

Minutes - Board Meeting – 10/13/2021

Minutes of the meeting of the Board of Trustees of the Incorporated Village of Mineola held Wednesday, October 13, 2021 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
Superintendent of Public Works Thomas J. Rini

Press Observers: *Williston Times*

Sunshine Observers: 9 Observers

Mayor Scott P. Strauss called the Public Hearing to order at 6:30 PM

A Public Hearing was held at 6:30 PM at the Village Hall, 155 Washington Avenue, Mineola, New York, 11501 in order to receive public comment upon the following:

**A PROPOSED CABLE FRANCHISE RENEWAL AGREEMENT FOR THE
PROVISION OF CABLE TELEVISION SERVICE BY VERIZON NEW
YORK INC.**

No speakers addressed the Board

Resolution 265-21

WHEREAS, the Incorporated Village of Mineola (the “Village”) is a “franchising authority” in accordance with Title VI of the Communications Act (see 47 U.S.C. §522(10)) and is authorized to grant one or more nonexclusive cable franchises pursuant to Article 11 of the New York Public Service Law, as amended, and Title 16, Chapter VIII, Parts 890.60 through 899, of the Official Compilation of Codes, Rules and Regulations of the State of New York, as amended (collectively the “Cable Laws”); and

WHEREAS, the Village granted Verizon New York, Inc., a corporation duly organized under the applicable laws of the State of New York (the “Franchisee”), effective as of September 21, 2006, a nonexclusive initial Franchise to install, maintain, extend and operate a Cable System in the Village for a term of fifteen (15) years (the “Initial Franchise”); and

WHEREAS, the Initial Franchise agreement has expired; and

WHEREAS, pursuant to and in accordance with applicable federal and state law, the Village undertook a process to determine whether it should renew the Initial Franchise and the terms for such renewal; and

WHEREAS, pursuant to and in accordance with applicable with federal and state law, the Franchisee submitted to the Village a proposal to renew the Initial Franchise to operate a Cable System in the Franchise Area; and

WHEREAS, following good faith negotiations between the parties, the Local Franchise Authority and Franchisee have agreed on the term of five (5) years for a renewal Franchise under which Franchisee will continue to operate its Cable System in the Franchise Area; and

WHEREAS, a duly noticed Public Hearing, affording an opportunity for all those interested parties to be heard on the proposed Franchise Renewal Agreement was held before the Village on October 13, 2021; and

WHEREAS, the project, as proposed, has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to SEQRA, which regulations state that Type II Actions will not have a significant effect on the environment.

NOW, THEREFORE, BE IT RESOLVED, that the Village Board hereby authorizes the Village Mayor to enter into the Franchise Renewal Agreement with Verizon New York Inc., and to execute any other documents necessary to effectuate the granting of the franchise renewal on behalf of the Village of Mineola.

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

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

Mayor Scott P. Strauss called the Public Hearing to order at 6:45 PM

A Public Hearing was held at 6:45 PM at the Village Hall, 155 Washington Avenue, Mineola, New York, 11501 in order to receive public comment upon the following:

**PROPOSED LOCAL LAW PURSUANT TO CANNABIS LAW §131
OPTING OUT OF LICENSING AND ESTABLISHING RETAIL
CANNABIS DISPENSARIES AND/OR ON-SITE CANNABIS
CONSUMPTION ESTABLISHMENTS WITHIN THE INCORPORATED
VILLAGE OF MINEOLA.**

4 speakers addressed the Board

Mayor Scott P. Strauss requested a motion to close the hearing and reserve decision at 7:50 PM.

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

Vote:

Mayor Scott P. Strauss
Trustee Paul S. Cusato
Trustee Paul A. Pereira
Trustee George R. Durham
Trustee Dennis J. Walsh

Mayor Scott P. Strauss called the Work Session to order at 8:00 PM.

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
Superintendent of Public Works Thomas J. Rini

Press Observer: *Williston Times*

Sunshine Observers: 9 Observers

Resolution No. 266-21

Resolved to award the Request for Proposals for the 2 Year HVAC Service Maintenance Contract for Village buildings to the lowest responsible proposal submitted:

Five Star Mechanical -	\$4,995.00
Dynaire, LLC -	\$10,400.00
Lane Associates -	\$13,000.00

Recommend awarding to the Lowest Responsible Proposer: Five Star Mechanical
Low Proposal Amount: \$4,995.00 per year
Fund Source(s): 2021/2022 General Fund Budget

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

Vote:

Mayor Scott P. Strauss
Trustee Paul S. Cusato
Trustee Paul A. Pereira
Trustee George R. Durham
Trustee Dennis J. Walsh

Resolution No. 267-21

Resolved to award the Request for Proposals for the 2 Year HVAC Service Maintenance Contract for Memorial Library to the lowest responsible proposal submitted:

Proposals Received:

Five Star Mechanical -	\$1,750.00
Dynaire, LLC -	\$3,800.00
Lane Associates -	\$4,250.00

Recommend awarding to the Lowest Responsible Proposer: Five Star Mechanical
Low proposal Amount: \$1,750.00 per year
Fund Source(s): 2021/2022 Library Fund Budget

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

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. 268-21

Resolved to authorize Change Order No. 4 to the Well No. 7 – Contract No. 2 for the installation of the Granular Activated Carbon Adsorption System for required electric motor starter upgrades.

Contractor: Philip Ross Industries, Inc.
Total Cost of Change Order No. 4: \$21,087.63 which is covered by the contract allowance resulting in no change to the total contract amount.

Motioned by Trustee Paul A. Pereira
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. 269-21

Resolved to authorize Change Order No. 5 to the Well No. 7 – Contract No. 2 for the installation of the Granular Activated Carbon Adsorption System for required SCADA improvements and upgrades required to operate the system.

Contractor: Philip Ross Industries, Inc.
Total Cost of Change Order No. 5: \$61,750.00 which is covered by the contract allowance resulting in no change to the total contract amount.

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

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. 270-21

Resolved to authorize the one (1)- month rental of a Vactor 2100 Series Combination Vacuum/Sewer Jet Truck for the purposes of debris removal and cleaning of storm water catch basins for Storm Water Phase II Program compliance.

Orchid Sewer and Water Contracting Corp.:	\$10,500.00
Jack Doheny Companies:	\$12,500.00
Jet-Vac Equipment:	\$13,800.00

Recommend authorizing the rental from Orchid Water and Sewer Contracting Corp.
Funding: 2021/2022 General Fund Budget

Motioned by Trustee Dennis J. Walsh
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. 271-21

Resolved to authorize the installation of a 16-foot curb cut at 305 Emory Road, Mineola.

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

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. 272-21

Resolved to authorize the purchase of one (1), new Doosan LCV6 Light Tower/6kW Generator from NYS OGS Contract No. PC69204.

Vendor: Hoffman Equipment
Cost: \$10,216.67
Funding Source: 2021/2022 General Fund Budget

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

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		

Mayor Scott P. Strauss requested a motion to close the Work Session at 8:05 PM.

Motioned by Trustee Paul A. Pereira
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		