

Minutes - Board Meeting 11/19/2014

Minutes of the meeting of the Board of Trustees of the Incorporated Village of Mineola held Wednesday, November 19, 2014 at Village Hall, 155 Washington Avenue, Mineola, New York 11501.

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

ALSO PRESENT: Village Attorney John M. Spellman
Village Clerk Joseph R. Scalero
Court Clerk Elizabeth Bernardes

Press Observer: *Mineola American*
Williston Times

Sunshine Observers: 13 Observers

Mayor Scott P. Strauss called the Work Session to order at 6:35 PM.

Resolution No. 321-14

Resolved to approve bills and payroll.

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

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Scott P. Strauss		
Trustee Paul S. Cusato		
Trustee Paul A. Pereira		
Trustee George R. Durham		
Trustee Dennis J. Walsh		

Resolution No. 322-14

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

Sean McDermott Company #1

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

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Scott P. Strauss		
Trustee Paul S. Cusato		
Trustee Paul A. Pereira		
Trustee George R. Durham		
Trustee Dennis J. Walsh		

Resolution No. 323-14

Resolved to authorize the installation of a "Handicap Reserved" parking space in front of 125 Brown Street.

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

Resolution No. 324-14

Resolved to approve a request by Boy Scout Troop 45 for the use of the Community Center auditorium on Tuesday, May 12, 2015 starting at 7:30 PM to conduct a Basketball Night.

Motioned by Trustee George R. Durham
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. 325-14

Resolved to authorize a case management software parking system agreement with Service Education, Inc. for the Mineola Justice Court in the amount of \$4,325.00.

Motioned by Trustee Dennis J. Walsh
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. 326-14

Resolved to authorize a parking citation issuance system software and service agreement with Citezone for the Mineola Justice Court in the amount of \$14,175.00.

Motioned by Trustee Dennis J. Walsh
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. 327-14

Resolved to authorize the purchase of six (6) Motorola hand held units from MSA Systems, Inc. in the amount of \$16,673.34.

Motioned by Trustee Dennis J. Walsh
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. 328-14

Resolved to authorize the purchase one (1) Formax FD 1404 AutoSeal Pressure Sealer for pressure seal forms from Neopost NY/NJ Metro in the amount of \$3,728.30.

Motioned by Trustee Dennis J. Walsh
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. 329-14

Resolved to authorize the purchase of Mineola Justice Court forms from Baldwin Business Systems in the amount of \$1,728.00.

Motioned by Trustee Dennis J. Walsh
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. 330-14

Resolved to authorize the purchase of an OKI Pacemark 3410 printer from TCI in the amount of \$895.71.

Motioned by Trustee Dennis J. Walsh
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. 331-14

Resolved to authorize the payment of \$750.00 to CompuCourt to convert existing case management data for the Service Education Inc. System.

Motioned by Trustee Dennis J. Walsh
Seconded by Trustee George R. Durham

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
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 7:30 PM

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

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
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 7:45 PM.

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

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Scott P. Strauss		
Trustee Paul S. Cusato		
Trustee Paul A. Pereira		
Trustee George R. Durham		
Trustee Dennis J. Walsh		

Resolution No. 332-14

**RESOLUTION OF THE VILLAGE OF MINEOLA, IN THE
COUNTY OF NASSAU, NEW YORK, RELATING TO
CONTINUING DISCLOSURE MATTERS APPLICABLE TO
BONDS AND NOTES OF THE VILLAGE AND
AUTHORIZING CERTAIN ACTIONS IN CONNECTION
THEREWITH.**

WHEREAS, the Village of Mineola, in the County of Nassau, State of New York (the “Village”) has previously issued its bonds, bond anticipation notes and/or other debt obligations (collectively, the “Bonds”); and

WHEREAS, in connection with the issuance of certain of the Bonds and for purposes of assisting underwriters/purchasers to comply with Rule 15c2-12 under the Securities Exchange Act of 1934, the Village has covenanted and/or entered into one or more undertakings or agreements to provide continuing disclosure (the “Continuing Disclosure Obligation”) to the public marketplace; and

WHEREAS, in general the Continuing Disclosure Obligation requires the Village to file certain financial information and notice of certain events in specified places and at specified times; and

WHEREAS, in connection with the sale of certain of the Bonds, the Village issued one or more official statements that, among other things, described the Village’s Continuing Disclosure

Obligation and whether or not the Village had previously complied with its Continuing Disclosure Obligation in all material respects; and

WHEREAS, the Division of Enforcement (the “Enforcement Division”) of the U.S. Securities and Exchange Commission (the “SEC”) announced its Municipalities Continuing Disclosure Cooperation Initiative (the “Initiative”), to address potentially materially inaccurate descriptions in official statements (made innocently, inadvertently or otherwise) of prior compliance with continuing disclosure obligations; and

WHEREAS, pursuant to the terms of the Initiative, the Enforcement Division will recommend “favorable settlement terms” for issuers and underwriters that self-report by 5:00 p.m., eastern standard time, on December 1, possible materially inaccurate statements in official statements in the last five years relating to prior compliance with continuing disclosure obligations by submitting a specified questionnaire (the “Questionnaire”) to the Enforcement Division; and

WHEREAS, the Village has been provided with a copy of the Initiative, a copy of an advisory and memorandum prepared by bond counsel to the Village describing the Initiative, and a copy of the Questionnaire released by the Enforcement Division; and

WHEREAS, if an issuer takes advantage of the Initiative by self-reporting possible materially inaccurate statements and if any of such statements are determined to be materially inaccurate by the Enforcement Division, the Enforcement Division will recommend to the SEC a settlement in which (i) the issuer consents to a cease-and-desist order, (ii) the issuer neither admits nor denies the findings of the SEC and (iii) there is no payment of any civil penalty by the issuer; and

WHEREAS, any such settlement will require the issuer to (i) establish appropriate policies and procedures and training regarding continuing disclosure obligations within 180 days, (ii) comply with existing continuing disclosure undertakings, including updating past delinquent filings within 180 days, (iii) cooperate with any subsequent investigation by the Enforcement Division regarding the false statement(s), including the roles of individuals and/or other parties involved, (iv) disclose in a clear and conspicuous fashion the settlement terms in any final official statement for an offering by the issuer for five years and (v) provide the SEC staff with a compliance certification regarding the applicable undertakings by the issuer in one year; and

WHEREAS, the Initiative cautions that if an issuer does not take advantage of the Initiative by submitting a Questionnaire identifying any possible materially inaccurate statement with respect to prior compliance with a continuing disclosure obligation and the Enforcement Division later determines that such a materially inaccurate statement was made, then the Enforcement Division will likely recommend and seek financial sanctions against the issuer; and

WHEREAS, in light of the foregoing, the Village has requested its financial advisor to examine and review the Village’s Continuing Disclosure Obligation and previous continuing disclosure filings and to report to the Village any noncompliance with its Continuing Disclosure Obligation; and

WHEREAS, the Village has received such report, and such report has been reviewed with its bond counsel; and

WHEREAS, as a result of such review, it may be desirable for the Village to take advantage of the Initiative by submitting one or more Questionnaires to the Enforcement Division identifying a statement with respect to prior compliance with its Continuing Disclosure Obligation that is potentially materially inaccurate; and

WHEREAS, after consultation with its financial advisor and bond counsel, the Village is desirous of authorizing the submission of one or more Questionnaires to the Enforcement Division;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF MINEOLA, IN THE COUNTY OF NASSAU, NEW YORK, AS FOLLOWS:

Section 1 Authorization to Submit Questionnaire. The Mayor, the Village Treasurer and Village Attorney are each hereby authorized to take advantage of the Initiative by executing and submitting on behalf of the Village one or more Questionnaires to the Enforcement Division by the December 1, 2014, deadline established by the Initiative.

Section 2. Various Incidental Actions. The Mayor, the Village Treasurer and Village Attorney are each hereby authorized to execute and deliver all documents and instruments and to do all matters and things as may be necessary, useful, convenient or desirable in connection with the foregoing.

Section 3. Prior Action. All action heretofore taken by the Village relating to the foregoing is hereby ratified, confirmed, adopted and approved, including without limitation requesting the financial advisor to undertake the continuing disclosure review described in this resolution and seeking advice and assistance of bond counsel in respect thereto.

Section 4. Effective Date. This resolution shall take effect immediately.

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

Village Clerk Joseph R. Scalero polled the Board:

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Trustee George R. Durham		
Trustee Paul A. Pereira		
Trustee Paul S. Cusato		
Trustee Dennis J. Walsh		
Mayor Scott P. Strauss		

Village Clerk Joseph R. Scalero reminded residents Village Hall will be closed on November 27 in observance of Thanksgiving Day and a holiday sanitation collection schedule will be in effect for that week.

Mayor Scott P. Strauss requested a motion to close the Work Session at 7:48 PM.

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

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
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 7:48 PM.

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

ALSO PRESENT: Village Attorney John M. Spellman
Village Clerk Joseph R. Scalero

Press Observer: *Mineola American*

Sunshine Observers: 11 Observers

Mayor Scott P. Strauss thanked all those involved in organizing the Veterans Day ceremony commenting that it was well attended; stated that he and the Board of Trustees attended the New York Chapter of the American Public Works Association Awards ceremony where he had the honor of swearing in Superintendent of Public Works Tom Rini as President of the Association and noted that six Village of Mineola employees were honored, five receiving the Floyd F. Wilcox Award, (Daniel Acosta, Mark Giordano, Sean McCrave, Lenny Palumbo and Mike Palumbo) and the sixth, (Patrice Grosskopf) receiving the George A. Jacob Award and congratulating each of them. Mayor Strauss reported on Senior Appreciation Day, thanked Marta DeSousa, Anna Athan, and all others that helped to make this event so successful. Mayor Strauss reminded residents to sign up for snow alerts via E-Notices on the Village of Mineola website and to adhere to the Village's policy of removing cars from the street in the event of 2 or more inches of snowfall to keep streets passable and to avoid being ticketed. Mayor Strauss wished all residents a Happy Thanksgiving.

Trustee Paul A. Pereira announced that the Mineola High School football team will be playing in the Nassau County Championship game on Saturday November 22, and the Mineola High School theatre group will be presenting their fall play this weekend. Trustee Pereira wished all residents a Happy Thanksgiving.

Trustee Paul S. Cusato extended his congratulations to all of the Department of Public Works employees receiving American Public Works Association Awards, reported that he attended the Evening Star Quilters show stating that their displays were extraordinary and encouraged residents to attend future shows. Trustee Cusato announced that he attended and participated in the Jackson Avenue School Bingo night; thanked everyone that helped organize and participated in Senior Appreciation Day; reminded residents of the Toys-for-Tots program collections starting December 1 at the Mineola Library, Mineola Fire Department Headquarters, Mineola Fire Department fire station at Elm Place, and Village Hall. Trustee Cusato extended his best wishes for a Happy Thanksgiving.

Trustee George R. Durham congratulated those six Department of Public Works employees who were honored with awards; thanked everyone who supported the Boy Scouts of America Troop 45 wreath sale and reminded residents of "Small Business Saturday", encouraging them to support our local businesses on Saturday November 29. Trustee Durham wished residents a Happy Thanksgiving.

Trustee Dennis Walsh stated what a great event Senior Appreciation Day is and commented that it reflects well on the Village of Mineola that we have such an event; reported on the Nassau County Village Officials Association (NCVOA) meeting; commented on the ongoing construction projects in the village and the number of jobs they create; and reported on a letter received from the Nassau County Comptroller's office regarding demographic trends. Trustee Walsh wished a Happy Thanksgiving to all residents.

1 Speaker addressed the Board

Mayor Scott P. Strauss requested a motion to close the Public Meeting at 8:10 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