

**Minutes - Board Meeting – 08/04/10**

Minutes of the meeting of the Board of Trustees of the Incorporated Village of Mineola held Wednesday, August 4, 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  
Library Director Charles Sleaf

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

**Sunshine Observers:** 13 Observers

**Mayor Jack M. Martins called the Work Session to order at 6:40 PM.**

**Resolution No. 219-10**

Resolved to approve bills and payroll.

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		

**Resolution No. 220-10**

Resolved to approve the request by Winthrop University Hospital for the use of the Community Center for the 2010-2011 wellness education program series, “Health Update for Seniors and Their Families” from 1:00 PM – 4:00 PM on the following dates:

September 29, 2010	March 9, 2011
October 13, 2010	April 13, 2011
November 10, 2010	May 11, 2011
December 8, 2010	June 8, 2011

Motioned by Trustee Paul S. Cusato  
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. 221-10**

Resolved to approve a request by the Mineola AARP Chapter 4202 for the use of the Community Center for their 2010/2011 general membership meetings and a general purpose room for their Board of Directors’ meeting on the following dates from 8:30 AM – 1:00 PM:

Wednesday, September 22, 2010	Wednesday, February 23, 2011
Wednesday, October 27, 2010	Wednesday, March 23, 2011
Wednesday, November 17, 2010	Wednesday, April 27, 2011
Wednesday, January 26, 2011	Wednesday, May 25, 2011
	Wednesday, June 22, 2011

and the use of a general purpose room from 8:30 AM – 1:00 PM on  
Wednesday January 19, 2011.

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

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

**Resolution No. 222-10**

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

September 7 & 21, 2010	February 1 & 15, 2011
October 5 & 19, 2010	March 1, 2011
November 16, 2010	April 5 & 19, 2011
December 7 & 21, 2010	May 3 & 17, 2011
January 4 & 18, 2011	June 7 & 21, 2011

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

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

**Resolution No. 223-10**

Resolved to authorize the Library Director to attend the New York Library Association (NYLA) Annual Conference from November 3, 2010 through November 6, 2010.

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

**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. 224-10**

Resolved to change a previously approved request by the WARM Association of Girl Scouts' for the use of the Community Center for their annual awards event from Sunday, June 13, 2010 to Friday, October 22, 2010 from 7:30 PM to 9:00 PM.

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. 225-10**

Resolved to authorize a Mineola Fire Council member to attend the 2010 NYS Association of Fire Districts Fall Workshop from October 28, 2010 through October 31, 2010.

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

Library Director Charles Sleafé announced that beginning Monday August 2, 2010, at the Mineola Library, the downloading of free eBooks and audio books are available to all residents.

**Resolution No. 226-10**

Resolved to authorize the purchase of the following two new Landscape Structures, Inc., Playbooster systems from the New York State Office of General Services No.PC62097, to replace the existing outdated structures:

- A. Replacements of existing 2-5 year old play structure:  
Landscape Structures Design #579 - \$24,870.00
- B. Replacements of existing 5-12 year old play structure:  
Landscape Structures Design #94 - \$15,742.00

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

**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. 227-10**

Resolved to award the contract for the removal and disposal of the existing play structures and the installation of the two Landscape Structures, Inc. Play Booster Systems to the lowest responsible certified bidder Louis Barbato Landscaping, Inc. for \$29,000.00.

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

**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. 228-10**

Resolved to authorize payment to Landscape Structures, Inc. for two new Play Booster systems and to Louis Barbato Landscaping, Inc. for the removal and installation of the existing play structure, in the amount of \$70,000.00 from the unreserved fund balance.

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. 229-10**

Resolved to approve a request for a 90-day extension of Building Permit # 1447 issued for 172 Andrews Road

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

Superintendent of Buildings Daniel B. Whalen presented a monthly department report for July 2010. Superintendent Whalen presented a slide presentation on three properties that were severely run down and inhabitable and have been brought into compliance with Village Code.

*Village Attorney recommended the following tax certiorari settlement with lien as the final tax certiorari settlement for this year.*

**Resolution No. 230-10**

Address: 150 Mineola Boulevard

Petitioner: Zing Dong Realty

Petitioner's Attorney: Meyer Suozzi

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding Zing Dong Realty, Section 9, Block 412, Lot 198 is approved.

Further resolved, that the Petitioner will receive a refund of \$7,700.00 for the tax years 2004/2005 through 2010/2011 less the pending 2009/2010 tax lien (Tax Lien Certificate #40) in the amount of \$4,227.75 inclusive of interest through and including August 17, 2010. The net payment to Petitioner shall be \$3,472.25. The settlement is contingent upon the receipt of written authorization from Petitioner to deduct the 2009/2010 pending tax lien from the lump sum payment. The refund shall be payable on or before August 31, 2010 following the submission of a voucher along with a Judgment and Stipulation.

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

**Mayor Jack M. Martins requested a motion to close the Work Session at 7:30 PM.**

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

**Mayor Jack M. Martins called the Public Meeting to order at 7:45 PM.**

**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

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

**Sunshine Observers:** 23 Observers

Mayor Jack M. Martins stated that Station Plaza North is basically completed with the exception of some crosswalks which should be installed shortly and noted that all the work was done using Community Development Grants. Mayor Martins further stated that a meeting is set up for next week with the LIRR to discuss the flooding that occurs at Station Plaza North and the surrounding areas and commented that he is looking forward to coming to a resolution with the MTA and LIRR regarding these drainage issues. Mayor Martins congratulated the Mineola Fire Department and welcomed junior firefighters from Hamburg Germany. Mayor Martins stated that he attended the Kiwanis picnic for the Summer Recreation Program and thanked the Kiwanis, in particular, John DaVanzo for his leadership and efforts in overseeing this event. Mayor Martins updated residents on the Garden City Verizon facility at 13<sup>th</sup> Avenue stating that all three consultants conducted their testing and after they compile their results, a report will be sent out.

Trustee Lawrence A. Werther stated that he attending the Mineola Volunteer Ambulance Corp picnic on July 31, 2010 at Wilson Park together with Assemblyman Tom McKeivitt, saw the new MVAC ambulance and commented that MVAC now has a total contingent of three ambulances serving our village. Trustee Werther encouraged all residents to continue to enjoy the pool before the season ends.

Trustee Paul S. Cusato stated that he participated in the Lustgarten Pancreatic Cancer Walk at Nassau Community College on Sunday, July 25, 2010 along with 50 Mineola Fire Department members in memory of Ex Chief Walter Langer – “Team Mineola Firefighters” has in recent years raised over \$9500.00. Trustee Cusato reported on the arrival of the Hamburg Germany Junior Firefighters and gave a brief summary of their itinerary and thanked coordinates Gary Mazur and Bill Gresalfi for their efforts in making this a memorable event for everyone involved.

Trustee Thomas F. Kennedy thanked both Marta DeSousa and Anna Athan for all their efforts in making the Summer Recreation Program such a success.

Trustee Paul A. Pereira wished his son Andrew Happy Birthday and recognized and thanked all of the village workers who worked outdoors throughout the recent heat wave for their efforts on behalf of our residents.

*4 Speakers addressed the Board*

**Mayor Jack M. Martins requested a motion to close the Public Meeting at 8:25 PM.**

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

**Vote:**

**Yes**

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

**No**

**Abstain**