

Minutes - Board Meeting – 10/21/09

Minutes of the meeting of the Board of Trustees of the Incorporated Village of Mineola held Wednesday, October 21, 2009 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
Assistant Library Director Cathy Sagevick

Sunshine Observers: 11 Observers

Mayor Jack M. Martins called the Work Session to order at 6:47 PM.

Resolution No. 286-09

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. 287-09

Resolved to approve the request by the County Seat Kiwanis for the use of the Community Center on Sunday, February 7, 2010 for their Annual Pancake Breakfast from 8:00 AM to 12:00 PM. and for set up on Saturday, February 6, 2010 from 6:00 PM - 8:00 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		

Resolution No. 288-09

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

Robert Collier	Company 1
Daniel J. Martins	Company 1
Nicholas Martone II	Company 1
Kevin Nicoll	Company 3
Joel Martins Pereira	Company 3
Jack Stagnari	Company 2

Motioned by Trustee Paul S. Cusato
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

Village Clerk Joseph R. Scalero presented the September 2009 Justice Court monthly report. Village Clerk Joseph R. Scalero also presented an overview on the upcoming events to be held at Village Hall which included the Village of Mineola's Halloween Party on Friday, October 30, 2009 at the Community Center from 7:00 PM – 9:30 PM and the Senior Appreciation Day held on Monday, November 23, 2009 from 11:30 AM to 3:00 PM.

Assistant Library Director Cathy Segevick reported on upcoming events scheduled at the Library which included the Abraham Lincoln Exhibit from November 13, 2009 – January 10, 2009, the Fall Blood Drive on Wednesday, October 28, 2009 from 2:00 PM – 7:00 PM, and the "Toys for Tots" collection starting November 2, 2009. Assistant Library Director Cathy Segevick further reported on the newly started Tween area for tweens and teens in grades 5-12 at the Library Community Room from 3:00 PM – 5:00 PM and commented that the Mineola Memorial Library Museum Passes program is doing quite well, the responses have been positive, and it is free to members of the library.

Mayor Jack M. Martins requested a motion to go into Executive Session at 7:05 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

Mayor Jack M. Martins requested a motion to come out of Executive Session at 7:20 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

Village Attorney John M. Spellman presented an overview on the MTBE (methyl tertiary butyl ether) lawsuit and detailed the terms of the proposed settlement.

Resolution No. 289-09

Resolved that the Board of Trustees consents to the settlement of its MTBE products liability lawsuit (*Incorporated Village of Mineola v. AGIP Inc., et al.*, No. 03-CV-10051 (S.D.N.Y)) with respect to defendant gasoline companies Marathon Oil Company, Marathon Petroleum Company LLC, Marathon Ashland Petroleum LLC, Western

Refining Yorktown, Inc. f/k/a Giant Yorktown, Inc., Flint Hills Resources, LP, Koch Industries, Inc. and Crown Central, LLC in the amount of \$16,493.49 net of legal fees (\$5,497.83) and a current installment of costs associated with litigation (\$25,000.00).

The Board certifies that, under law, it possesses the authority to enter into this settlement and the Mayor is hereby authorized to execute all documents necessary to effectuate it.

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

Village Clerk Joseph R. Scalero polled the Board:

Vote:

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

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:

<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 called the Public Meeting to order at 7:37 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

Sunshine Observers: 10 Observers

Mayor Jack M. Martins stated that the Chamber of Commerce event “Taste of Mineola”/ “Mineola in Style” was a successful event and commended Ray Sikorski and the Chamber of Commerce on a job well done. Mayor Martins reported that he attended Nassau County Planning Commission Hearing regarding the sub-division application submitted to the County on the Winston Project and that the application was approved unanimously by the Commission. The next step is for the developer to bring their presentation to the Garden City Planning Commission.

Trustee Lawrence A. Werther also commended the Chamber of Commerce for a fine event and complimented them on their new and improved website. Trustee Werther welcomed Peter Bivona’s new food store, Freshway Marketplace, to Mineola and reported on Nassau County’s attempt to sell off Roosevelt Preserve parkland to private ownership and encouraged residents to contact their legislators to oppose this.

Trustee Paul S. Cusato congratulated the Chamber of Commerce on a great job organizing the event and further thanked the Mineola Fire Department, Mineola

Ambulance Corp. the Police Auxiliary, Friends of the Library, and the Mineola Youth and Family Services for their support. Trustee Cusato also thanked those Village employees who came to support this event.

Trustee Thomas F. Kennedy complimented the Chamber of Commerce on a great event, congratulated Mr. Bivona and welcomed him to Mineola, thanked Adelphi University and Mineola Athletic Association on the success of their breast cancer awareness event, and thanked the parents and kids that came to represent Mineola at the event.

Trustee Paul A. Pereira reported that the Mineola High School Homecoming Parade was rained out a second time but that floats from this parade are being displayed at the Mineola High School athletic field and recognized and thanked all those that were involved planning this event. Trustee Pereira commended Trustee Paul S. Cusato, the Quarter Century Club and all those involved on the Mineola High School Alumni Reunions held last weekend and reminded everyone to “Think Pink” for Breast Cancer Awareness Month and also reminded everyone to go out and vote on Election Day.

5 speakers addressed the Board

Mayor Jack M. Martins requested a motion to close the Public Meeting at 8:30 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

Respectfully submitted,

Joseph R. Scalero
Village Clerk