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Board of Trustees

1 MAYOR STRAUSS: Mr. Scalero?

2 MR. SCALERO: Yes. This is Joe Scalero.
3 Legal notice of the public hearing of the Incorporated
4 Village of Mineola.

5 "Please take notice the Board of Trustees of
6 the Incorporated Village of Mineola will hold a public
7 hearing on Wednesday, December 9, 2020 at 6:30 p.m. at
8 Village Hall, 155 Washington Avenue, Mineola, New York
9 11501 or at some other location hereinafter designated
10 by the Board of Trustees in order to receive public
11 comments upon the following:

12 "Application of Blanca Lidia Nieto Cruz for a
13 special use permit pursuant to Chapter 550 of the Code
14 of the Incorporated Village of Mineola, entitled
15 "Zoning," Section 550-12 entitled "B-1 Districts,"
16 Subsection (B) Special Uses," and Section 550-13
17 entitled "B-2 Districts," Subsection A(1) to establish
18 a nutrition club with nutritional products, workshops
19 and group exercise classes upon the property known as
20 145 Mineola Boulevard, Mineola, New York, known and
21 designated on the Nassau County Land and Tax Map as
22 Section 9, Block 414, lot 119.

23 "The Village of Mineola does not discriminate
24 on the basis of handicapped status in administration or
25 access to or employment in its projects and activities.

Board of Trustees

1 Joseph R. Scalero has been directed to coordinate
2 compliance with non-discrimination requirements of the
3 Federal Revenue Sharing regulations.

4 "At this scheduled meeting of its Board of
5 Trustees, reserved decisions from previous meetings, if
6 any, may be acted upon by the Board of Trustees.

7 "At the aforesaid time and place all
8 interested persons will be given an opportunity to be
9 heard.

10 "By Order of the Board of Trustees of the
11 Incorporated Village of Mineola. Joseph R. Scalero,
12 Village Clerk.

13 "Dated December 9, 2020."

14 MAYOR STRAUSS: Thank you. Mr. Whalen, our
15 building superintendent, is unable to be at the meeting
16 this evening, but he has relayed to me that the
17 affidavit of mailings have been made and everything is
18 in order.

19 Mr. Gibbons.

20 MR. GIBBONS: Mayor, the Nassau County
21 Planning Commission has reviewed this application and
22 recommended local determination. It is a Type 2 action
23 under SEQRA, and I would ask for a resolution to that
24 effect.

25 MAYOR STRAUSS: I will entertain a motion.

Board of Trustees

1 TRUSTEE PEREIRA: Motion.

2 TRUSTEE CUSATO: Second.

3 MAYOR STRAUSS: Motion by Trustee Pereira.

4 Second by Trustee Cusato. All in favor?

5 TRUSTEE DURHAM: Aye.

6 TRUSTEE PEREIRA: Aye.

7 TRUSTEE CUSATO: Aye.

8 TRUSTEE WALSH: Aye.

9 MAYOR STRAUSS: Aye.

10 Opposed?

11 Motion carries.

12 Just to review the format for tonight's
13 hearing, the applicant will present its application and
14 call any witnesses that you have. There will be an
15 interaction with the Board, and after that interaction,
16 we'll ask you to have a seat, and we'll open it up to
17 the general public for comment.

18 Who is first up?

19 MR. SCHER: That would be me, your Honor.

20 MAYOR STRAUSS: I press that anybody speaking
21 approach the podium, state your name, address,
22 affiliation, if you have one. Speak slowly and clearly
23 for the reporter.

24 MR. SCHER: I've had many appearances now with
25 a mask on so I think I've become adept at speaking

1 despite the mask.

2 So good evening everyone. My name is Jonathan
3 Scher, S C H E R, I am attorney with the Scher Law Firm
4 LLP, with offices at One Old Country Road, Suite 385,
5 Carle Place, New York 11514, and I am appearing tonight
6 on behalf of the applicant which is Max Fit Pro and,
7 specifically, Blanca Lidia Niteo Cruz.

8 This is with respect to the a special use
9 permit. My client applied for -- filed an application
10 to permit the use of the premises which they leased
11 back in June. Unfortunately, they did not understand
12 that the contemplated use, like many of the restaurants
13 up and down Mineola Boulevard, require a special use
14 permit. I have present, in case the Board should want
15 to ask questions, the two principals and the architect
16 are seated in the third row before you.

17 The application is notable in that there are
18 no required modifications to the building of a
19 substantive nature. We're not installing a kitchen.
20 This is not an establishment that intends to serve and
21 prepare food like a restaurant. It's essentially a
22 health-food-minded, smoothie-kind-of-nutritional
23 establishment. The proprietors of the leasehold
24 tenants will be providing nutritional and physical
25 exercise guidance to customers and patrons. They

1 depend upon promoting a healthy lifestyle that
2 primarily focuses on the smoothies that they will
3 supply to their customers that really only require a
4 blender, ice, a refrigerator, freezer or ice machine
5 and a sink.

6 TRUSTEE CUSATO: And a what?

7 MR. SCHER: A sink.

8 So the special use permit, I read the
9 regulations, we fall squarely within the ambit of the
10 special use permit. We, unfortunately, ran into COVID;
11 that put us back several weeks extra by virtue of the
12 fact that Nassau County tax assessor's office could not
13 produce a radius map because they did not have the
14 staff within the offices to be able to produce it on an
15 earlier basis, and we're here before you hoping that if
16 there is public comment, that we will be welcomed by
17 the community. I think this will be a positive element
18 added to the community. It will hopefully provide
19 beneficial consequences for the community and the
20 population. Hopefully, people become more fit and
21 better supplied with nutrition that my client will be
22 able to make available to them. Hopefully, they will
23 be successful in their endeavors and pay their taxes
24 and be a good corporate citizen within the Village of
25 Mineola, one of my favorite villages.

In re: Blanca Lidia Nieto Cruz

1 My first apartment was in Mineola. I love
2 Mineola.

3 MAYOR STRAUSS: If we could, we can have the
4 applicant come up.

5 MR. SCHER: Absolutely.

6 MAYOR STRAUSS: Unless you need more on your
7 presentation.

8 MR. SCHER: I don't. I'll call on the
9 principals to come on up. In case the Board would like
10 to hear from the architect, would you like the
11 architect to come up as well?

12 MAYOR STRAUSS: No, I want to have a
13 conversation with the applicant about the hours of
14 business, what the business is about, even though you
15 explained it, smoothies and exercise. I just want her
16 to explain it to us.

17 MR. SCHER: This is Blanca Cruz, everyone.

18 MAYOR STRAUSS: How are you, Ms. Cruz?

19 MS. CRUZ: Hello, my English is not that well.

20 MAYOR STRAUSS: It's okay. Mine is not so
21 good either.

22 MS. CRUZ: I'm gonna try so I'm going to
23 explain how we've been doing. The business we do for
24 like ten years but in Hempstead, so we just making like
25 basically we is making shake, and we help people like

In re: Blanca Lidia Nieto Cruz

1 lose weight and so it's like a health food store so,
2 basically, we do and we encourage them to do like
3 exercise so we are like a coach, but we are not
4 personal trainers so we help them to do like class but
5 we don't do like -- we do outside, and we do the park
6 but it's not -- we never do like a lot of people. So
7 with do the beach. We do different activities for the
8 community, so that we really want to do over here in
9 Mineola. That's why we --

10 This is my first time to do this always. My
11 husband do. So now it's in my name, so I have to do
12 everything.

13 MAYOR STRAUSS: So you have a business already
14 established for the last ten years?

15 MS. CRUZ: Yes.

16 MAYOR STRAUSS: Thank you for coming to
17 Mineola and taking a shot at it.

18 MS. CRUZ: We really wanted to do it.

19 MAYOR STRAUSS: What hours will you be open?

20 MS. CRUZ: We usually open from 6 in the
21 morning and we usually close at 8 p.m., so but, here,
22 we know we're going to close a little bit more early
23 maybe at 6:30, 7 because it is different.

24 MAYOR STRAUSS: Sure.

25 MS. CRUZ: Yes, a little bit. We have to see.

In re: Blanca Lidia Nieto Cruz

1 And how we do our customer, we give you fliers
2 outside. So the only way they can come to us like we
3 have to go outside to tell the community we had a
4 nutrition, so that's the only way people come into our
5 store, yes.

6 MAYOR STRAUSS: Is it seven days a week, six
7 days a week?

8 MS. CRUZ: We do six days. Sunday we always
9 open 7 to 12, only the morning time.

10 MAYOR STRAUSS: How many people will be
11 working there to start?

12 MS. CRUZ: Me and my partner, Julie, is my
13 partner.

14 MAYOR STRAUSS: Is that you, ma am?

15 MS. JULIE: Yes.

16 TRUSTEE PEREIRA: Thank you, thank you very
17 much for choosing Mineola. I drove by there today, and
18 I noticed that you had taken advantage of our sign
19 program, so your sign is the same as the sign next door
20 Vinoco, and the same as the sign at the flower shop.

21 MS. CRUZ: Yes.

22 TRUSTEE PEREIRA: That's great because I think
23 it looks really very, very nice to have that
24 continuity, so thank you for participating in that.

25 I don't want to get too much into the details

1 of your business because I want to applaud you for
2 taking a chance on a business during this time. It
3 takes some courage to do that, and we appreciate that,
4 and we thank you for that, and we hope that you are
5 successful there, but if you could just explain to me,
6 so if it's you and your partner, and you are providing
7 the healthy shakes or you're providing the workshops
8 for people to live healthy and lose weight, and now I
9 see here that some of it is group exercise. Who runs
10 that? Is that somebody else or is that you as well and
11 is that -- do you have room inside your business for
12 that?

13 MS. CRUZ: We had -- we don't -- it's not that
14 much people we always do, but we have a room for that,
15 but we are two person, so if you want, we just do one
16 class a day, one 45-minute. If one person do the
17 class, it would be me and her because we do the same.
18 So if I do the class so, of course, she's going to
19 make, you know, the smoothies for them.

20 TRUSTEE PEREIRA: And this is an exercise
21 class?

22 MS. CRUZ: We do like exercise.

23 TRUSTEE PEREIRA: Right, but no weights, just
24 like body?

25 MS. CRUZ: Our own body.

In re: Blanca Lidia Nieto Cruz

1 TRUSTEE PEREIRA: Your own bodyweight?

2 MS. CRUZ: Yes, we don't use weight. Our own
3 body.

4 TRUSTEE PEREIRA: And now people walk in off
5 the street? They don't buy a membership?

6 MS. CRUZ: No.

7 TRUSTEE PEREIRA: This is not like a gym where
8 it's a monthly membership?

9 MS. CRUZ: No, no. We don't charge.

10 TRUSTEE PEREIRA: So I can go one time or a
11 hundred times?

12 MS. CRUZ: Yes. The only thing they pay is
13 the smoothie when they buy. We don't charge for the
14 class. We just do like a help for them.

15 TRUSTEE PEREIRA: And why Max Fit Pro, is that
16 a franchise?

17 MS. CRUZ: No.

18 TRUSTEE PEREIRA: That's just a name you came
19 up with? Is there a specific ingredient?

20 MS. CRUZ: It is our own name. We print like
21 that. In Hempstead it was Extreme Fit, so we want it
22 as something like Max Fit Pro, like Max, like something
23 nice for the community so that's why we picked that
24 name. But our company, we do, it's call Herbal Life.
25 It's a nutrition company, but we don't supposed to use

In re: Blanca Lidia Nieto Cruz

1 the name. So we have to put our own name.

2 TRUSTEE PEREIRA: So the products that you use
3 in the smoothies and things like that come from Herbal
4 Life --

5 MS CRUZ: Yes.

6 TRUSTEE PEREIRA: -- which is an international
7 company --

8 MS. CRUZ: Yes.

9 TRUSTEE PEREIRA: -- of products?

10 MS. CRUZ: Yes.

11 TRUSTEE PEREIRA: Excellent. I don't have any
12 questions. I just want to, again, thank you for
13 choosing Mineola. Thank you for participating in the
14 sign program or the landlord for participating in the
15 sign program, and I wish you much success.

16 MS. CRUZ: Thank you so much.

17 MAYOR STRAUSS: Trustee Cusato?

18 TRUSTEE CUSATO: Good evening.

19 MS. CRUZ: Good evening.

20 TRUSTEE CUSATO: Did you say you had a place
21 in Hempstead? Did I hear that correctly?

22 MS. CRUZ: We had --

23 TRUSTEE CUSATO: My question is are you
24 relocating, or are you opening up a second place in
25 Mineola?

In re: Blanca Lidia Nieto Cruz

1 MS. CRUZ: We have one in Hempstead, but we
2 want to open one over here in Mineola, but we had in
3 Hempstead. We been working that like ten years. So we
4 close one and we open another one in the same area, so
5 they are there three years. We have been doing in
6 Hempstead ten years like as long as we've been doing
7 it.

8 TRUSTEE CUSATO: So you're going to keep the
9 Hempstead store?

10 MS. CRUZ: Yes.

11 TRUSTEE CUSATO: So you will be Hempstead and
12 Mineola, right?

13 MS. CRUZ: Yes. My husband is there, yes.

14 TRUSTEE CUSATO: No problem. Just a
15 clarification. Thank you, ma'am.

16 MAYOR STRAUSS: Thank you.

17 Trustee Durham?

18 MR. DURHAM: Yes. I just want to make sure
19 because in our packet that we received it stated that
20 there was a citation against them before they could
21 continue with the application. I just want to make
22 sure, and Mr. Whalen is not here, that it was -- the
23 notice of violation was taken care of?

24 MAYOR STRAUSS: The violation was --

25 MR. GIBBONS: Yeah, I think the notice of

In re: Blanca Lidia Nieto Cruz

1 violation was issued because they didn't have the
2 special use permit.

3 MAYOR STRAUSS: That's correct.

4 MR. DURHAM: Okay, so that was the only reason
5 for the notice of violation?

6 MR. SCHER: Yes, and that's what prompted the
7 immediate effort to get the application going.

8 MR. DURHAM: Okay.

9 MAYOR STRAUSS: And if you look at the dates,
10 they did move pretty quickly on it.

11 MR. DURHAM: With the building, you said
12 there's no real modifications, everything is pretty
13 much the way it was designed and --

14 MR. SCHER: Yes, that's an affirmative. We
15 have the architect here in case you wanted to speak to
16 him at all about the nonstructural, nonsubstantive
17 changes at all whatsoever to the store.

18 MR. DURHAM: When you mentioned the workouts,
19 you mentioned that you do them at the beach and the
20 park, but is it also inside the building?

21 MS. CRUZ: In Hempstead we do inside the
22 building, but for now because of wintertime, but in the
23 summertime, we always use park, beach, like outside.

24 MR. DURHAM: So do you send out that you're
25 going to be at this location at a certain time and

1 everybody shows up and then you do your group workout?

2 MS. CRUZ: That we want to do, but if we don't
3 allow to do it, we just, you know, cancel like the
4 exercise inside.

5 MR. DURHAM: I was just trying to understand
6 how you got the groups together. Because you said that
7 you've done it at the beach, you've done it at the
8 park. I'm just wondering do you notify everybody that
9 you're going to be at a certain place on a certain day
10 or how do you do that?

11 MS. CRUZ: We basically just do like three
12 times a week only.

13 MR. SCHER: But to answer your question, the
14 answer is yes, and when they came to me in August, they
15 brought to my attention that with respect to their
16 existing customer base in Hempstead, they were hosting
17 group workouts with ten, fifteen or twenty people on a
18 specific beach at 8 o'clock in the morning down in Long
19 Beach near the boardwalk, so I happen to be in that
20 area at the same time, and I rode my bicycle by and saw
21 and thought to myself this is a nice thing that they're
22 doing.

23 MR. DURHAM: Okay.

24 MR. SCHER: So, hopefully, when this store
25 gets up and running and they introduce a whole new

1 cadre of people to a healthy lifestyle, a number of
2 people down at the beach enjoying their leadership and
3 their classes there will be 30 or 40 people instead of
4 15 or 20.

5 TRUSTEE DURHAM: I have nothing else.

6 MAYOR STRAUSS: Trustee Walsh?

7 TRUSTEE WALSH: Yes, how are you tonight?

8 MR. SCHER: Good evening.

9 TRUSTEE WALSH: I can see you better now.

10 MR. SCHER: Good to see you.

11 TRUSTEE WALSH: You are going to be open seven
12 days a week Monday to Saturday, 7 a.m. to 10 p.m., is
13 that what you said?

14 MR. SCHER: Six days.

15 MS. CRUZ: Yes, six days, 6 in the morning to
16 7 p.m.

17 TRUSTEE WALSH: Six in the morning to 7 p.m.
18 at night?

19 MS. CRUZ: Yes.

20 TRUSTEE WALSH: And then on Sundays you're
21 going to be open 7 a.m. to noon?

22 MS. CRUZ: Yes, till 12.

23 TRUSTEE WALSH: And just two of you are going
24 to be doing it this seven days a week all of these
25 hours or you do you have any other employees? You're

In re: Blanca Lidia Nieto Cruz

1 going to be working seven days a week in other words?

2 MS. CRUZ: I've been workin' like that.

3 TRUSTEE WALSH: I'm asking you, is that what
4 you're going to be doing, correct?

5 MS. CRUZ: Yes, yes.

6 TRUSTEE WALSH: So you're going to be working
7 seven days a week doing this and you're not part of any
8 franchise? You own one other place, is that correct,
9 the place in West Hempstead, you still own that?

10 MR. SCHER: Hempstead proper, not West
11 Hempstead.

12 TRUSTEE WALSH: I can't hear you.

13 MR. SCHER: Forgive me, the Village of
14 Hempstead, not West Hempstead.

15 TRUSTEE WALSH: The Village of Hempstead,
16 that's still your place?

17 MS. CRUZ: My husband run that one.

18 TRUSTEE WALSH: So now you and your husband
19 own two places; is that correct?

20 MS. CRUZ: Yes.

21 TRUSTEE WALSH: Pretty much the only food that
22 you're going to be selling is smoothies, that's what
23 you said; is that correct?

24 MS. CRUZ: Yes.

25 TRUSTEE WALSH: Now, I just want to say

1 something about over the past six -- there was another
2 place that just closed, very close to you, and that
3 place just closed within the past few weeks, but there
4 have been several complaints which I personally got and
5 the Village received of the exercise being done outside
6 in the parking lot at 6 o'clock in the morning. At one
7 point the lady was using a bullhorn and chanting and
8 everything else and there were people -- the person
9 complained to me about it.

10 So you won't be doing any exercising early in
11 the morning outside behind the place or anything like
12 that? Do you follow what I'm saying?

13 MS. CRUZ: A little bit.

14 TRUSTEE WALSH: Do you follow?

15 MR. SCHER: Yes, I understand entirely. I
16 will be able to explain that to her offline what the
17 concern is and knowing now that that is a concern, I'll
18 make sure that that is never something that --

19 TRUSTEE WALSH: But for me I would like to see
20 that as part of the codicil, as part of the agreement
21 to the application, that there's no exercising outside
22 early in the morning. You know, we can establish an
23 hour of maybe 9 or something, but before that, no
24 exercising outside. Because it's been an issue in the
25 past, and I just want to make sure that that doesn't

1 happen with your application.

2 MR. SCHER: In terms of disturbing people when
3 they're trying to sleep?

4 TRUSTEE WALSH: Well, the exercise place,
5 which is very close to where you're opening up, was in
6 the parking lot behind there at 6 o'clock or 5:30 in
7 the morning. The lady was using a bullhorn. They were
8 all chanting and cheering each other on. It disturbs
9 people in the apartment house right near there.

10 MR. SCHER: Sounds unreasonable, I understand.

11 TRUSTEE WALSH: And so part of the agreement
12 will be that you can't exercise and make noise outside
13 early in the morning, okay?

14 MR. SCHER: Sounds reasonable to me.

15 TRUSTEE WALSH: I didn't hear what you said.

16 MR. SCHER: I said sounds very reasonable to
17 me.

18 TRUSTEE WALSH: Okay, good, because it was
19 just going on, you know, and other than that, I have no
20 further questions. That's all, thank you.

21 MAYOR STRAUSS: Thank you folks, anything else
22 you would like to present to the Board?

23 MR. SCHER: No. We're grateful for the
24 opportunity to be before you. If the Board should
25 entertain that codicil, I have no objection as to that.

In re: Blanca Lidia Nieto Cruz

1 I would only ask that a reasonable hour be established
2 by which when, if the weather is beautiful and the
3 people want to ask them to do an exercise class and
4 they're permitted to do it outside, that it be an hour
5 that is not offensive to anyone and that we have a
6 clear guidance as to what we're permitted to do.

7 MAYOR STRAUSS: Yep, we can work that out.
8 Don't go anywhere.

9 Anybody from the public wishing to make a
10 comment? Okay, that's a no.

11 I'll entertain a motion to approve.

12 TRUSTEE WALSH: Motion.

13 MAYOR STRAUSS: Motion by Trustee Walsh. Do I
14 have a second?

15 TRUSTEE PEREIRA: Second.

16 MAYOR STRAUSS: Second by Trustee Pereira.
17 Mr. Scalero, poll the board.

18 MR. SCALERO: Trustee Durham?

19 TRUSTEE DURHAM: Yes.

20 MR. SCALERO: Trustee Pereira?

21 TRUSTEE PEREIRA: Yes.

22 MR. SCALERO: Trustee Cusato?

23 MR. CUSATO: Yes.

24 MR. SCALERO: Trustee Walsh?

25 TRUSTEE WALSH: Yes.

In re: Blanca Lidia Nieto Cruz

1 MR. SCALERO: Mayor Strauss?

2 MAYOR STRAUSS: Yes.

3 Congratulations. Welcome to the Village of
4 Mineola.

5 MS. CRUZ: Thank you so much.

6 MAYOR STRAUSS: And I encourage you to reach
7 out to the Chamber of Commerce. They're a great
8 networking source for you of clients as well as getting
9 your name out to the community.

10 MS. CRUZ: Thank you.

11 MAYOR STRAUSS: Congratulations and welcome to
12 Mineola.

13 MR. SCHER: Thank you so much to all of the
14 trustees and to the Mayor. We hope that we make a
15 valuable contribution to the community.

16 MAYOR STRAUSS: Thank you very much, enjoy the
17 holidays.

18 MS. CRUZ: Thank you so much.

19 MAYOR STRAUSS: You're very welcome.

20 MR. SCHER: Happy holidays.

21 MAYOR STRAUSS: We will go on with the next
22 hearing, Mr. Scalero.

23 MR. SCALERO: Legal notice of the public
24 hearing of the Incorporated Village of Mineola.

25 "Please take notice the Board of Trustees of

In re: Water Rates

1 the Incorporated Village of Mineola will hold a public
2 hearing on Wednesday, December 9, 2020 at 6:30 p.m. at
3 Village Hall, 155 Washington Avenue, Mineola, New York
4 11501 or at some other location hereinafter designated
5 by the Board of Trustees in order to receive public
6 comments upon the following:

7 Proposal local law amending Chapter 523 of the
8 Municipal Code of the Incorporated Village of Mineola
9 entitled "Water" Section 523-28 entitled "Water Rates;
10 Fees."

11 "The Village of Mineola does not discriminate
12 on the basis of handicapped status in administration or
13 access to or employment in its projects and activities.
14 Joseph R. Scalero has been directed to coordinate
15 compliance with non-discrimination requirements of the
16 Federal Revenue Sharing regulations.

17 "At this scheduled meeting of its Board of
18 Trustees, reserved decisions from previous meetings, if
19 any, may be acted upon by the Board of Trustees.

20 "At the aforesaid time and place, all
21 interested persons will be given an opportunity to be
22 heard.

23 "By Order of the Board of Trustees of the
24 Incorporated Village of Mineola. Joseph R. Scalero,
25 Village Clerk.

In re: Water Rates

1 "Dated November 18, 2020."

2 MAYOR STRAUSS: Thank you.

3 Folks, we last evaluated our water rates three
4 years ago. It is time to do that again. Unfortunately
5 the cost of business has gone up, cost of providing
6 water has gone up, and we need to make sure that we
7 have the revenue coming in order to supply you with
8 water. We did an evaluation and Mr. Rini is going to
9 come up and he's going to advise the board as to what
10 happens next with that.

11 Mr. Rini.

12 MR. RINI: Good evening, Mayor, members of the
13 board, Mr. Gibbons. Seeing that I appear before you
14 not just as the Village Board but in your additional
15 capacity as the Board of Water Commissioners to discuss
16 the Department of Public Works water division's request
17 the need for a water rate increase. In this
18 presentation I'll provide the Board with a brief
19 overview of our water system, where we have been, where
20 we are going, the challenges we have faced over the
21 past few years, the challenges we face presently and
22 the knowing challenge we will face going into the
23 future.

24 As this Board is aware of, many of our
25 residents in the business water ratepayers may not be

In re: Water Rates

1 aware, the Village's water division is not like many of
2 our neighboring water districts. Unlike water
3 districts that were created as a special district of
4 the State of New York, the Village's water division
5 does not have the ability or authority to recommend a
6 levy of taxes as well as establish and charge rates for
7 water usage by ratepayers. Because we are not a water
8 district, we must solely rely upon the water rates to
9 fund the operations, payroll, utilities, facilities,
10 water sampling and testing, equipment purchase and
11 maintenance and the production, treatment and
12 distribution of potable water that meets or exceeds all
13 regulatory standards.

14 As a brief overview, the Village's water
15 system draws its water from the ground through the deep
16 wells drilled into the Magothy aquifer formation
17 underground and consists of seven water production
18 wells and treatment plants. We maintain approximately
19 40 miles of water distribution mains, two water storage
20 tanks with a capacity of actually two million gallons
21 of water storage. Of the seven water production wells
22 and treatment facilities, two are currently out of
23 service. This leaves the five remaining water
24 production wells and treatment facilities which have an
25 effective capacity of producing and treating

In re: Water Rates

1 approximately 5,450 gallons of potable water per minute
2 when all five wells are in operation. We supply
3 potable water to approximately 20,000 residents through
4 approximately 5,750 water services consisting of
5 residences, commercial office buildings, restaurants,
6 two light industrial areas, many physician and business
7 offices and a hospital with all of their ancillary
8 buildings and offices all within the geographic area of
9 approximately two square miles that is the Village of
10 Mineola.

11 All of our five operating wells produce and
12 treat water with both approved disinfection and
13 corrosion control systems, and one well employs the use
14 of a manganese sequestration system to inhibit
15 manganese in the water. The manganese found in one of
16 the well locations is not harmful; it just creates an
17 aesthetic issue of having the water that can feel
18 somewhat slimy and appear dark in color. We employ the
19 use of both liquid and tablet chlorine for disinfection
20 of our water to remove harmful bacteria, and for
21 corrosion control in our water main piping, we use a 25
22 percent solution of caustic soda which offsets the
23 chemical composition of the raw water preventing
24 corrosion in our ductile iron water mains.

25 Along with our five operating production

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1 wells, we also maintain the two storage water tanks.
2 The elevated storage tank locate at Well No. 1 on Elm
3 Place provides storage of 500,000 gallons of treated
4 water as well as providing the system pressure required
5 to move the water throughout our water distribution
6 mains. We also have the ground storage tank and
7 booster station located at Well No. 3 site on Emory
8 Road. This storage tank stores up to 1.5 million
9 gallons of treated water and is delivered into the
10 water distribution system through the booster pump
11 station which has three various size you pumps and
12 motors to pump the water from the storage tank into the
13 distribution system.

14 As previously stated, two of the seven water
15 production wells are currently out of service. Well
16 No. 2, located on Elm Place and Clinton Avenue was
17 constructed at the same time as Well No. 1, just down
18 the road. These were the first two water production
19 wells constructed within the Village. Unfortunately,
20 and unknown at the time of their construction, these
21 two water wells were constructed in such close
22 proximity to one another and actually within the water
23 capture and influence zones and as water demand
24 increased, this caused the collapse of Well No. 2
25 rendering it inoperative and incapable of producing

1 water.

2 Well No. 3, which is located on Emory Road
3 north of Jericho Turnpike was constructed in an area of
4 the Village that was primarily farmland many years ago.
5 As a result, the water produced in this area by Well
6 No. 3 became heavily impacted by nitrates which in the
7 mid 1980s was rapidly approaching the maximum
8 contaminant level which required the well to
9 voluntarily be taken out of service. A few years ago,
10 we did run this well to waste to test and determine if
11 the impact of the nitrate contamination had subsided
12 enough to potentially bring this well back into
13 service. Through our sampling and testing of the raw
14 water produced and running it to waste, it was
15 determined that the nitrate levels were still too high
16 to make it practical from a cost and operational
17 standpoint to rehabilitate this well with a nitrate
18 removal technology and reopen this well. This still
19 may be a viable solution sometime in the future if
20 water demand makes it necessary to take a renewed look
21 at the possibility of reopening this well.

22 In addition to maintaining the five wells and
23 treatment facility required to produce drinking water,
24 we have a very rigorous water sampling and testing
25 program that we are required to fulfill. Each and

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1 every week of every year we are sampling water from our
2 water distribution system at various locations
3 throughout the Village. This sampling is
4 bacteriological sampling. The sampling and testing is
5 done to insure that our disinfection processes are
6 working and we're delivering water free from harmful
7 bacteria. I'm very pleased to state that we have had
8 no bacteriological issues in our water system for the
9 28 years that I've been employed with the Village.

10 In addition to the required water distribution
11 sampling done on a weekly basis, we also have monthly
12 and quarterly well sampling of both the raw and treated
13 water produced by our wells. This is the sampling that
14 provides the information regarding the chemical makeup
15 of the water produced and whether or not the chemical
16 compounds that have found their way into the
17 groundwater at levels either within compliance or if
18 they are approaching or in violation of regulatory
19 standards required by both the New York State
20 Department of Health and the Nassau County Department
21 of Health. These two agencies are the higher powers
22 that we answer to and who provide regulations that we
23 must comply with as a drinking water supplier. It is
24 this well sampling that determines the additional level
25 of water treatment required over and above the

In re: Water Rates

1 disinfection and, excuse me, corrosion control. This
2 sampling provides us with the information regarding
3 volatile organic compounds known as about VOCs and
4 inorganic compounds known as IOCs that affect our water
5 and that must be removed by additional, advanced water
6 treatment systems.

7 Our past challenges have been to construct two
8 Packed Tower Water Aeration Systems at our Well Nos. 4
9 and 7 in order to remove the VOC contaminants that were
10 found in these two wells. In the early 1990s, we
11 completed the construction of our first packed tower
12 aeration facility at Well No. 4 located at 8th Avenue
13 and Old Country Road. Due to the increasing levels of
14 VOCs found during our required sampling at the time,
15 the Village added on to this packed tower aeration
16 system in 2004. In 1997 we constructed a similar
17 Packed Tower Aeration System at our Well No. 7 when our
18 sampling showed increasing VOCs levels in this water as
19 well. Each time our sampling indicated that we had
20 increasing levels of VOCs in these two wells, we
21 increased our sampling of these wells to monitor these
22 levels, and each time we voluntarily removed these
23 wells from service long in advance of any regulatory
24 issues. We take an extremely conservative approach
25 when our water sampling shows increasing levels of

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1 contaminants in our water, and we move pretty swiftly
2 to voluntarily remove the effected well from service
3 and begin planning advanced treatment prior to having
4 any regulatory issues. I'm pleased to report that both
5 of these packed tower aeration facilities remain in
6 service and continue to remove the VOCs they were
7 designed and constructed to remove. These were the
8 past challenges we faced, met and found solutions to.

9 The current challenges that we now face are
10 with our Well No. 1 and, again, with our Well No. 7.

11 In 2010, through sampling and testing, we
12 discovered increasing levels of two primary VOC
13 contaminant compounds affecting Well No. 1. From 2010
14 to 2014, we began increased sampling, testing and
15 monitoring of these two primary VOC contaminants.
16 During our sampling, it was clear that these levels of
17 contaminants were only increasing. Based on the
18 sampling data, we voluntarily removed Well No. 1 from
19 service in 2014 and began investigating the treatment
20 options with our engineers in order to develop a
21 treatment system to remove the contaminants from the
22 water produced by Well 1. In addition to investigating
23 treatment options, we also began investigating the
24 possible source of these contaminants. Working with
25 the New York State Department of Environmental

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1 Conservation, it was determined that the source of this
2 contamination was a former photoengraving site located
3 in one of the light industrial areas of the Village
4 just to the north of Well No. 1. Unfortunately, as is
5 usually the case, the contaminator is long out of
6 business, and there's no way for the Village to recover
7 any costs associated with the design, construction and
8 treatment for the contamination caused by this
9 business. The DEC has developed and is currently
10 administering a cleanup of this site and the outlying
11 contamination area, but the contamination is
12 significant and is very close proximity to Well No. 1.
13 The only way to remove these VOC contaminants affecting
14 Well No. 1 was through the use of a Packed Tower
15 Aeration System, just like the systems currently in use
16 at Well Nos. 4 and 7. Additionally, since this
17 contamination is significant and there is potential for
18 increased contamination, we have designed a system that
19 can be added on in the future should it become
20 necessary to increase our treatment there. In addition
21 to this treatment, we have also added a standby
22 emergency power generator to this site so that in the
23 event of power loss, we can still provide fully treated
24 water to our ratepayers from this well and treatment
25 facility. An unfortunate consequence of the required

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1 construction of this treatment system was the necessity
2 to demolish the existing Water Division offices and
3 garage located on Elm Place adjacent to the Well No. 1
4 site. So, in addition to constructing a treatment
5 system and emergency standby power, we also had to
6 locate an area to construct a new building for the
7 Water Division, their offices and garage. I shall
8 discuss this topic further on in the presentation. I'm
9 pleased to report that the construction of the new
10 Packed Tower Aeration Facility which began in December
11 2019 has been completed. Just two weeks ago, prior to
12 Thanksgiving, we received the approval from the Nassau
13 County Department of Health to operate Well No. 1 and
14 this new treatment facility. As I appear here before
15 you now, this facility is fully operational and our
16 water sampling and testing has indicated that the two
17 primary contaminants affecting this well are no longer
18 detected in the water provided to our ratepayers. The
19 cost of the design and construction of this facility is
20 \$3.2 million and shall also come with the increased
21 operational costs to operate and run this facility.

22 As I'm sure you're all aware, and many of our
23 ratepayers may have seen, there's been a great deal of
24 information provided recently by Governor Cuomo, the
25 New York State Health Department and many news agencies

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1 regarding what are known as the Emerging Contaminants
2 of 1,4 Dioxane and PFOS and PFOA, which are known
3 together as PFAS. These contaminants were discovered
4 as part of the Federal EPA's requirement known as UCMR,
5 which stands for Unregulated Contaminant Monitoring
6 Rule No. 3. This is a federal EPA required water
7 sampling and testing program that requires water
8 suppliers to sample for unregulated water contaminants.
9 The water sampling and testing required by this federal
10 program began in 2013 and continued through 2015. The
11 results of this program provided information regarding
12 these two emerging contaminants and showed that these
13 contaminants are prevalent in the Magothy aquifer from
14 which we draw our water from. While some of the water
15 suppliers have differing detection levels of these
16 contaminants in the water they produce, it has become
17 clear that most, if not all of the water suppliers on
18 Long Island and throughout New York State, may be
19 impacted by these contaminants in some way. I must
20 report to this Board that both Well Nos. 4 and 7 are
21 impacted by PFAS and right now Well No. 4 has been
22 impacted by 1,4 Dioxane as well. At this time it also
23 appears that we have trace amounts of PFAS in our Well
24 No. 6 and trace amounts of 1,4 Dioxane in both Wells
25 No. 6 and 7. Again, these appear to be trace and the

1 value in our sampling are somewhat inconsistent
2 amounts, but we shall certainly monitor these going
3 forward.

4 In 2019 it became very clear that Governor
5 Cuomo and the New York State Health Department were
6 going to create very stringent guidelines for the
7 maximum contaminants levels for both of these
8 contaminants. On July 24, 2019, the New York State
9 Department of Health then proposed the maximum
10 contaminant levels for PFAS at ten parts per trillion
11 and 1,4 Dioxane at one part per billion. These are
12 extremely stringent maximum contaminant levels which
13 require very expensive treatment facilities.

14 Since two of our five water production wells
15 are impacted by these two contaminants, we needed to
16 take fast action to be ahead of the curve when the new
17 maximum contaminant level requirements could possibly
18 take effect. Fast action was required both to have the
19 treatment in place or, at the very least, in design
20 because the potential of losing two of the five water
21 production wells during the peak summer demand season
22 we would not be able to provide enough water or have to
23 impose some very draconian water use guidelines. In
24 October of 2019, we began investigating the treatment
25 options for these contaminations. Based upon our water

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1 testing and sampling data, we, with our engineers,
2 determined the best and fastest court of action was
3 immediately move on the treatment required for the
4 removal of the PFAS contaminants at Well No. 7 first.
5 We immediately started on a design report for the
6 treatment required and, also, immediately limited the
7 use of Well No. 4, virtually taking it out of service
8 during the winter months and only using this well as a
9 last resort, which is known as "last on, first off" if
10 water demand required its use. By January of this year
11 we will fully in development of a design report and
12 treatment system design and issued a three-part
13 emergency contract for the purchase, installation and
14 construction of a building to house the required
15 treatment for the removal of PFAS at Well 7. This
16 treatment system employs the use of Granular Activated
17 Carbon filtration system, also known as GACs. This
18 filtration system consists of two large vessels each
19 containing 40,000 pounds of granular activated carbon
20 for the removal of the PFAS contaminants. Both
21 contract 1 for the purchase of the vessels and carbon,
22 and contract No. 2 for the installation of the vessels
23 and the required plumbing and electrical work to
24 operate the filtration system have been completed and
25 the system was authorized for use by both the New York

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1 State Department of Health and the Nassau County
2 Department of Health on or about October 14th of this
3 year. Our water sampling and testing of the new GAC
4 treatment that is in operation has indicated that the
5 PFAS contaminants are non-detect in the water we
6 produce and distribute to our ratepayers. The only
7 remaining portion of the three-part emergency contract
8 is the completion of the building housing the system
9 which is ongoing and is scheduled to be substantially
10 completed by the end of January 2021. Hopefully, the
11 weather gods will look kindly upon us and cooperate so
12 we can complete this project in its totality very
13 quickly. The cost of designing and constructing this
14 treatment system came in at \$2.877 million.

15 Just going back to my earlier discussion
16 regarding the State's implementation of the new maximum
17 contaminant levels for these contaminants for a brief
18 moment, in late August of this year the proposed
19 maximum contaminant levels for PFAS and 1,4 Dioxane
20 contaminants became law. After a 60 day comment
21 period, these requirements went into effect on October
22 26th this year. As previously stated, we had the new
23 GAC treatment system for Well No. 7 up and running on
24 October 14th just in time not to have to take this well
25 out of service based on these new regulations. As for

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1 Well No. 4 impacted by both PFAS and the 1,4 Dioxane
2 contaminants, we removed this well from active water
3 production service prior to the end of September of
4 this year and we are moving forward with the design
5 report and the design of the treatment facility.

6 Now to our future, as stated, we have already
7 been working on and continue to move forward with a
8 design report and the design of treatment facilities
9 required for both the removal of PFAS and the 1,4
10 Dioxane contaminants at Well No. 4. We have conducted
11 and completed a pilot study using mini versions of the
12 treatment components required to remove these
13 contaminants. These results of the pilot study
14 provided the necessary water characteristic information
15 and contaminant information necessary to develop the
16 larger scale system that will be required to treat the
17 water produced by Well No. 4 to remove these
18 contaminants. Based upon our preliminary pilot study,
19 it is anticipated that we will have to install a
20 combination system of an Advanced Oxidation Process
21 System, known as AOP, and the GACs to remove both of
22 these contaminants. The AOP process uses both an
23 ultraviolet light reactor and peroxide to remove the
24 1,4 Dioxane and the GACs will be used to remove both
25 the PFAS contaminant and the peroxide from the water

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1 prior to delivering the water into our distribution
2 system. These types of treatment systems will require
3 the construction of two separate buildings, a
4 connection into the existing Well No. 4 Packed Tower
5 Aeration treatment facility and the replacement of the
6 emergency standby generator to continue to provide
7 fully treated water during power outage for our
8 ratepayers. At this time it is estimated that the
9 future cost to construct these treatment facilities,
10 including the initial AOP Pilot Study, is approximately
11 \$13.52 million.

12 Finally, going back to the topic regarding the
13 Water Division's offices and garages, we have
14 undertaken a project to build a new administration
15 building with garages and standby emergency power that
16 will operate both the well and administration building
17 which is being conducted at our Well No. 6 location on
18 Westbury Avenue. The cost of this project is
19 approximately \$4 million and it is anticipated that
20 this project should be completed by the end of May
21 2021.

22 I realize that all of these project costs that
23 I just mentioned here in this presentation are a huge
24 pill to swallow all in one discussion. So I will take
25 this opportunity to also discuss the other things we've

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1 been doing in an attempt to mitigate some of these
2 costs to our ratepayers.

3 With regard to the Well No. 4 treatment
4 facilities projected at a cost \$13.52 million, we
5 applied for and received a \$30,000 grant for our AOP
6 pilot study, and we also applied for and were approved
7 for Water Infrastructure grant in the amount of
8 \$4.98 million. Taking these totals together, this
9 reduces the projected cost for Well No. 4 to
10 approximately \$8.5 million. In addition to these
11 grants, since the manufacturers of both PFAS and 1,4
12 Dioxane are still in business and are large scale
13 chemical and product manufacturers, we have instituted
14 a federal lawsuit against these manufacturers to
15 recover both the costs of design and construction of
16 these treatment facilities along with the projected
17 future operation costs to operate these treatment
18 facilities. Based upon the data we have, we are
19 cautiously optimistic that we will prevail in our
20 attempts to gain some additional funding through these
21 lawsuits to help offset some of these costs of these
22 treatment facilities.

23 I know that these are very difficult times for
24 our ratepayers and asking this Board, all of whom are
25 residents, to consider and approve water rate increases

1 is certainly a very big ask at this time.

2 Unfortunately, in order to keep our water systems
3 operational and to continue to provide water that meets
4 or exceeds all regulatory standards, we have had no
5 choice but to move forward with the design and
6 construction of these required water treatment
7 facilities. The only other option, which really was
8 not an option at all, would have been the closure of
9 two of our five operating wells. If this was the only
10 option, it would have meant the institution of very
11 severe water restriction laws that would prohibit
12 things such as filling a swimming pool, closure of
13 residential lawn sprinklers, no washing of cars and
14 even the potential of closing our community pool that
15 many use and enjoy as a means of escaping the summer
16 heat.

17 So based upon this information presented here
18 and on behalf of the Department, I'm asking that this
19 Board consider the following water rate increases over
20 the next three years:

21 Beginning January 1, 2021, a 5 percent
22 increase in current water rates;

23 Beginning January 1, 2022, a 5.5 percent
24 increase in water rates;

25 And, finally, beginning January 1, 2023, a 6

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1 percent increase in water rates.

2 I thank you for the opportunity to be heard on
3 this matter, and if there are any questions, I would be
4 more than happy to answer them to the best of my
5 ability or provide you with the answers if I cannot do
6 so right here and now. So thank you very much.

7 MAYOR STRAUSS: All right. Thank you, Mr.
8 Rini, for the incredibly thorough report not only on
9 why we have a water rate increase also the history that
10 brought us up to your starting decades ago. I want to
11 thank you and certainly Jim Martins, the head of the
12 Water Division for all of the work they have done,
13 especially even last night and today with the water
14 leak that we had to deal with on Foch Boulevard and
15 Wilson Boulevard. I'll open up comments to deputy
16 trustees, deputy mayor.

17 TRUSTEE PEREIRA: Thank you Mayor and thank
18 you Mr. Rini for that history lesson. You know I like
19 to listen to that stuff, and I think it's valuable. I
20 do answer a lot of questions often about our water
21 system because people see things going up like the GACs
22 across the street or the administration building down
23 by Well 6, and it's kind of complicated because it's
24 underground we don't see it, we just turn on our faucet
25 and they work for the most part or if we have an

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1 emergency like we did last night, you call the Water
2 Department, they respond, and I will say that that
3 there's -- we said this repeatedly, we get, as
4 residents, a lot of bang for our buck when it comes to
5 what we pay in taxes. In the case of water rates, I
6 think it's even more so. Compared to our family and
7 friends that live in other municipalities or that live
8 in special districts and water districts and not only
9 are their rates considerably higher, but I don't think
10 they have the level of service that we have and the
11 level of response that we have.

12 As you were speaking, I was writing this down,
13 so we're looking at either already in the pipeline or a
14 future work at the area of about 23 million and then,
15 obviously, with about \$5 million in grants so that's
16 down to about 18 million and that is a lot of money,
17 but I can't think of anything that's more precious than
18 having safe, clean water, and I know that you take that
19 responsibility very seriously, as do we, and I also
20 think that it's important to understand that having the
21 ability to have the redundancy and having five
22 operational wells, really sets us up for any eventual
23 issues that may arise in the future because we do have
24 that flexibility of turning wells on, turning wells
25 off, bringing wells on, bringing wells off, and I agree

1 with you that I don't think a good option would have
2 been to close down two more wells, and then be at the
3 mercy of only three operational wells, and, God forbid,
4 something goes wrong where those, then we'll really in
5 a bind, and I think that being prepared for now, and I
6 know that many of these things that we're doing are in
7 excess of what is being mandated in preparation for
8 what may be coming down the pike in ten or fifteen or
9 twenty years so that we are prepared. And I know that
10 a few months ago you were here talking about how
11 important it was that this Board approve the purchase
12 of these GACs across the street so that we were kind of
13 the first in line and we had it up and running and
14 operational and it's to the benefit of our residents to
15 our benefit that we were able to do that.

16 And, again, one of the things that the Mayor
17 has mentioned before is, and it was already mentioned
18 today, although our water department does not have the
19 power to levy taxes, we do have the responsibility to
20 follow a lot of unfunded mandates that come from the
21 state and we have to do it and then we have to figure
22 out how to do it, right? And we're unique in that way
23 that we do not have the ability to levy taxes as a
24 special water district.

25 So I know I'm kind of going in circles --

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1 TRUSTEE CUSATO: Yeah.

2 TRUSTEE PEREIRA: Thank you, appreciate that.
3 Would you like some water?

4 But the point I'm trying to make is that it is
5 an investment in our future, and I think that even at
6 the 5 percent, 5.5 and 6 percent over the next three
7 years it's reasonable, it's modest and it's worth every
8 penny, thank you, Mr. Rini.

9 MAYOR STRAUSS: Thank you. And along --

10 TRUSTEE PEREIRA: I yield the rest of my
11 time --

12 MAYOR STRAUSS: Along with that what I should
13 note is that there was a report done on the Board of
14 Trustees here as to our -- the affect on us and our
15 families, this water rate increase, and the highest to
16 the lowest. Unfortunately or fortunately, the mayor
17 takes the lead impact as the most used water, and with
18 this first rate increase it will affect him ten
19 dollars. It will be ten dollars more for the year.
20 And George -- Trustee Durham who uses no water would
21 only affect him at three dollars more a year, so
22 although the rates are significant, they seem
23 significant, and ten dollars is ten dollars and three
24 dollars is three dollars. I don't want to minimize the
25 impact of the financial burden to anybody in this

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1 Village, but that's what it pretty much boils down to.

2 Trustee Cusato?

3 TRUSTEE CUSATO: Thank you, Mayor, so my rate
4 would be eight dollars, my increase. Mr. Rini, thank
5 you for your excellent and very concise report, and,
6 simply said, you know, we need to do what we need to do
7 to maintain and distribute clean water to our Village,
8 so I definitely vote in favor of this proposal.

9 MAYOR STRAUSS: Thank you.

10 Trustee Durham?

11 MR. DURHAM: Thank you. Thank you for the
12 report. It was well presented, and I'm sure it took
13 quite a bit of time to put together, so you and Mr.
14 Martin, thank you for what was done on that.

15 And the residents, I'm sure, see all the
16 projects that are going on and understand that it has
17 to be paid for somehow, and I believe it's still a
18 bargain that we get the price on the water, so I have
19 no issues with these rate increases, and I understand
20 we're spending a lot of money on it and we have to
21 spend the money. We have to make sure that everything
22 is good for the residents of the Village.

23 MAYOR STRAUSS: Thank you.

24 Trustee Walsh?

25 TRUSTEE WALSH: Yes, thank you. The only well

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1 I didn't hear about is the well on Crandall, Well No.
2 5.

3 MR. RINI: Roselle Street.

4 TRUSTEE WALSH: Roselle, is there any issues
5 with Well No. 5?

6 MR. RINI: Not a single one, that's the finest
7 well we have.

8 TRUSTEE WALSH: That's good, so it's
9 functioning fine, right?

10 MR. RINI: Well No. 5 is functioning just
11 fine. Many years ago that was impacted by a gasoline
12 leak. That was fully cleaned out. But, no, that well
13 shows no signs of any other chemical impacts that some
14 of the other wells have, so right now that well is
15 distributing, you know, water that meets and exceeds
16 all of the standards and does not have any of the
17 impacts of additional chemical compounds or
18 contaminants.

19 TRUSTEE WALSH: Okay, thank you, that's a good
20 thing.

21 MAYOR STRAUSS: Trustee Walsh mentioned the
22 well on Crandall. It is not actually a well.

23 MR. RINI: Correct.

24 MAYOR STRAUSS: If you want to elaborate on
25 that.

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1 MR. RINI: Actually, it is at a sewer lift
2 station because that area is a low-lying area, that is
3 the lowest point in the area. Sanitary sewer systems
4 operate on gravity. There's no way that gravity could
5 push the sanitary sewage up hill in that area so that
6 is a small pump station that collects the sanitary
7 sewage from that area and through an ejector pump
8 system pumps it up like a force beam until it reaches
9 the point where it hits the gravity system and then
10 flows down. But, yes, we also maintain that as part of
11 the water and sewage division.

12 MAYOR STRAUSS: Thank you for that. Any other
13 comments from the Board?

14 Any comments from the public?

15 Okay, I'll entertain a motion to approve these
16 water rates.

17 MR. RINI: We have to have Mr. Gibbons come
18 up.

19 MR. GIBBONS: I want to get my chance.

20 MR. RINI: I'll yield my time to Mr. Gibbons.

21 MAYOR STRAUSS: Thank you very much.

22 MR. GIBBONS: I will not be as interesting.
23 Good evening, in order to effectuate the rate increase
24 that Mr. Rini discussed during his presentation, we'll
25 need to do some housekeeping. The first is we're going

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1 to have to amend our law Section 523-28 entitled Water
2 Rates Fees. The top two pages I gave you are present
3 law, and you will see in Subsection A that presently we
4 have set rates or the Board has set rates for 2018,
5 2019 and 2020. We'll have to amend that law to now set
6 rates for 2021, '22 and '23, and if you look at the
7 second packet, that provides for those changes into the
8 local law.

9 In addition, at the recommendation of the
10 Water Department, we've requested the following changes
11 to our law:

12 Under Subdivision B, to add the words or add
13 the last sentence "such use shall require a hydrant use
14 permit issued by the Water Department."

15 Under subsection C, increasing some of the
16 fees for systems supplied by a two-inch pipe going from
17 \$195 to \$225.

18 For systems supplied by a three-inch pipe
19 going from \$275 to \$300.

20 For systems supplied by a four-inch pipe, \$375
21 to \$400.

22 For a five-inch pipe from \$550 to \$600.

23 For a six-inch pipe from \$650 to \$700.

24 And for an eight-inch pipe from \$1,100 to
25 \$1,200.

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1 In addition, Subsection D would be struck, and
2 in its place would be inserted for all uses other than
3 building construction as stated in Section B, the fees
4 charged for miscellaneous water use from a fire hydrant
5 shall be \$500 annually and require a hydrant use permit
6 by the Water Department.

7 And those would be the only changes to the
8 law.

9 However, if you go back to Subdivision A,
10 you'll see that the actual rates are not contained
11 within the law itself, but they're in a separate
12 resolution. A copy of the proposed rates that Mr. Rini
13 discussed you'll find as Appendix A, B and C attached
14 to the proposed local law, and those set forth 5
15 percent, 5 and a half and 6 percent increases over the
16 three years.

17 So what I would ask the Board to do, if it's
18 prepared to do so tonight, is first adopt a resolution
19 of the proposed local law amending Section 523-28 of
20 the Municipal Code of the Incorporated Village of
21 Mineola entitled Water Rates Fees Within the Village of
22 Mineola is acceptable and adopt that, and if the Board
23 is inclined to do so, to then, by resolution, adopt the
24 schedule that's attached to the local law.

25 TRUSTEE CUSATO: Mr. Gibbons, this will take

In re: Water Rates

1 effect on January 1, '21.

2 MR. GIBBONS: '21, yes.

3 TRUSTEE CUSATO: Buildings being under
4 construction now would fall under this new law?

5 MR. GIBBONS: I'm not sure what you mean by
6 the question.

7 TRUSTEE CUSATO: There are vacant buildings
8 now someone is going to occupy like the buildings on
9 Jericho Turnpike.

10 MR. GIBBONS: Correct.

11 TRUSTEE CUSATO: This law will affect them?

12 MR. GIBBONS: It affects everybody, whether
13 the building is vacated or not. When someone goes in
14 there and makes an application for water use, they pay
15 whatever the rate is at that time.

16 TRUSTEE CUSATO: Thank you, thank you.

17 MR. DURHAM: Question, you just said January
18 1st and it says June 1st.

19 TRUSTEE PEREIRA: That's billing.

20 MR. GIBBONS: It's in arrears.

21 MR. DURHAM: So January to June?

22 MR. GIBBONS: Yes.

23 MAYOR STRAUSS: Any other questions from the
24 Board?

25 TRUSTEE CUSATO: No.

In re: Water Rates

1 MAYOR STRAUSS: Any questions from the public?
2 I'll entertain a motion to approve or adopt the
3 alteration of Village Code 523-28 water rate fees.

4 TRUSTEE PEREIRA: Motion.

5 MAYOR STRAUSS: Motion by Trustee Pereira.

6 TRUSTEE WALSH: Second.

7 MAYOR STRAUSS: Second by Trustee Walsh.

8 Mr. Scalero, poll the board.

9 MR. SCALERO: Trustee Durham?

10 TRUSTEE DURHAM: Yes.

11 MR. SCALERO: Trustee Pereira?

12 TRUSTEE PEREIRA: Yes.

13 MR. SCALERO: Trustee Cusato?

14 MR. CUSATO: Yes.

15 MR. SCALERO: Trustee Walsh?

16 TRUSTEE WALSH: Yes.

17 MR. SCALERO: Mayor Strauss?

18 MAYOR STRAUSS: Yes.

19 I'll also entertain a motion to approve the
20 resolution set forth by Mr. Gibbons concerning the
21 water rates.

22 TRUSTEE PEREIRA: Motion.

23 TRUSTEE DURHAM: Second.

24 MAYOR STRAUSS: Motion by Trustee Pereira,
25 second by Trustee Durham. Mr. Scalero, poll the Board.

In re: Water Rates

1 MR. SCALERO: Trustee Durham?

2 TRUSTEE DURHAM: Yes.

3 MR. SCALERO: Trustee Pereira?

4 TRUSTEE PEREIRA: Yes.

5 MR. SCALERO: Trustee Cusato?

6 MR. CUSATO: Yes.

7 MR. SCALERO: Trustee Walsh?

8 TRUSTEE WALSH: Yes.

9 MR. SCALERO: Mayor Strauss?

10 MAYOR STRAUSS: Yes.

11 MR. GIBBONS: Thank you Mayor and the Board.

12 MAYOR STRAUSS: Thank you, Mr. Rini, again,
13 for the very thorough report.

14 I'll entertain a motion to close the hearings.

15 TRUSTEE WALSH: Motion.

16 MAYOR STRAUSS: Motion by Trustee Walsh. Do I
17 have a second?

18 TRUSTEE PEREIRA: Second.

19 MAYOR STRAUSS: Second by Trustee Pereira.

20 All in favor?

21 All in favor?

22 TRUSTEE DURHAM: Aye.

23 TRUSTEE PEREIRA: Aye.

24 TRUSTEE CUSATO: Aye.

25 TRUSTEE WALSH: Aye.

In re: Water Rates

1 MAYOR STRAUSS: Aye.

2 Opposed?

3 Motion carries.

4 Thank you very much.

5

6 * * *

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8 This is to certify that the within and foregoing
9 is a true and accurate transcript of the stenographic notes
as recorded by the undersigned Official Court Reporter.

10 * * *

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KELLY CULEN
OFFICIAL COURT REPORTER

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