

**Minutes - Board Meeting 10/14/2020**

Minutes of the meeting of the Board of Trustees of the Incorporated Village of Mineola held Wednesday, October 14, 2020 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 P. Gibbons, Jr.  
Village Clerk Joseph R. Scalero  
Deputy Village Clerk Linda Pardo  
Village Treasurer Giacomo Ciccone  
Superintendent of Public Works Thomas J. Rini  
Superintendent of Buildings Daniel B. Whalen

**Press Observer:** None

**Sunshine Observers:** Observers

**Mayor Scott P. Strauss called the Work Session to order at 5:35 PM.**

**Resolution No. 202-20**

Resolved to approve Grace International Assembly of God Church’s request for a six (6) month extension of its previously issued Special Use Permit for the construction of a four-story mixed use residential and commercial rental building. The six (6) month extension shall expire April 14, 2021.

Motioned by Trustee Dennis J. Walsh  
Seconded by Trustee Paul S. Cusato

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

**Resolution No. 203-20**

Resolved to approve bills and payroll.

Motioned by Trustee Paul S. Cusato  
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. 204-20**

Resolved to approve the minutes of the meetings of the Board of Trustees from September 2, September 9 and September 16, 2020.

Motioned by Trustee Paul S. Cusato  
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. 205-20**

Resolved to approve the membership of the following candidates as recommended by the Mineola Fire Department, effective September 30, 2020:

Sergio Duarte	Company 3
Ronal Guillen	Company 3
Matthew Schultz	Company 3

Motioned by Trustee Paul S. Cusato  
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. 206-20**

Resolved to approve a request by Nassau County Legislator Richard Nicoletto for the use of the Village Hall Community Center auditorium to hold a flu shot clinic from 10:00 AM – 3:00 PM Wednesday October 21, 2020.

Motioned by Trustee Paul A. Pereira  
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. 207-20**

Resolved to approve a request by Nassau County Legislator Richard Nicoletto for the use of the Village Hall Community Center parking lot to hold mammography screenings in a mobile mammogram van Wednesday November 25, 2020.

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. 208-20**

Resolved to approve a request by Boy Scout Troop 45 for the use of the Village Hall Community Center auditorium for its weekly scout meetings on Tuesdays 6:30 PM – 9:30 PM November 17, 2020 – April 27, 2021, subject to availability.

Motioned by Trustee George R. Durham  
Seconded by Trustee Paul S. Cusato

**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. 209-20**

Resolved to approve a request by Girl Scout Troop 1875 for the use of a Community Center general purpose room Saturdays November 21, December 19, January 23, February 13, March 20, April 17, May 15, and June 19 from 11:00 AM – 12:00 PM.

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. 210-20**

Resolved to approve a request by the Irish American Society of Nassau, Suffolk & Queens, Inc. for the use of village roads to conduct a St. Patrick's Day Parade on Sunday March 7, 2021 at 1:00 PM.

Motioned by Trustee Paul S. Cusato  
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. 200-20**

Resolved to authorize the Justice Court Clerk to submit a grant application for COVID-related PPE equipment under the 2020-2021 New York State Justice Court Assistance Program (JCAP) Grant, effective October 7, 2020.

Motioned by Trustee Paul A. Pereira  
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

*Village Attorney John P. Gibbons, Jr. introduced the following resolutions:*

**Resolution No. 211-20**

WHEREAS, the Incorporated Village of Mineola has undertaken to design and construct improvements in connection with the Main Street Sanitary Sewer Improvement Project; and

WHEREAS, the work shall include construction improvements in connection with the Main Street Sanitary Sewer Improvement Project, including removal and replacement of sanitary sewer main, installation of manholes and service connections, and other related or ancillary work in connection therewith (hereinafter referred to as, "the Proposed Action"); and

WHEREAS, the Board of Trustees has completed a Short Environmental Assessment Form (Part 1, 2 and 3) to assist it in evaluating the environmental impact of the Proposed Action.

NOW, THEREFORE, BE IT RESOLVED, that the design and construction of improvements to the Main Street Sanitary Sewer Improvement Project is an Unlisted Action under the State Environmental Quality Review Act and the Board finds that it poses no significant environmental impact as that term is defined under SEQRA.

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

**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. 212-20**

Resolved to appoint Gerard Loughran as Hearing Officer for the Village of Mineola with respect to a grievance filed by UPSEU.

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

**Resolution No. 213-20**

Resolved to appoint John Donnelly, Esq. as Special Counsel for the Village of Mineola with respect to a grievance filed by UPSEU.

Motioned by Trustee Paul A. Pereira  
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. 214-20**

Resolved to adjust the General Budget, in fiscal year 2019/2020 as follows:

From:	Account Number 1059900	(General Appropriated Fund Balance)	\$143,121.29
To:	Account Number 10142043200	(Legal Fees & Costs)	\$12,482.90
To:	Account Number 10341045507	(Repairs Buildings)	(\$9,600.00)
To:	Account Number 10511040800	(Road Maintenance)	\$54,113.92
To:	Account Number 10905083200	(Unemployment Insurance)	\$5,414.66
To:	Account Number 1030890	(State Aid – Other)	\$80,709.81

Motioned by Trustee Paul A. Pereira

Seconded by Trustee Paul S. Cusato

**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. 215-20**

Resolved to approve the following budget transfers in the General and Water Funds for FY 2020/2021:

**GENERAL**

ACCOUNT	ACCOUNT NUMBER	INCREASE	DECREASE
Serial Bond Principal	10-9710-680-00	\$336,866.00	
Serial Bond Principal	10-3410-680-00		\$214,553.00
Serial Bond Interest	10-3410-780-00		\$54,148.00
Serial Bond Interest	10-9710-780-00		\$68,165.00
	TOTAL	\$336,866.00	\$336,866.00

**WATER**

ACCOUNT	ACCOUNT NUMBER	INCREASE	DECREASE
Serial Bonds – Principal	20-8310-680-00	\$30,937.00	
Serial Bonds – Interest	20-8310-780-00		\$30,937.00
	TOTAL	\$30,937.00	\$30,937.00

Motioned by Trustee Paul S. Cusato

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. 216-20**

Resolved to approve the following payment in the amount of \$275,576.00 from the Water Reserve Fund in FY 2020-2021:

VENDOR	AMOUNT	PROJECT
J.K. Electric Co., Inc.	\$52,250.00	Well #1
Web Construction Corp.	\$223,326.00	Well #1

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

**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. 217-20**

BOND RESOLUTION OF THE VILLAGE OF MINEOLA, NEW YORK, ADOPTED OCTOBER 14, 2020, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS IN CONNECTION WITH THE MAIN STREET SANITARY SEWER IMPROVEMENT PROJECT; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$7,170,000; APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, INCLUDING THE EXPENDITURE OF AVAILABLE VILLAGE FUNDS IN THE AMOUNT OF APPROXIMATELY \$4,114,000 TO PAY A PART OF THE COST OF THE PROJECT; AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$3,056,000 TO FINANCE THE BALANCE OF SAID APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF MINEOLA, IN THE COUNTY OF NASSAU, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Mineola, in the County of Nassau, New York (herein called the “Village”), is hereby authorized to construct improvements in connection with the Main Street Sanitary Sewer Improvement Project, including removal and replacement of sanitary sewer main, installation of manholes and service connections, and other related or ancillary work in connection therewith. The estimated maximum cost thereof, including costs incidental thereto and the financing thereof, is \$7,170,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the expenditure of available Village funds in the amount of approximately \$4,114,000 (heretofore expended) to pay a part of the cost of the project, the issuance of bonds of the Village in the principal amount of \$3,056,000 to finance the balance of said appropriation, and the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Village in the principal amount of \$3,056,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the “Law”), to finance a part of said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 4 of the Law, is hereby determined to be forty (40) years.

(b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption hereof, to cause to be published, in full, in the "*Mineola American*," a newspaper having a general circulation within said Village and hereby designated the official newspaper of the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the following form:



VILLAGE OF MINEOLA, NEW YORK

PLEASE TAKE NOTICE that on October 14, 2020, the Board of Trustees of the Village of Mineola, in the County of Nassau, New York, adopted the bond resolution entitled:

“Bond Resolution of the Village of Mineola, New York, adopted October 14, 2020, authorizing the construction of improvements in connection with the Main Street Sanitary Sewer Improvement Project; stating the estimated maximum cost thereof is \$7,170,000; appropriating said amount for such purpose, including the expenditure of available Village funds in the amount of approximately \$4,114,000 to pay a part of the cost of the project; and authorizing the issuance of bonds in the principal amount of \$3,056,000 to finance the balance of said appropriation,”

an abstract of such bond resolution concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the Village of Mineola to construct improvements in connection with the Main Street Sanitary Sewer Improvement Project, including removal and replacement of sanitary sewer main, installation of manholes and service connections, and other related or ancillary work in connection therewith; STATING the estimated maximum cost thereof, including costs incidental thereto and the financing thereof, is \$7,170,000; APPROPRIATING said amount for such purpose; and STATING the plan of financing includes the expenditure of available Village funds in the amount of approximately \$4,114,000 (heretofore expended) to pay a part of the cost of the project, the issuance of bonds of the Village in the principal amount of \$3,056,000 to finance the balance of said appropriation, and the levy of a tax upon all the taxable real property within the Village to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$3,056,000 bonds of the Village pursuant to the Local Finance Law of the State of New York (the “Law”) to finance a part of said appropriation;

THIRD: DETERMINING and STATING that (a) the period of probable usefulness of the object or purpose for which said bonds are authorized is forty (40) years; (b) the proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized; and (c) the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Village; and PLEDGING to their payment the faith and credit of the Village;

FIFTH: DELEGATING to the Village Treasurer the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof;

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum; and

DATED: October 14, 2020

Joseph R. Scalero  
Village Clerk

Section 8. The Village Clerk is hereby authorized to cause a summary of this Bond Resolution to be published after this Bond Resolution shall take effect, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

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

Village Clerk Joseph R. Scalero polled the Board:

**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. 218-20**

Resolved to approve a lump-sum payout of \$908.66 to Anthony DellaPorte for unused accumulated time.

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

**Resolution No. 219-20**

Resolved to authorize the installation of a “Handicap Reserved” parking space in front of 103 Arlington Street, Mineola.

Motioned by Trustee Paul S. Cusato  
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. 220-20**

Resolved to authorize the removal of a “Handicap Reserved” parking space in front of 67 Pembroke Drive, Mineola.

Motioned by Trustee George R. Durham  
Seconded by Trustee Paul A. Pereira

**Vote:**

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

**Resolution No. 221-20**

Resolved to authorize the One Year Contract Extension to the 2019 Miscellaneous Concrete Repairs on Village Road requirements contract. All terms, conditions and pricing contained in this contract remain in effect for the extension period.

Contractor: Valente Contracting Corp.  
Funding: Funding for any work orders requiring the use of this contract come from the 2020/2021 General Fund Budget and/or the General Fund Unreserved Fund Balance

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

**Vote:**

<u><b>Yes</b></u>	<u><b>No</b></u>	<u><b>Abstain</b></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 close the Work Session at 6:00 PM.**

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

**Vote:**

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