yes** | **No** | **Abstain** |
|---|---|---|
| Mayor Scott P. Strauss | | |
| Trustee Paul S. Cusato | | |
| Trustee Paul A. Pereira | | |
| Trustee George R. Durham | | |
| Trustee Dennis J. Walsh | | |

**Resolution No. 172-13**

Resolved to approve the request by the Mineola AARP Chapter 4202 for the use of a general purpose room for their Arts and Crafts Committee on the following Tuesdays from 9:30 AM to 12:00 PM:

| | |
|---|---|
| September 17, 2013 | March 4, 2014 |
| October 1 & 15, 2013 | April 1 & 15, 2014 |
| November 19, 2013 | May 6, & 20, 2014 |
| December 3, 10, & 17, 2013 | June 3 & 17, 2014 |
| January 7 & 21, 2014 | |
| February 4 & 18, 2014 | |

Motioned by Trustee Paul A. Pereira
Seconded by Trustee George R. Durham

**Vote:**

| **Yes** | **No** | **Abstain** |
|---|---|---|
| Mayor Scott P. Strauss | | |
| Trustee Paul S. Cusato | | |
| Trustee Paul A. Pereira | | |
| Trustee George R. Durham | | |
| Trustee Dennis J. Walsh | | |

**Resolution No. 173-13**

Resolved to approve the request from the Mineola Fire Department softball team to utilize a section of Wilson Park for its volleyball tournament fundraiser and barbeque afterward from 9:00 AM – 4:00 PM on Saturday July 20, 2013.

Motioned by Trustee Paul S. Cusato
Seconded by Trustee Paul A. Pereira
**Vote:**

| **Yes** | **No** | **Abstain** |
|---|---|---|
| Mayor Scott P. Strauss | | |
| Trustee Paul S. Cusato | | |
| Trustee Paul A. Pereira | | |
| Trustee George R. Durham | | |
| Trustee Dennis J. Walsh | | |

**Resolution No. 174-13**

Resolved to approve the membership of the following candidate as recommended by the Mineola Fire Department:

Anthony Marmo Company #2

Motioned by Trustee Paul S. Cusato
Seconded by Trustee Paul A. Pereira

**Vote:**

| **Yes** | **No** | **Abstain** |
|---|---|---|
| Mayor Scott P. Strauss | | |
| Trustee Paul S. Cusato | | |
| Trustee Paul A. Pereira | | |
| Trustee George R. Durham | | |
| Trustee Dennis J. Walsh | | |

**Resolution No. 175-13**

Resolved to approve the 2012-13 Library and Pool Fund intra-departmental budget transfers:

**LIBRARY FUND**

| **Account Name** | **Account Number** | **Increase** | **Decrease** |
|---|---|---|---|
| Personal Svcs - Professional | 30741010002 | $22,713.94 | |
| Payment MTA Payroll Tax | 30741019804 | $47.62 | |
| Books- Childrens | 30741020004 | $364.61 | |
| Periodicals | 30741020008 | $1,063.63 | |
| Electronic Databases | 30741020009 | $1,000.00 | |
| Supplies-Miscellaneous | 30741040618 | $2,206.27 | |
| Telephone | 30741041800 | $470.19 | |
| Legal Costs-Library | 30741043200 | $825.00 | |
| Programs | 30741043400 | $2,211.63 | |
| Service-Contract | 30741045501 | $460.80 | |
| Repairs-Buildings | 30741045507 | $1,551.00 | |
| Social Security | 30741083300 | $2,342.36 | |
| Personal Services | 30741010000 | | $2,398.50 |
| Equipment | 30741020001 | | $1,854.49 |
| Books - Adults | 30741020003 | | $9,511.18 |
| Audio & Visual Recording | 30741020006 | | $1,408.42 |
| Reference Books | 30741020010 | | $984.47 |
| Stationary & Printing | 30741040400 | | $5,641.78 |
| Supplies-Miscellaneous | 30741040618 | | $190.75 |
| Alis - Borrowing Charge | 30741040700 | | $2,893.62 |
| Payroll/Data Proc. Expense | 30741041100 | | $374.25 |
| Utilities - Electricity | 30741041600 | | $3,243.12 |
| Utilities - Gas | 30741041601 | | $1,520.85 |
| Programs | 30741043400 | | $428.81 |
| Postage | 30741047100 | | $378.93 |
| Life Insurance | 30741083100 | | $22.40 |
| Health & Medical Insurance | 30741083600 | | $3,344.03 |
| Disabilty Insurance | 30741083700 | | $292.39 |
| Legal Fees | 30741083900 | | $22.00 |
| Dental Insurance | 30741084000 | | $205.48 |
| Eye Glass Union | 30741084500 | | $541.58 |
| | **TOTALS** | **$35,257.05** | **$35,257.05** |

## POOL FUND

| Account Name | Account Number | Increase | Decrease |
|---|---|---|---|
| Personal Services | 40718010000 | $3,363.12 | |
| Pers. Svcs - Directors | 40718010002 | $13,498.12 | |
| Payment MTA Payroll Tax | 40718019804 | $83.24 | |
| Equipment-Flume | 40718020001 | $16,139.38 | |
| Supplies-Miscellaneous | 40718040618 | $750.00 | |
| Repairs-Planting/Spraying | 40718045533 | $6,039.78 | |
| Security-Pool Facility | 40718040300 | | $3,011.25 |
| Stationery & Printing | 40718040400 | | $2,904.13 |
| CPR Training | 40718040602 | | $2,357.00 |
| Supplies-Chemicals | 40718040604 | | $5,391.20 |
| Supplies-Cleaning | 40718040605 | | $876.35 |
| Supplies Laminating | 40718040615 | | $391.84 |
| Supplies-Medical | 40718040617 | | $109.02 |
| Supplies-Painting | 40718040621 | | $68.55 |
| Supplies-Pest Control | 40718040623 | | $849.10 |
| Uniforms | 40718040900 | | $2,427.63 |
| Payroll/Data Proc. Expense | 40718041100 | | $83.88 |
| Entertainment | 40718041500 | | $1,125.00 |
| Utilities - Electricity | 40718041600 | | $52.62 |
| Utilities-Gas Heating | 40718041601 | | $679.14 |
| Telephone | 40718041800 | | $168.85 |
| Repairs-Building | 40718045507 | | $443.55 |
| Repairs-Equipment | 40718045513 | | $2,566.45 |
| Repairs-Filter Maintenance | 40718045516 | | $1,650.00 |
| Repairs-Plumbing | 40718045535 | | $3,178.87 |
| Repairs-Pool | 40718045536 | | $45.15 |
| Contingency | 40718046500 | | $9,875.00 |
| Serial Bonds Principal | 40718068000 | | $0.21 |
| Serial Bonds Interest | 40718078000 | | $0.38 |
| Worker's Comp Insurance | 40718083000 | | $1,000.00 |
| Social Security | 40718083300 | | $618.47 |
| | **TOTALS** | **$39,873.64** | **$39,873.64** |

Motioned by Trustee Paul S. Cusato
Seconded by Trustee Paul A. Pereira

**Vote:**

| Yes | No | Abstain |
|---|---|---|
| Mayor Scott P. Strauss | | |
| Trustee Paul S. Cusato | | |
| Trustee Paul A. Pereira | | |
| Trustee George R. Durham | | |
| Trustee Dennis J. Walsh | | |

**Resolution No. 176-13**

Resolved to approve a request to post for a Village Auditor position within the Treasurer's Department.

Motioned by Trustee Paul A. Pereira
Seconded by Trustee George R. Durham

**Vote:**

| Yes | No | Abstain |
|---|---|---|
| Mayor Scott P. Strauss | | |
| Trustee Paul S. Cusato | | |
| Trustee Paul A. Pereira | | |
| Trustee George R. Durham | | |
| Trustee Dennis J. Walsh | | |

**Resolution No. 177-13**

Resolved to authorize the installation of a "Handicap Reserved" parking space in front of 52 Liberty Avenue.

Motioned by Trustee Paul S. Cusato
Seconded by Trustee Paul A. Pereira

**Vote:**

| Yes | No | Abstain |
|---|---|---|
| Mayor Scott P. Strauss | | |
| Trustee Paul S. Cusato | | |
| Trustee Paul A. Pereira | | |
| Trustee George R. Durham | | |
| Trustee Dennis J. Walsh | | |

**Resolution No. 178-13**

Resolved to authorize the emergency purchase of one (1), new 2014 International Workstar 7300 4x2 chassis with Galion Dump Body and Wausau Plow from the Genessee County Contract 2013-07.

Contract Price: $ 144,900.00
Delivering Dealer: Syosset Trucks

Motioned by Trustee Paul A. Pereira
Seconded by Trustee George R. Durham

**Vote:**

| Yes | No | Abstain |
|---|---|---|
| Mayor Scott P. Strauss | | |
| Trustee Paul S. Cusato | | |
| Trustee Paul A. Pereira | | |
| Trustee George R. Durham | | |
| Trustee Dennis J. Walsh | | |

*Superintendent of Public Works Thomas J. Rini provided a progress report for the Bruce Terrace project.*

**Resolution No. 179-13**

Resolved to adopt the New York State Uniform Notice of Claim Act:

WHEREAS, On December 17, 2012, Governor Andrew Cuomo signed the Uniform Notice of Claim Act (the Act) into law; and

WHEREAS, The Act, which became effective on June 15, 2013, amended New York's General Municipal Law to allow notices of claim against villages to be served on the New York Secretary of State as agent for New York's public corporations; and

WHEREAS, Pursuant to the Act, the Secretary of State will forward any notice of claim served on it to the individual the village designates to receive the notices of claim; and

WHEREAS, General Municipal Law was amended and § 53 was added, which requires villages to file with the Secretary of State a certificate that (a) designates the New York Secretary

of State as the village's agent for service of notices of claim, (b) provides the name and address of an officer, person, or designee, nominee or other agent-in-fact to which the Secretary of State will forward any notices of claim, and (c) provides the applicable time limit for filing a notice of claim on the village; and

WHEREAS, villages are required to adopt a resolution approving the aforementioned designation and appointing the individual to whom the Secretary of State must mail notices of claim and file such designation with the Secretary of State, by July 15, 2013; and

WHEREAS, the designation may filed online; and

WHEREAS, the Village wishes to comply with the Act.

NOW THEREFORE BE IT RESOLVED;

The VILLAGE BOARD Authorizes the Village Clerk to file, by any means permissible by statute, with the Secretary of State a certificate that (a) designates the New York Secretary of State as the Village's agent for service of notices of claim, (b) provides that the Village Clerk shall be the person who shall be designated to receive the notices of claim from the Secretary of State, and (c) provides that the applicable time limit for filing of a notice of claim on the Village shall be 90 days.

**DULY RESOLVED**, by the Board of Trustees, as of this, the 10th day of July, 2013.

Motioned by Trustee Dennis J. Walsh
Seconded by Trustee Paul A. Pereira

**Vote:**

| **Yes** | **No** | **Abstain** |
|---|---|---|
| Mayor Scott P. Strauss | | |
| Trustee Paul S. Cusato | | |
| Trustee Paul A. Pereira | | |
| Trustee George R. Durham | | |
| Trustee Dennis J. Walsh | | |

**Mayor Scott P. Strauss requested a motion to go into Executive Session at 6:50 PM**

Motioned by Trustee Paul A. Pereira
Seconded by Trustee Dennis J. Walsh

**Vote:**

| **Yes** | **No** | **Abstain** |
|---|---|---|
| Mayor Scott P. Strauss | | |
| Trustee Paul S. Cusato | | |
| Trustee Paul A. Pereira | | |
| Trustee George R. Durham | | |
| Trustee Dennis J. Walsh | | |

**Mayor Scott P. Strauss requested a motion to come out of Executive Session at 7:50 PM.**

Motioned by Trustee Paul A. Pereira
Seconded by Trustee George R. Durham

**Vote:**

| **Yes** | **No** | **Abstain** |
|---|---|---|
| Mayor Scott P. Strauss | | |
| Trustee Lawrence A. Werther | | |
| Trustee Paul S. Cusato | | |
| Trustee Paul A. Pereira | | |
| Trustee George R. Durham | | |

**Resolution No. 180-13**

Resolved to approve salary increases for appointed confidential personnel effective June 1, 2013.

Motioned by Trustee Paul A. Pereira
Seconded by Trustee Paul S. Cusato

**Vote:**

| Yes | No | Abstain |
|---|---|---|
| Mayor Scott P. Strauss | | |
| Trustee Paul S. Cusato | | |
| Trustee Paul A. Pereira | | |
| Trustee George R. Durham | | |
| Trustee Dennis J. Walsh | | |

**Mayor Scott P. Strauss requested a motion to close the Work Session at 7:52 PM.**

Motioned by Trustee Paul A. Pereira
Seconded by Trustee George R. Durham

**Vote:**

| Yes | No | Abstain |
|---|---|---|
| Mayor Scott P. Strauss | | |
| Trustee Paul S. Cusato | | |
| Trustee Paul A. Pereira | | |
| Trustee George R. Durham | | |
| Trustee Dennis J. Walsh | | |

**Mayor Scott P. Strauss called the Public Meeting to order at 7:52 PM.**

**PRESENT:** Mayor Scott P. Strauss
Trustee Paul S. Cusato
Trustee Paul A. Pereira
Trustee George R. Durham
Trustee Dennis J. Walsh

**ALSO PRESENT:** John M. Spellman Village Attorney
Village Clerk Joseph R. Scalero
Deputy Village Clerk Cora T. Kelly
Village Treasurer Giacomo A. Ciccone
Superintendent of Public Works Thomas J. Rini

**Press Observer:** *Williston Times*
*Patch .com*

**Sunshine Observers:** 13 Observers

Mayor Scott P. Strauss reported on the July 5 Concert in the Park and the fireworks show commenting that both were fantastic events and reminded residents that there will be another Concert in the Park featuring the Nassau Pops on July 26 at 8:00 PM. Mayor Strauss stated that he and Trustee Durham attended a ribbon cutting ceremony for Family Tree Realty wishing them success, and congratulated Boy Scouts of America Troop 45's newest Eagle Scout, Dylan Perro. Mayor Strauss reminded residents that the Village of Mineola and the Mineola Chamber of Commerce will present "Movie Night in the Park" on July 19 at 8:00 PM, announced that the sprinkler pools at both Wilson Park and Memorial Park are now operational, and wished his wife Patricia Strauss, Happy Birthday.

Trustee Paul A. Pereira wished both Pat Strauss and Trustee Durham Happy Birthday, stated that the movie showing at Wilson Field on July 19 would be "Despicable Me"; commented on the sucess of the Village of Mineola's Summer Recreation Program and complemented both Marta DeSousa and Anna Athan for a great job in running this program.

Trustee Paul S. Cusato commented on the Concert in the Park and the fireworks show on July 5 and thanked all those involved in making this event successful. Trustee Cusato thanked County Executive Ed Mangano for reconizing the Mineola Fire Department and firefighters for their efforts during Huricane Sandy.

Trustee George R. Durham announced that the Mineola Athletic Association (MAA) Fall Soccer registration is underway; stated that last year's "Movie Night in the Park" was a great success and is looking forward to this year's event. Trustee Durham commented that the Concert in the Park and the fireworks show was incredible.

Trustee Dennis J. Walsh stated that the Concert in the Park and fireworks was a great event; reported that he, Senator Jack M. Martins and Deputy Mayor Paul A. Pereira attended the Portuguese Heritage Club event on June 20; and stated that the reversal of a previous *judicial* decision concerning the MTA Payroll Tax would be bad for Nassau County and good only for the MTA.

*2 Speakers addressed the Board*

**Mayor Scott P. Strauss requested a motion to close the Public Meeting at 8:25 PM.**

Motioned by Trustee Dennis J. Walsh
Seconded by Trustee Paul A. Pereira

**Vote:**

| **Yes** | **No** | **Abstain** |
|---|---|---|
| Mayor Scott P. Strauss | | |
| Trustee Paul S. Cusato | | |
| Trustee Paul A. Pereira | | |
| Trustee George R. Durham | | |
| Trustee Dennis J. Walsh | | |