

**Minutes - Board Meeting -- 7/8/09**

Minutes of the meeting of the Board of Trustees of the Incorporated Village of Mineola held Wednesday, July 8, 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  
Superintendent of Public Works Thomas J. Rini  
Superintendent of Buildings Daniel B. Whalen

**Press:** Joe Rizza, *Mineola American*

**Sunshine Observers:** 28 Observers

**Mayor Jack M. Martins called the Public Hearing to order at 6:55 PM**

*A Public Hearing continued from June 10, 2009 was held at 6:55 PM at the Village Hall, 155 Washington Avenue, Mineola, New York, 11501 in order to receive public comment upon the following:*

**APPLICATION OF DAVID LAWRENCE MAMMINA FOR A SPECIAL PERMIT/DEVELOPMENT INCENTIVE BONUS, PURSUANT TO CHAPTER 30 OF THE CODE OF THE INCORPORATED VILLAGE OF MINEOLA ENTITLED "ZONING", SECTION 30.5 ENTITLED "APPLICATION OF REGULATIONS", SUB-SECTION A. ENTITLED "DEVELOPMENT INCENTIVE BONUSES", FOR THE CONVERSION OF TWO (2) EXISTING OFFICE/RETAIL BUILDINGS TO APARTMENT BUILDINGS, RETAIL SPACE AND PARKING GARAGE UPON THE PROPERTY KNOWN AS 210 OLD COUNTRY ROAD, MINEOLA, NEW YORK KNOWN AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 9, BLOCK 428, LOT (S) 208, 102 AND 202.**

*No public comments*

**Mayor Jack M. Martins requested a motion to reserve decision, refer to Nassau County Planning Committee and close the Public Hearing at 7:15 PM.**

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 called the Public Hearing to order at 7:30 PM**

*A Public Hearing continued from May 20, 2009 was held at 7:30 PM at the Village Hall, 155 Washington Avenue, Mineola, New York, 11501 in order to receive public comment upon the following:*

**APPLICATION OF 250 OLD COUNTRY ROAD, LLC FOR A SPECIAL PERMIT PURSUANT TO CHAPTER 30 OF THE CODE OF THE**

**INCORPORATED VILLAGE OF MINEOLA ENTITLED "ZONING",  
SECTION 30.5 (DEVELOPMENT INCENTIVE BONUS LAW), FOR THE  
CONSTRUCTION OF A 257 UNIT RESIDENTIAL CONDOMINIUM IN THE  
B-3 ZONE UPON THE PROPERTY LOCATED AT OLD COUNTRY ROAD  
AND THIRD STREET, AND BOUNDED ON THE EAST BY THIRD  
AVENUE, MINEOLA, NEW YORK, KNOWN AND DESIGNATED ON THE  
NASSAU COUNTY LAND AND TAX MAP AS SECTION 9, BLOCK 675**

*1 Speaker addressed the Board*

**Mayor Jack M. Martins requested a motion to reserve decision, refer to Nassau County Planning Committee and close the Public Hearing at 7:45 PM.**

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 opened the Public Meeting at 8:20 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 Spellman  
Village Clerk Joseph R. Scalero  
Deputy Village Clerk Cora T. Kelly  
Superintendent of Public Works Thomas J. Rini  
Superintendent of Buildings Daniel B. Whalen

**Press:**

Joe Rizza, *Mineola American*

**Sunshine Observers:**

21 Observers

Mayor Jack M. Martins commended both the Department of Public Works and the Recreation Department for a fine job in preparing the pool for opening day. Mayor Martin reported on a meeting with the Town of North Hempstead regarding Solid Waste disposal and noted that our Flow Control contract expires in 2010 and explained the desirability of exploring multiple options that may be cheaper on a per-ton basis as we dispose of 14 to 15 thousand tons annually. Mayor Martins spoke about his attendance, along with Trustee Werther and Trustee Pereira, at the New York Conference of Mayors' annual meeting and reported on various presentations by public officials on topics of particular interest to the village such as contribution rates for the Employee Retirement System Pension Plan.

Trustee Lawrence A. Werther reported on his attendance at the New York Conference of Mayors meeting in particular Governor Patterson's presentation and commentary on the Government Consolidation Bill he signed recently even though the Governor considered it "flawed" legislation. Trustee Werther commented that if this bill was flawed it should not have been signed, reported on an incident of vandalism within the village at Temple Beth Shalom Shabbat and to automobiles at various locations, and reminded everyone that the Nassau Pops concert is Friday at Memorial Park.

Trustee Paul S. Cusato congratulated the students of the class of 2009 at all academic levels, announced that Deputy Mayor Werther was honored by the Mineola Republican

Club at their Flag Day dinner for his outstanding service to the community, discussed the concerns of some residents regarding the Government Consolidation Bill signed by the Governor and encouraged residents to be involved and knowledgeable regarding events concerning the Village.

Trustee Thomas F. Kennedy congratulated the staff and parents of the Mineola Athletic Association on a successful spring season and in particular complimented the efforts of the Department of Public Works in keeping the fields playable despite the extraordinary amounts of precipitation in May and June.

Trustee Paul A. Pereira reported on attendance at the New York Conference of Mayors' annual meeting and its value as a learning experience particularly the sessions regarding waste disposal

Mayor Jack M. Martins congratulated Trustee Cusato on the birth of a granddaughter and also announced that Assemblyman Thomas McKeivitt and his wife had a daughter at Winthrop Hospital Tuesday. Mayor Martins also congratulated Mineola Athletic Association travel soccer team U16 on their Championship season and that they are now considered a "Premier" team and will be traveling on a regional basis.

*13 Speakers addressed the Board*

**Mayor Jack M. Martins requested a motion to close the Public Meeting at 10:35 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 Work Session to order at 10:55 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  
Superintendent of Public Works Thomas J. Rini  
Superintendent of Buildings Daniel B. Whalen

**Sunshine Observers:**

2 Observers

*Mayor Jack M. Martins made a brief announcement concerning Mr. Urianiek's efforts to collect cans for the Christopher Levy fundraiser and that he now collected 60,000 cans and is still collecting and urged residents to continue to bring cans. Mayor Martins noted the American Legion and the Veterans of Foreign Wars are still collecting King Kullen receipts which can be used to benefit homeless veterans as well as veterans associations in general.*

**Resolution No. 175-09**

Resolved to approve bills and payroll.

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. 176-09**

Resolved to approve the minutes from the meetings of the Board of Trustees of:

June 3, 2009, June 10, 2009, June 17, 2009.

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. 177-09**

Resolved to approve the request of Nassau County Legislator Richard Nicoletto for use of the Village Hall parking lot for mobile Mammography Van screenings on Wednesday, July 22, 2009 from 8:00 AM – 2:30 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

**Resolution No. 178-09**

Resolved to approve the request by Mineola Lodge No. 985 of the Free and Accepted Masons, for the use of the Wilson Park picnic area for a family picnic on Sunday, September 20, 2009 (raindate: Sunday 9/27/2009) from 9:00 AM – 5:00 PM.

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. 179-09**

Resolved to approve the request by the Cross Street PTA for the use of Wilson Park and facilities for their annual 5<sup>th</sup> Grade Picnic on Monday, June 7, 2010 (raindate: Wednesday 6/9/2010) from approximately 9:00 AM to 2:00 PM.

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

**Resolution No. 180-09**

Resolved to approve a request by Family & Children's Association to display two banners (24 x 48) commemorating its 125<sup>th</sup> Anniversary outside their offices at 100 East Old Country Road for a twelve month period.

Motioned by Trustee Thomas F. Kennedy  
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. 181-09**

Resolved to approve a request of the Mineola Mustang Run/Walk for use of the Community Center on Sunday August 9, 2009 at 6:00 PM for preparation of mailings.

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. 182-09**

Resolved to approve a request by New York State Senator Craig Johnson to conduct a "Sun Safety" program with the stipulation that this meeting be conducted at the community center with professionals speaking about "Sun Safety" and that they pre-submit the printed materials and brochures for review.

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 Clerk Joseph R. Scalero presented the May 2009 Justice Court monthly report.*

**Resolution No. 183-09**

Resolved to approve a 90 day extension of Permit No. 0997 at 156 Jackson Avenue.

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. 184-09**

Resolved to approve a 90 day extension of the building permit issued for 185 Grant Avenue beginning from the date of approval from the New York State certification.

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

Superintendent of Buildings Daniel B. Whalen presented a report on the monthly activities of the Building Department.

Superintendent of Public Works Thomas J. Rini reported on the County's completion of paving re-markings across the bridge on Mineola Blvd, mentioned that the summer recreation programs have begun with record high numbers; Wilson Park is filled with children and reported that on Monday the pool was closed due to pool pump issues caused by Long Island Power Authority power fluctuation and is working with LIPA to resolve these issues.

**Mayor Jack M. Martins requested a motion to go into Executive Session at 11:25 PM**

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

**Mayor Jack M. Martins requested a motion to come out of Executive Session at 11:35 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

**Resolution No. 185-09**

Resolved to approve the transfer of Leonard DiRisi to Laborer in the Water Department from the Highway Department at his current salary rate and title.

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. 186-09**

Resolved to approve the hiring of Gabriel Fernandes as a Laborer in the Highway Department at a starting salary in accordance with the Collective Bargaining Agreement.

Motioned by Trustee Thomas F. Kennedy  
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. 187-09**

Resolved to approve the hiring of Richard Vinciguerra as a Laborer in the Parks Department starting salary in accordance with the Collective Bargaining Agreement.

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. 188-09**

Resolved to authorize the Superintendent of Public Works to post for the position of Highway Department Laborer.

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. 189-09**

Resolved to adopt a Travel Expense Reimbursement Policy with 2009 Reimbursement rates.

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 close the Work Session at 11:45 PM.**

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

Respectfully submitted,

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Joseph R. Scalero  
Village Clerk