

Minutes - Board Meeting – 10/6/10

Minutes of the meeting of the Board of Trustees of the Incorporated Village of Mineola held Wednesday, October 6, 2010 at Village Hall, 155 Washington Avenue, Mineola, New York 11501.

- PRESENT:**

Mayor Jack M. Martins
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Trustee Thomas F. Kennedy
Trustee Paul A. Pereira
- ALSO PRESENT:**

Village Attorney, John M. Spellman
Village Clerk Joseph R. Scalero
Deputy Village Clerk Cora T. Kelly
Superintendent of Public Works Thomas J. Rini
Superintendent of Building Daniel B. Whalen
- Press Observers:**

Rich Forestano, *Mineola American*
Geoffrey Walter, *Patch .com*
- Sunshine Observers:**

15 Observers

Mayor Jack M. Martins called the Work Session to order at 6:55 PM.

Resolution No. 270-10

Resolved to approve bills and payroll.

Motioned by Trustee Paul S. Cusato
Seconded by Trustee Lawrence A. Werther

Vote:		
<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Jack M. Martins		
Trustee Lawrence A. Werther		
Trustee Paul S. Cusato		
Trustee Thomas F. Kennedy		
Trustee Paul A. Pereira		

Resolution No. 271-10

Resolved to approve a request of Corpus Christi Church to use village streets for a Devotional Procession on Wednesday October 13, 2010 from approximately 9:00 PM – 10:00 PM utilizing the following route:

Garfield Avenue East to Willis Avenue
South to Second Street
North on Willis Avenue to Garfield Avenue
West to Corpus Christi Church

Motioned by Trustee Paul A. Pereira
Seconded by Trustee Lawrence A. Werther

Vote:		
<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Jack M. Martins		
Trustee Lawrence A. Werther		
Trustee Paul S. Cusato		
Trustee Thomas F. Kennedy		
Trustee Paul A. Pereira		

Resolution No. 272-10

Resolved to approve the request by the Meadow Drive PTA for the use of Wilson Park Wednesday June 8, 2011 (Raindate: Thursday June 9, 2011) from 9:00 AM – 2:00 PM for their annual 5th grade picnic.

Motioned by Trustee Paul A. Pereira
Seconded by Trustee Thomas F. Kennedy

Vote:

Yes

No

Abstain

Mayor Jack M. Martins
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Trustee Thomas F. Kennedy
Trustee Paul A. Pereira

Resolution No. 273-10

Resolved to approve the request by the Cross Street PTA for the use of Wilson Park and facilities on Tuesday June 14, 2011 (Raindate: Monday June 20, 2011) from 9:00 AM - 2:30 PM for their annual 5th grade picnic.

Motioned by Trustee Paul S. Cusato
Seconded by Trustee Lawrence A. Werther

Vote:

Yes

No

Abstain

Mayor Jack M. Martins
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Trustee Thomas F. Kennedy
Trustee Paul A. Pereira

Resolution No. 274-10

Resolved to authorize the execution of the Long Island Intergovernmental Relations Purchasing Council Intermunicipal Agreement pursuant to §119-o and §239-n of the General Municipal Law.

WHEREAS, section 239-n of Article 12-C of the General Municipal Law provides that “[a]ny County ... town, village, school district, board of cooperative educational services, or fire district or any combination thereof, may create by agreement an intergovernmental relations council to strengthen local governments and to promote efficient and economical provision of local governmental services within or by such participating municipalities, and to that end such council shall have power to:

g. Employ such persons and adopt such rules and regulations as shall be necessary and proper to effectuate the purposes of this section.

h. Provide a forum for local governments to explore and develop areas for municipal cooperative activities pursuant to article five-G of this chapter.

i. Operate as a purchasing consortium, where authorized by participating municipalities, for the purpose of obtaining economies through joint bidding and purchasing.

- j. Purchase and make available to participating municipalities, where authorized by participating municipalities, goods and equipment, including but not limited to computer hardware and software.
- k. Gather and make available information on surplus goods and equipment for sale or lease...;

and

WHEREAS, sub-division (1) of section 119-o of Article 5-G of the General Municipal Law provides, in part, that “[i]n addition to any other general or special powers vested in [M]unicipal [C]orporations and districts for the performance of their respective functions, powers or duties on an individual, cooperative, joint or contract basis, [M]unicipal [C]orporations and districts shall have power to enter into, amend, cancel and terminate agreements for the performance among themselves or one for the other of their respective functions, powers and duties on a cooperative or contract basis or for the provision of a joint service ...;” and

WHEREAS, Suffolk County Resolution No. 558-2010 authorized and directed the County Executive to enter into an intermunicipal agreement with the County of Nassau and other municipalities for purposes of forming and empowering the Long Island Intergovernmental Relations Purchasing Council; and

WHEREAS, Nassau County Resolution No. 154-2010 authorized and directed the County Executive to enter into an intermunicipal agreement with the County of Suffolk and other municipalities for purposes of forming and empowering the Long Island Intergovernmental Relations Purchasing Council; and

WHEREAS, it is the desire of the Incorporated Village of Mineola to realize fully the rights and benefits conferred by state law upon municipalities, as has been enumerated above, by entering into the intermunicipal agreement for the Long Island Intergovernmental Relations Purchasing Council, now therefore be it

1st **RESOLVED**, the Mayor is hereby authorized, empowered, and directed to enter into the intermunicipal agreement annexed hereto for the Long Island Intergovernmental Relations Purchasing Council pursuant to §§ 119-o and 239-n of the General Municipal Law; and be it further

2nd **RESOLVED**, the execution and delivery on behalf of, and in the name of, the Mayor and/or his designee(s) of the intermunicipal agreement for the Long Island Intergovernmental Relations Purchasing Council shall be conclusive evidence of approval by this governing body to join the Long Island Intergovernmental Relations Purchasing Council and to abide by the terms and conditions of the Long Island Intergovernmental Relations Purchasing Council intermunicipal agreement; and be it further

3rd **RESOLVED**, that the Suffolk County Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, has found and determined that this law constitutes a Type II action pursuant to Section 617.5(c)(20) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 N.Y.C.R.R.) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

Motioned by Trustee Lawrence A. Werther
Seconded by Trustee Thomas F. Kennedy

Vote:

Yes

No

Abstain

Mayor Jack M. Martins
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Trustee Thomas F. Kennedy
Trustee Paul A. Pereira

Resolution No. 275-10

Resolved to approve the installation of a “No Parking, Monday- Friday from 8 AM – 11:00 AM.” restriction on Ninth Avenue.

Motioned by Trustee Paul S. Cusato
Seconded by Trustee Lawrence A. Werther

Vote:

Yes

No

Abstain

Mayor Jack M. Martins
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Trustee Thomas F. Kennedy
Trustee Paul A. Pereira

Resolution No. 276-10

Resolved to authorize the installation of a “Handicap Reserved” parking space in front of 214 Beebe Road.

Motioned by Trustee Paul A. Pereira
Seconded by Trustee Lawrence A. Werther

Vote:

Yes

No

Abstain

Mayor Jack M. Martins
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Trustee Thomas F. Kennedy
Trustee Paul A. Pereira

Resolution No. 277-10

Resolved to authorize a public bid for the Rehabilitation of Well #5 with estimated construction costs of \$65,000 and engineering fees not to exceed \$15,000.

Motioned by Trustee Lawrence A. Werther
Seconded by Trustee Paul S. Cusato

Vote:

Yes

No

Abstain

Mayor Jack M. Martins
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Trustee Thomas F. Kennedy
Trustee Paul A. Pereira

Resolution No. 278-10

Resolved to award the public bid for the 2010 Tree Planting Program and the following contract item numbers, to the low bidder, Louis Barbato Landscaping:

- Item # 2: 51-100 Acer Campestre “Queen Elizabeth” Hedge Maple trees at \$173.00 ea.
- Item #3: 1-50 Maackia Amurensis “Amur Maackia” Trees at \$199.00 ea.
- Item #5: 1-50 Pyrus Calleryana “Chanticleer” Pear Trees at \$133.00 ea.

Motioned by Trustee Lawrence A. Werther
Seconded by Trustee Thomas F. Kennedy

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Jack M. Martins		
Trustee Lawrence A. Werther		
Trustee Paul S. Cusato		
Trustee Thomas F. Kennedy		
Trustee Paul A. Pereira		

Superintendent Thomas J. Rini stated that the holiday sanitation schedule would be in effect for Columbus Day, Monday, October 11, 2010. Superintendent Rini presented an update on the installation of play structures at Wilson Park and the current status of the roadway reconstruction project on Emery Road and Argyle Road.

Resolution No. 279-10

Resolved to approve a request for a 90-day extension of Building Permit # 1286 issued for 352 Pennsylvania Avenue.

Motioned by Trustee Paul S. Cusato
Seconded by Trustee Thomas F. Kennedy

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Jack M. Martins		
Trustee Lawrence A. Werther		
Trustee Paul S. Cusato		
Trustee Thomas F. Kennedy		
Trustee Paul A. Pereira		

Resolution No. 280-10

Resolved to approve a request for a 90-day extension of Building Permit # 1439 issued for 240 E. Jericho Turnpike.

Motioned by Trustee Lawrence A. Werther
Seconded by Trustee Paul A. Pereira

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Jack M. Martins		
Trustee Lawrence A. Werther		
Trustee Paul S. Cusato		
Trustee Thomas F. Kennedy		
Trustee Paul A. Pereira		

Superintendent of Buildings Daniel B. Whalen presented an update on the construction of Winthrop University Hospital’s parking garage and presented a monthly department financial report for September 2010.

Mayor Jack M. Martins requested a motion to go into Executive Session at 7:00 PM

Motioned by Trustee Lawrence A. Werther
Seconded by Trustee Thomas F. Kennedy

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Jack M. Martins		
Trustee Lawrence A. Werther		
Trustee Paul S. Cusato		
Trustee Thomas F. Kennedy		
Trustee Paul A. Pereira		

Mayor Jack M. Martins requested a motion to come out of Executive Session at 7:10 PM.

Motioned by Trustee Lawrence A. Werther
Seconded by Trustee Paul A. Pereira

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Jack M. Martins		
Trustee Lawrence A. Werther		
Trustee Paul S. Cusato		
Trustee Thomas F. Kennedy		
Trustee Paul A. Pereira		

Resolution No. 281-10

Resolved to approve the hiring of George Padina and Julian Mikowski as Laborers in the Highway Department and the hiring of Fabian Velasco and James Oliveira as Laborers in the Sanitation Division at a starting salary in accordance with the Collective Bargaining Agreement.

Motioned by Trustee Paul A. Pereira
Seconded by Trustee Lawrence A. Werther

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Jack M. Martins		
Trustee Lawrence A. Werther		
Trustee Paul S. Cusato		
Trustee Thomas F. Kennedy		
Trustee Paul A. Pereira		

Mayor Jack M. Martins requested a motion to close the Work Session at 7:20 PM.

Motioned by Trustee Lawrence A. Werther
Seconded by Trustee Thomas F. Kennedy

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Jack M. Martins		
Trustee Lawrence A. Werther		
Trustee Paul S. Cusato		
Trustee Thomas F. Kennedy		
Trustee Paul A. Pereira		

Deputy Mayor Lawrence A. Werther called the Public Meeting to order at 7:30 PM.

PRESENT: Deputy Mayor Lawrence A. Werther
Trustee Paul S. Cusato
Trustee Thomas F. Kennedy
Trustee Paul A. Pereira

ALSO PRESENT: Village Attorney, John M. Spellman
Village Clerk Joseph R. Scalero
Superintendent of Public Works Thomas J. Rini

Press Observer: Rich Forestano, *Mineola American*
Rich Tedesco, *Williston Times*
Geoffrey Walter, *Patch .com*

Sunshine Observers: 24 Observers

Deputy Mayor Lawrence A. Werther reminded everyone that National Breast Cancer Awareness Month has started and stated that pink ribbon pins are available at Village Hall and at the Mineola Library for all those who would like one. Deputy Mayor Werther invited anyone whose son is of scouting age to contact Troop 45 about getting their son involved in scouting. Deputy Mayor Werther congratulated the Mineola High School Varsity Soccer team for securing first place and stated that there is a Youtube video entitled “I fought for you” which is a testimony to our veterans and recommended the public view it.

Trustee Paul S. Cusato commented that Mineola Fire Department responded to nine alarms during the torrential storms and resulting flooding in early September; congratulated Ex-Chief Scott Holliday for receiving the Firefighter of the Year award and also congratulated Ex-Chief Scott Strauss for receiving the Town of Hempstead 2010 Firematic Award. Trustee Cusato commented that he attended the Mineola Lions club meeting for the installation and dedication of a monument commemorating the service and thanked them for their efforts on behalf of the community. Trustee Cusato reminded residents that Saturday October 9, 2010 Mineola High School Alumni will hold their reunion, and stated that all surplus monies from the reunion will be set aside for future scholarships.

Trustee Thomas F. Kennedy also congratulated Ex-Chief Scott Holliday and Ex-Chief Scout Strauss on their awards and further thanked them for their efforts and dedication to the Village of Mineola.

Trustee Paul A. Pereira announced that the next Mineola soccer game is scheduled for October 15, 2010 and the Homecoming Parade and game is scheduled for October 16, 2010. Trustee Pereira announced that there will be a presentation on October 18, 2010 at 7:00 PM at Mineola High School entitled “Rachel’s Challenge” (named after Rachel Scott, a Columbine victim) speaking about stopping bullies and cyber bullying.

4 Speakers addressed the Board

Deputy Mayor Lawrence A. Werther requested a motion to close the Public Meeting at 8:10 PM.

Motioned by Trustee Thomas F. Kennedy
Seconded by Trustee Paul A. Pereira

Vote:			
<u>Yes</u>	<u>No</u>	<u>Abstain</u>	
Deputy Mayor Lawrence A. Werther			
Trustee Paul S. Cusato			
Trustee Thomas F. Kennedy			
Trustee Paul A. Pereira			