

Minutes - Board Meeting 03/01/06

Minutes of the meeting of the Board of Trustees of the Incorporated Village of Mineola held Wednesday, March 1, 2006 Village Hall, 155 Washington Avenue, Mineola, New York 11501

PRESENT: Mayor Jack M. Martins
Trustee Linda Fairgrieve
Trustee Paul S. Cusato
Trustee John S. DaVanzo

ALSO PRESENT: Village Attorney John Spellman
Village Clerk Joseph R. Scalero
Superintendent of Public Works Thomas J. Rini
Superintendent of Buildings Daniel B. Whalen
Deputy Village Clerk Janet H. Zalkin

Press Observer: Joe Rizza, Mineola American

Sunshine Observers: 22 Observers

Trustee Lawrence Werther was excused from the meeting.

Mayor Martins opened the Work Session at 6:40 PM.

Resolution No. 53-06

Resolved to approve bills and payroll.

Motioned by Trustee Paul S. Cusato
Seconded by Trustee John S. DaVanzo

Vote:

Yes

Trustee Linda Fairgrieve
Trustee John S. DaVanzo
Trustee Paul S. Cusato
Mayor Jack M. Martins

No

Absent

Trustee Lawrence A. Werther

The approval of minutes for February 2006 was tabled until the Board of Trustees had time to fully review them.

Mark Danielson of the Mineola Fire Department Parade, Block Party and Drill Committee, gave an update on changes to the parade route and reported on other areas of concern raised by the Board of Trustees at a previous meeting.

Village Clerk, Joseph R. Scalero gave an update on plans for upcoming Centennial events such as the Square Dance scheduled for April 8, 2006 and the Evening Star Quilt Show scheduled for November 2, 3 & 4, 2006.

Resolution No. 54-06

Resolved to approve the Mineola Athletic Association's request for the use of the gymnasium and west classroom in the Community Center on Thursday, May 18, 2006 from 4:00 PM to 9:00 PM for M.A.A. Sports Picture Day.

Motioned by Trustee Paul S. Cusato
Seconded by Trustee John S. DaVanzo

Vote:

Yes

Trustee Linda Fairgrieve
Trustee John S. DaVanzo
Trustee Paul S. Cusato
Mayor Jack M. Martins

No

Absent

Trustee Lawrence A. Werther

Resolution No. 55-06

Resolved to approve the appointment of Andrew Breen to Company No. 2 of the Mineola Fire Department.

Motioned by Trustee John S. DaVanzo
Seconded by Trustee Paul S. Cusato

Vote:

Yes

Trustee Linda Fairgrieve
Trustee John S. DaVanzo
Trustee Paul S. Cusato
Mayor Jack M. Martins

No

Absent

Trustee Lawrence A. Werther

Resolution No. 56-06

Resolved to approve the Birchwood Court Owners, Inc. request for the use of the Community Center gymnasium on Wednesday, May 24, 2006 from 7:30 PM to 9:00 PM for the Annual Meeting of Shareholders.

Motioned by Trustee Paul S. Cusato
Seconded by Trustee Linda Fairgrieve

Vote:

Yes

Trustee Linda Fairgrieve
Trustee Paul S. Cusato
Mayor Jack M. Martins

Abstain

Trustee John S. DaVanzo

Absent

Trustee Lawrence A. Werther

Trustee DaVanzo reported on the Centennial event schedule and reminded everyone that auditions for the talent show are scheduled for March 31, 2006 at the Community Center.

Resolution No. 57-06

Resolved to authorize the posting of a public bid for the sale of the Mineola Fire Department's GMC 1610 Rescue Truck.

Motioned by Trustee Paul S. Cusato
Seconded by Trustee Linda Fairgrieve

Vote:

Yes

Trustee Linda Fairgrieve
Trustee John S. DaVanzo
Trustee Paul S. Cusato
Mayor Jack M. Martins

No

Absent

Trustee Lawrence A. Werther

Resolution No. 58-06

WHEREAS, The Board of Trustees of the Incorporated Village of Mineola desires to participate in a Cooperative Bidding Program conducted by The Board of Cooperative Educational Services of Nassau County, for the purchase of Various Commodities and/or Services. And...

WHEREAS, The Board of Trustees of the Incorporated Village of Mineola is desirous of participating with the Board of Cooperative Educational Services of Nassau County in the joint bid of the commodities and/or services mentioned below as authorized by General Municipal Law, Section 119-00... And...

WHEREAS, The Board of Trustees of the Incorporated Village of Mineola has appointed The Board of Cooperative Educational Services of Nassau County as representative to assume the responsibility for drafting of specification, advertising for bids, accepting and opening bids, tabulating bids, reporting the results to the Village Board of Trustees of the Incorporated Village of Mineola and making recommendations thereon... THEREFORE...

BE IT RESOLVED, That The Board of Trustees of the Incorporated Village of Mineola and The Board of Cooperative Educational Services of Nassau County hereby accepts the appointment of The Board of Cooperative Educational Services of Nassau County to represent it in all matters related above... And...

BE IT FURTHER RESOLVED, That The Board of Trustees of the Incorporated Village of Mineola authorizes the above-mentioned Board of Cooperative Educational Services of Nassau County to represent it in all matters regarding the entering into contract for the purchase of the below-mentioned commodities and/or services... And...

BE IT FURTHER RESOLVED, That Board of Trustees of the Incorporated Village of Mineola agrees to assume its equitable share of the costs incurred as a result of the cooperative bidding... And...

NOW, THEREFORE, BE IT RESOLVED, That The Village Treasurer on behalf of the Board of Trustees of the Incorporated Village of Mineola hereby is authorized to participate in cooperative bidding conducted by The Board of Cooperative Educational Services of Nassau County for various commodities and/or services and if requested to furnish The Board of Cooperative Educational Services an estimated minimum number of units that will be purchased by The Board of Cooperative Educational Services of Nassau County.

The Board of Cooperative Educational Services of Nassau County is hereby authorized to award cooperative bids to the bidder deemed to be the lowest responsible meeting the bid specifications and otherwise complying with Article 5-A of the General Municipal Law of the State of New York relating to public bids and contracts.

Motioned by Trustee Paul S. Cusato
Seconded by Trustee Linda Fairgrieve

Vote:

Yes

Trustee Linda Fairgrieve
Trustee John S. DaVanzo
Trustee Paul S. Cusato
Mayor Jack M. Martins

No

Absent

Trustee Lawrence A. Werther

Resolution No. 59-06

Resolved to award the contract for the purchase of Village uniforms to Eighth Street Designs.

Motioned by Trustee John S. DaVanzo
Seconded by Trustee Linda Fairgrieve

Vote:

Yes

Trustee Linda Fairgrieve
Trustee John S. DaVanzo
Trustee Paul S. Cusato
Mayor Jack M. Martins

No

Absent

Trustee Lawrence A. Werther

Superintendent of Public Works, Thomas Rini, reminded residents that snow was expected and that their cooperation would be appreciated.

Building Department Superintendent, Daniel B. Whalen, gave a revenue report for February 2006 as well as an update on the department's grant for computer hardware.

Resolution No. 60-06

Resolved to approve a 90-day extension of the building permit issued for 257 Jerome Avenue.

Motioned by Trustee Paul S. Cusato
Seconded by Trustee Linda Fairgrieve

Vote:

Yes

Trustee Linda Fairgrieve
Trustee John S. DaVanzo
Trustee Paul S. Cusato
Mayor Jack M. Martins

No

Absent

Trustee Lawrence A. Werther

Resolution No. 61-06

Resolved to approve a 90-day extension of the building permits issued for 50 Jerome Avenue.

Motioned by Trustee John S. DaVanzo
Seconded by Trustee Linda Fairgrieve

Vote:

Yes

Trustee Linda Fairgrieve
Trustee John S. DaVanzo
Trustee Paul S. Cusato
Mayor Jack M. Martins

No

Absent

Trustee Lawrence A. Werther

Resolution No. 62-06

Resolved to approve the appointment of Tom Winters to fill the vacancy on the Mineola Memorial Library Board.

Motioned by Trustee John S. DaVanzo
Seconded by Trustee Paul S. Cusato

Vote:

Yes

Trustee Linda Fairgrieve
Trustee John S. DaVanzo
Trustee Paul S. Cusato
Mayor Jack M. Martins

No

Absent

Trustee Lawrence A. Werther

Trustee Linda Fairgrieve presented Mayor Martins and the Board of Trustees with the following *Request for Proposals Feasibility Study Village of Mineola, Creation of Village Police Department*. Trustee Fairgrieve explained that in previous conversations with Mayor Martins, she expressed the need for an independent consultant to analyze the Police Task Force Report. Trustee Fairgrieve stated that the cost of a consultant would be pennies compared to the \$6.5 million for a police force.

Trustee Fairgrieve stated that an RFP is the most objective way to get the best offer for the best price. Trustee Fairgrieve explained what an RFP is based on the definition by the New York State Office of General Services and how it differs from bids.

Trustee Fairgrieve explained that there are a number of ways to put out an RFP that involve little or no real cost such as the New York State Contract Reporter. Trustee Fairgrieve also discussed advertising in the local newspapers such as the Mineola American and Newsday as well as website access to the official source for the New York State Contracting opportunities who could put the RFP on the site for free.

Trustee Fairgrieve stated that in her research, she discovered two organizations, NY State Government Finances Association and the Association for Public Policy and Analysis and Management, that provide lists of consultants to which the Village could mail the RFP.

Trustee Fairgrieve recalled that Mayor Martins gave her the go ahead when she proposed the development of an RFP and spent the weekend working on it. Trustee Fairgrieve suggested that the Board of Trustees, Police Task Force, Village Clerk and Village Attorney all work together to create an RFP based on concerns expressed at the Police Task Force hearings.

Trustee Fairgrieve requested the following resolution to refine and develop an RFP to see what we get.

“Resolution to authorize the issuance of a request for proposals for feasibility study analyzing the establishment of a Mineola Police Department. Resolve that the Village Board of Mineola is in receipt of a report issued by the Police Task Force, issued December 2005. The Village of Mineola has held a number of public hearings to gain public input on the issue and that a number of questions and concerns have arisen regarding the accuracy of the information and budgetary figures contained in the report. Now, be it resolved that a Village Board of the Village of Mineola issue a request for proposals to enlist the services of a qualified independent firm or individual to complete a feasibility study on the establishment of a Mineola Police Department. By commissioning this feasibility study, the Village Board seeks to compile full and accurate data analysis in order to provide Mineola residents with full and complete information prior to a referendum on the establishment of a Mineola Police Department.

“Be it further resolved that the Village Board in conjunction with members of the Task Force, Village Clerk and Village Attorney will develop the Request for Proposals at the earliest possible date.”

Trustee Paul Cusato seconded the motion but recognized that Trustee Lawrence Werther wasn't present and did not have an opportunity to review the proposal.

Mayor Martins agreed that Trustee Werther's absence was a concern. Mayor Martins said that another concern was that in his conversations with Trustee Fairgrieve he stated

on a number of occasions he clearly expressed that he is fully satisfied with the services our residents have put forth in putting together the Police Task Force Report. Mayor Martins stated that he has no interest whatsoever in putting together or assisting in putting together an RFP and won't derail efforts in moving forward with this process.

Mayor Martins asked Trustee Fairgrieve that if she had concerns that she should put the RFP together and present it to the board members for review and consideration. Mayor Martins noted that Trustee Fairgrieve has concerns but has presented no specifics.

Trustee Fairgrieve stated that her concerns are in the Request for Proposals.

Mayor Martins asked that if Trustee Fairgrieve has a resolution or request for proposal, she should present the whole product to the board members instead of asking them to put it together. Mayor Martins said that he believes that the Police Task Force did a great job and feels that the board should go back to the Police Task Force Committee and have them report on the issues discussed to this point. Mayor Martins reminded Trustee Fairgrieve that Trustee Werther was not present and added that if Trustee Fairgrieve wanted the Request for Proposals; she should be the one to develop it.

Mayor Martins said that Trustee Fairgrieve's request for an independent consultant pertains to the fact that he appointed the Police Task Force, and doesn't want anything to do with the RFP. Mayor Martins stated that he would not stand in Trustee Fairgrieve's way. Mayor Martins recommended that the members of the board be allowed to review that materials presented by Trustee Fairgrieve so that they would be able to ask questions and discuss it at the next work session.

Trustee Fairgrieve asked the board to vote to issue the RFP.

Mayor Martins suggested that if Trustee Fairgrieve put together the RFP and presented it to the Board, they would read it, analyze it and discuss it and then the Board members would vote on whether to go forward for a consultant on those terms under an RFP.

Trustee Fairgrieve responded that the Police Task Force, Village Clerk, Village Attorney and board members will develop the request for proposals at the earliest date.

Mayor Martins stated that it was Trustee Fairgrieve's RFP and asked that everyone be given a chance to read it and then the Board of Trustees can discuss it and use it as the framework.

Trustee Fairgrieve wanted to be clear that her motion for a resolution this evening was not necessarily to adopt her RFP but she feels that there is a need for an independent consultant.

Mayor Martins asked Trustee Fairgrieve what it was about the Police Task Force that makes them not independent.

Trustee Fairgrieve responded that she would like to have someone outside of Mineola review it. Trustee Fairgrieve said that she would prefer a true independent from outside of the Village.

Mayor Martins said that consultants for such things are not easily found and is concerned about their qualifications.

Trustee Fairgrieve agreed to table her motion because she didn't know that Trustee Werther was going to be out.

Mayor Martins asked that the discussion be continued at the next work session but asked Trustee Fairgrieve to provide the members of the Police Task Force Committee with a copy of her RFP.

REQUEST FOR PROPOSALS FEASIBILITY STUDY VILLAGE OF MINEOLA

CREATION OF VILLAGE POLICE DEPARTMENT

1. Background

The Village of Mineola has explored the formation of their own police department with the foremost consideration of increasing the quality of life for residents. The Mayor appointed residents to a Police Task Force Commission which issued a report in November, 2005 regarding Mineola establishing its own police department. The report concluded that for the first year, total costs were indicated as less than what Mineola residents collectively pay in patrol tax or police district fund to Nassau County. The Task Force created a blueprint for a Mineola Police Department with the idea of seeing if a police department could be created with more coverage than the Village of Mineola is currently receiving from the Nassau County Police Department for similar or less cost. They allowed for 4 - 5 patrol cars on a shift.

A subsequent formal written response from the Nassau County Police Department dated January 13, 2006, received January 17, 2006, pointed to a variety of concerns including insufficient staffing levels, inadequate supervision, operational issues, and no provision being made for special patrol issues.

Mayors from Lynbrook, Malverne, Rockville Centre, and Floral Park spoke and answered questions about their own village police departments in a public hearing on January 18, 2006.

At a number of village meetings/hearings, Mineola residents have also raised questions and voiced concerns over aspects of the report.

From the above mentioned, various questions and concerns have been raised about the Police Task Force Report which suggest that staffing and supervision levels do not meet the Village of Mineola's current and/or future needs. For example, plans are underway for a multimillion dollar intermodal transportation facility south of the LIRR Station; there are possible major zoning changes proposed in Mineola's Master Plan (dated October 2005); the LIRR is proposing a third track to its main line which would have tremendous impact on the Village; Nassau County is proposing a Nassau County Hub which would include Mineola.

Due to the size, scope and potential financial implications of Mineola breaking away from Nassau County to form its own Police Department, the Village Board is requesting proposals from qualified individuals or firms to complete a feasibility study. The study would objectively and accurately assess the Village's current level of service under Nassau County and examine the legal, financial and logistical issues concerning the conversion by Mineola to its own Police Department.

II. Purpose of Feasibility Study

To determine and recommend appropriate size and configuration for a Village of Mineola Police Department (staff, headquarters, equipment, etc.) meeting all federal, state and local requirements, and what the specific and complete total costs would be for the first five years to meet the Villages current needs and future needs.

A comparison should also be done with the current and projected costs of the Nassau County Police Department.

The Police Task Force Report with back up material and Nassau County Police Written Response should be used also as a basis for the evaluation.

As far as needs and future needs of the Village of Mineola, the following should be considered.

- Mineola's area is 2.2 sq. miles
- The Village had a 2000 residential population of 19,234
- Mineola has a very substantial increase in day population with a 48% commercial base (perhaps an approximate figure of day population could be determined)
- Mineola has a major hospital – Winthrop University Hospital currently with 600 beds and a staff of approximately 3,500
- Mineola has a major Catholic High School – Chaminade, enrolling 1,600 students
- Mineola has a major railroad station with approximately 2,700 riders using the station during peak morning hours with an intermodal garage currently being built
- Mineola may potentially be a part of a Nassau County Hub and will likely have a LIRR third track added in the future
- Traffic in the Village: Jericho Turnpike and Hillside Avenue are major east-west roads that run through the northern portion, Old Country Road runs along the southern edge, and Herricks Road, Mineola Boulevard, Willis Avenue and Roslyn Road are major north south roads in the Village
- Nassau County office and Court buildings are along the southern border of the Village and also contribute greatly to the extra day-time traffic

III. Scope of Work

1. Review Mineola Police Task Force Report.
2. Review all transcripts of hearings and meetings related to Mineola Police Task Force Report.
3. Review all correspondence and back up material related to Police Task Force Report including Nassau County Police Department written response.
4. Compile an analysis of costs and potential future costs of the following:
 - standard police equipment
 - creating Village's own dispatch and acquiring own frequency
 - purchasing, renovation, and equipping a building to make it an appropriate police headquarters, including the financing involved
 - transition costs (period where residents would be paying patrol tax and costs for their own police department) as far as what they would include and for how long
 - costs concerning contracts awarded by binding arbitration
 - possibility of legal actions against the police department and awards of punitive damages not covered by insurance
 - experience of police officers needed
 - repairing police vehicles with Village mechanics in Village facilities (and if they are sufficient) versus outsourcing the work and if it is too slow a process
 - overhead costs which is the increase of work and staff in other Village departments because of the addition of a police department and its employees
 - statistics and possibility of police officers on disability and permanent disability
 - actual cost of pensions, and health insurance and projected increases in cost

- need for presence of female officers for female prisoners
 - hidden overtime costs such as if a police officer is on disability
 - effect of Gatsbe 45
 - reserve fund
5. Compile information from insurance agents concerning liability insurance costs, real estate firms concerning appraisal and costs of buildings, New York State concerning pension and health insurance, Nassau County Assessor concerning Nassau County Police cost, financial institution concerning banking equipment and bonding a building, and various companies and agencies for equipment. All material will be in the back up.
 6. Prepare comparisons and information from Villages with their own police departments and specifically with villages with similar needs and features to the Village of Mineola mentioned in this Request for Proposal (RFP). The information should include the following items (though not inclusive):
 - amount of liability insurance
 - complete police department budgets for last five years including items not necessarily in the section marked Police Department
 - number of police officers on disability or permanent disability in the last 10 years
 - number of hours a police officer (average) works a year for the last 5 years
 - overhead costs: employees in other village departments that do work for the police department and the time consumed. Will the addition of a Police Department require the Village to hire additional personnel in other support department?
 - legal costs in the last 5 years
 - how many contracts and increases in the last 10 years or 3 prior contract increases
 - amount of police calls and breakdown of type of calls in the last three years
 - average amount of sick and vacation time of part time crossing guards and if backup guards are used or police officers when sickness and vacation occurs retirement reserve and what is in it
 - list of complete staff, their experience, and their chief assignment
 - if plain clothes policemen (detectives) are used and needed
 - the amount of patrol cars needed and amount of cars on patrol on a shift
 7. Prepare a written report addressing if the Nassau County Police Department has any legal responsibility concerning aid to Village of Mineola patrol, and if so, what they are legally required to respond to. In addition, if they supply aide, can they charge (if yes, what it would be).
 8. Prepare a written report that if Nassau County Police is not legally required to respond, are their local villages which would sign a written mutual aid agreement with Mineola and what it would entail.
 9. Diagram and depiction of Police Headquarters with required facilities and space including parking; this should include square footage required for each section/area of the headquarters.

IV. Instructions for Submitting Proposals

Seven bound copies and on unbound copy of the proposal must be received by

Village of Mineola

155 Washington Avenue
Mineola, New York 11501
Attn: Village Clerk

Proposals must contain:

1. A description of the consultant's organizations including appropriate literature about the firm and a list of relevant projects that would indicate expertise in this area of analysis.
2. Biographic descriptions (including qualifications and experience) of the project manager and other project team members, and the amount of time each of these individuals will spend on the study;
3. A complete description of the methods the consultant would employ in the study, and a thorough description of the reasons for the selection of those methods, with comparisons to alternative methods if appropriate;
4. A time management chart or other appropriate project management tool that will show the approximate times when key activities will occur and their general sequence;
5. A detailed budget with itemization of cost estimates related to the staffing, operational and administrative costs for completing the study; costs should include oral presentation to the Village Board at public hearing(s) to cover entire study and questions.
6. Up to three client references on projects that involved at least one of the primary consultants listed in the proposal. Reference information should include the contact person's name, title, agency, address, and phone.
7. Descriptions of similar projects that have been conducted by the consultant or by project team members, with named references and/or main contacts.
8. Anything including data that should be included and not mentioned as a requirement.

V. Selection Procedure

The Village of Mineola Board, Village Attorney, Village Clerk and Police Task Force Commission will review the proposal. After reviewing the proposals, one or more consultants will be interviewed by the above stated and a decision made by the Village Board.

Please note that this RFP does not commit the Village of Mineola to award a contract and the Village of Mineola reserves the right to accept or reject any or all proposals received. No costs will be paid to cover the expense of preparing and developing a RFP.

Mayor Martins made the following statement pertaining to the Police Task Force:

Introductory comments:

At this time I would like to make an official public statement about an important issue. I shall read the statement in its entirety so that the message will be clear and so that no portions of it may be misquoted. At the conclusion of the statement, any member of the Board of Trustees may make a comment on the matter.

The topic of this statement is the feasibility of re-establishing a Village Police Force, a matter which is the subject of continued public hearings before the Board of Trustees.

INCORPORATED VILLAGE OF MINEOLA

Mayor Jack M. Martins

March 1, 2006

Dear Fellow-Residents,

In response to numerous concerns and inquiries from residents of Mineola about insufficient and inadequate police coverage in the Village, I set up a Task Force a year and a half ago to research the issue of the feasibility of setting up our own Police Department. Prior to forming the Task Force, however, I obtained a Ladies' and Gentlemen's agreement from the members of the Board of Trustees that partisan politics would in no way enter into this issue, that the entire process would be up-front and in public and that the members of the Board would work together. The issue was so important to the community that it could only receive a fair hearing if politics were put aside.

I also made it a point to assemble a bi-partisan, community-based Task Force. The residents who served are highly-qualified neighbors of ours from varied backgrounds. The report which the Task Force prepared evidences the dedication, professionalism and competence of its members.

Finally, before setting our community upon a course of discussion concerning a possible Police Department, I inquired of Nassau County as to what its position would be on the matter. I was scheduled to meet with County Executive Thomas Suozzi, but he was unable to attend the meeting due to a last-minute schedule change. I met with his representative, the Chief Deputy County Executive, who gave me Mr. Suozzi's position: that the County had no objection to Mineola re-establishing its own Police Department.

With all of those preliminaries out of the way, I requested that the Police Task Force begin its work. A report was ultimately delivered to the Board of Trustees and was made available to the public at Village Hall. It was also mailed to each home.

Once the report was prepared, it became the task of the Board of Trustees to sit as quasi-judicial officers in a public hearing setting to take testimony and receive exhibits on the matter at hand. At the end of the hearing process, the members of the Board of Trustees would then deliberate and make a determination whether or not to go forward with a plan of action including, if the Village Police Department looked feasible, ultimately scheduling a referendum so that the residents may vote on the issue.

The public hearing process started on December 12, 2005. An initial presentation was made by representatives of the Task Force at the commencement of the public hearing. Thereafter, members of the Board of Trustees and the public were invited to ask questions or to make statements. Many constructive and helpful comments were received by the Board. Some residents stated that Mineola desperately needed its own Police Department in order to preserve the quality of life of the community. Others expressed concern over whether costs might be too high. Still others stated their belief that increased police coverage could be achieved at the same cost as taxpayers are currently paying.

One theme came from two Trustees and one member of the public. That theme was that the Village should hire an "independent" outsider to review the report of the Police Task Force. The reason for this outside review, it was stated, was that since the

Police Task Force members had been appointed by me, they could not thus be "objective". The two Trustees were Linda Fairgrieve and Paul Cusato. The member of the public was Joseph Galante, a resident who also happens to be the Chairman of the North Hempstead Democratic Party and also the chief campaign director of the Hometown Party.

Aside from the fact that I believe in the integrity, competence and purely community-oriented motivation of the members of the Police Task Force, I expressed my willingness to retain the services of the so-called "independent" consultant. However, since the "objectivity" of the Police Task Force members was questioned because they were appointed by me, there was no way that I was going to have a consultant also discredited through an appointment by me. So I asked Trustees Fairgrieve and Cusato and also Mr. Galante to recommend a consultant. To date, even though more than two and a half months have passed, they have not recommended a consultant versed in police work and administration.

The Nassau County Police Department was represented at the Village's public hearings. Then Commanding Officer of the Third Precinct, Inspector Lorraine Hannon, spoke on behalf of the Department on December 12. She indicated that the report of the Police Task Force "is still being evaluated, and at some point in the future the [Nassau County] police department will have a formal response to it". It was thus clear on the record that the Nassau County Police Department would weigh in on and critique the report of the Task Force by formally submitting its comments to the Board of Trustees.

On January 18, 2006, at the continued public hearing, several mayors from other villages which have their own police departments testified before the Board of Trustees. They went through financial, coverage and quality of life issues. They were questioned by the Trustees. They shed a great deal of light upon the financial and operational aspects of a local police department. Of particular interest was a discussion concerning the potential for assistance from the Nassau County Police Department in cases of emergency. Each of the guest mayors stated that their villages received mutual aid from and gave mutual aid to the Nassau County Police Department with no extra charges assessed either way.

The very next day, Trustee John Davanzo received a telephone call from an officer who works at County Police Headquarters asking whether he would be willing to meet with Police Commissioner James Lawrence. Mr. Davanzo responded that, as a member of the Village Board, it would be improper for him to meet with the Commissioner unless the entire Board were present.

When Trustee Davanzo advised me of his invitation, I decided to call the other Trustees in order to find out whether they had also been contacted for a meeting. When I called Trustee Paul Cusato and told him about the call to Trustee Davanzo, there was a period of silence at the other end. He then told me that he and Trustee Fairgrieve had written a letter to Commissioner Lawrence and that they had received a letter back. He eventually admitted to having had a meeting with the Commissioner.

I was in shock and in a state of disappointment. I thought that, some of the blatantly political comments made at the hearings aside, the process of community dialog on the Police Department issue had been moving along well. All communication up to that point had been in public and had been out in the open. I was further surprised to learn, however, that the secret letter written by Trustees Fairgrieve and Cusato was dated December 28 2005 and that the response of the Commissioner was dated January 13, 2006. And the secret meeting with the Commissioner took place on January 17, the day before the hearing on January 18.

Trustees Fairgrieve and Cusato participated in that hearing. They questioned the visiting mayors about the operations of their departments. They acted as if they had never secretly communicated with the Nassau County Police Commissioner, had his report, or had a meeting. They withheld the report from the other Trustees and myself. Their secret appeared to be safe. But their scheme was discovered.

When I questioned Trustee Fairgrieve as to why she would do such a thing as to communicate with Commissioner Lawrence outside the context of the public hearing process over which the Board was presiding, she countered by saying that I had told her to run the Task Force report by an "independent" consultant. If Trustee Fairgrieve's idea of an independent consultant on the Mineola Police Department issue is the Commissioner of the Nassau County Police Department, she has a serious judgment problem at best. But her spurious answer, combined with her deceitful meeting, tells me that she has a problem with integrity.

When I questioned Trustee Cusato as to why he would communicate with Commissioner Lawrence as he did, he stated that he needed to see whether the information provided by the visiting mayors at the January 18 hearing session was accurate. But Trustee Cusato had written to the Commissioner three weeks before the visiting mayors had even spoken and he had met with the Commissioner the very day before. So, how could he be checking out what the mayors had said if they had not even said it? You be the judge.

What is going on here smacks of partisan politics. What is going on here is a violation of the Ladies' and Gentlemen's Agreement which preceded the whole review process of the police department issue. Allow me to tell you why I believe that this is so.

In the last few political campaigns, the Hometown Party circulated literature aimed at promoting fear and doubt about a Village Police Department. The Hometown candidates, including Trustees Fairgrieve and Cusato, falsely stated that the party to which I belong "is proposing Mineola's Own Police Department with a price tag of millions". The fact is that the party to which I belong and I were proposing that the residents of Mineola consider the idea of a police department and that they themselves choose whether such was in the best interests of the community.

Because of the opposition asserted over the last few political cycles, I specifically confirmed with Trustees Fairgrieve and Cusato that partisan politics would not enter into the police department discussion which was to follow the release of the Police Task Force report. They agreed. But their agreement was short-lived.

At the very first night of the public hearing, resident Joe Galante, Hometown Party campaign manager and Leader of the North Hempstead Democratic Party, asked for an independent review of the proposal. He subsequently wrote a letter to the editor of the Mineola American. He claimed that he was acting as a resident who often came to meetings to express his views. However, the last time he appeared at a Village Board meeting was almost two years ago when he was seated with Gerard Terry, counsel to the Democrats, whom Trustees Fairgrieve and Cusato, in a blatant act of political patronage, were trying to have replace Village Attorney John Spellman as the Village's legal representative. That blatantly political attempt was crushed by an outraged citizenry. But it was not forgotten.

At the second public hearing session, the operations director for budget and finance for Nassau County appeared and repeated Joe Galante's call for an "independent" consultant. Quite interestingly, he brought along with him files on each of the villages who were to be represented by visiting mayors that evening and attempted to discredit their reports after they had left. Coincidence? You be the judge.

And then there are the letters back and forth between Trustees Fairgrieve and Cusato and the Police Commissioner of the County. Inspector Hannon had already testified that the County Police Department would submit its comments on the Task Force report. Why didn't the Trustees wait for that submission?

The answer comes from County Executive Tom Suozzi's own words. When I called him to ask why his Police Commissioner was calling a Mineola Trustee for a meeting on the issue rather than accepting our invitation to participate at an open meeting, Mr. Suozzi told me that he had been aware that Commissioner Lawrence had met with the two trustees "who were against" the Village's police department.

So, there you have it. The Hometown Party Trustees, who are supposed to be quasi-judicial hearing officers concerning the police department issue, were working secretly and behind the scenes to subvert the very hearing process they were sworn to oversee. They had written a secret letter. They had gotten a secret response. They had a secret meeting with the Police Commissioner. Why? So that they could kill the police department idea.

If they had had honest motives, these Trustees would have told their fellow Board members what they were doing. They would have shared with us a copy of their secret letter to the Commissioner and a copy of his response to them. They would have advised us of the secret meeting they had. They would not have sat through a hearing, dishonestly gone through the motions of asking questions, knowing full-well that they had the Commissioner's analysis of the Task Force's report in their back pocket.

The members of the Task Force have served the Village with distinction and dedication. They at least deserved to be given a copy of the Commissioner's analysis. Even to this date, neither Trustee Fairgrieve nor Cusato has forwarded the Commissioner's analysis to the Task Force. In fact, to this date neither Trustee Fairgrieve nor Trustee Cusato has even called the committee to ask for clarification of any issue. That is completely disrespectful.

But things get worse. Trustees Fairgrieve and Cusato, now running as candidates for election, are working to subvert the hearing process by politicizing a decision that is vital to our Village, a decision that will properly be made by the residents of our Village at a referendum. They are handing out, door to door, a copy of Commissioner Lawrence's analysis of the Task Force Report with a cover sheet containing the following notation: "Document Courtesy of the Mineola Hometown Party". And they haven't even given the document to the Task Force yet. Nor have they submitted it into evidence at a public hearing.

Hometown Party Trustees Fairgrieve and Cusato have once again demonstrated that they will always place their own political agendas ahead of what is best for Mineola. They have attempted to secure evidence to embarrass the Police Task Force and the rest of the Village Board not for the best interests of the residents of our Village but for their own political ends. They have attempted to undermine the hearing process concerning the police department issue. They have sold out the public trust.

I have been clear in my support of Mineola forming its own police department. I believe that the Task Force report and the Commissioner's analysis of it still support this belief. Of course, I believe that, given the input received thus far at our public meetings, the report should be re-evaluated and adjusted. That's the purpose of a public hearing: to receive input, evaluate it and act upon it. Having said this I have been equally clear that should anyone demonstrate that the concept of our having our own police department is not feasible, that we should close out these hearings and not waste our time and resources. To date, no one has come forward with a showing that the police department is not feasible. We shall continue our hearings on this issue without the interference of partisan politics – the issue is just too important.

I have been advised that just today a post card has been circulated by the Hometown Party as part of Mrs. Fairgrieve's and Mr. Cusato's re-election bid urging people to come to the meeting scheduled for this Saturday and "support Linda and Paul." The post card does not ask residents to come to a hearing to learn about the issues or to express an opinion. It is purely a call for political support.

The public hearing is not about either of these two Trustees or anyone on this Board. It is not about the Nassau County Police Department. It is most certainly not about anyone's aspirations at re-election. It has always been, and must continue to be, about what's best for our Village. I suggest that all of us remember that.

The Hometown Party Trustees wanted to subvert the open review process for discussing the pros and cons of a Village police department. Unfortunately, they have succeeded.

In spite of the fact that our hearings have allowed for full public participation and access to information in an open forum, two Trustees have attempted to hijack our proceedings for their own political ends. They have violated their promises and the public trust by injecting politics into a process where it does not belong and by engaging in secret proceedings. I shall not go forward with public hearings on a matter so vital to the future of this Village with Trustees who cannot be trusted.

Accordingly, the public hearing scheduled for Saturday, March 4 on the Police Task Force report is cancelled and all proceedings are suspended until after the Village elections.

Sincerely,

Jack M. Martins
Mayor

Mayor Martins announced that the Police Task Force Hearing scheduled for Saturday, March 4, 2006 was postponed until further notice.

Trustee John DaVanzo stated that he believes that Trustee Fairgrieve and Trustee Cusato should go before the Village Ethics Board for their actions.

Trustee Linda Fairgrieve was given an opportunity to reply to Mayor Martins' statement. Trustee Fairgrieve reiterated her position that an RFP was a good thing and that it would preserve the integrity of the review process. Trustee Fairgrieve added that it was essential that an independent, outside expert be brought in to review the work of the Police Task Force because she believed there are still unanswered questions regarding the feasibility of creating a Village Police Department. Trustee Fairgrieve also stated that details of the meeting she and Trustee Cusato had with the Nassau County Police Commissioner would have been disclosed at the following Board meeting, and acknowledged that the Nassau County Police Department is not a truly independent body. Trustee Fairgrieve added that an independent reviewer would not necessarily advise against a police department.

Trustee Paul Cusato expressed his disappointment concerning the Mayor's comments.

Mayor Martins requested a motion to close the Work Session at 8:10 PM.

Motioned by Trustee John S. DaVanzo
Seconded by Trustee Paul S. Cusato

Vote:

Yes

No

Absent

Trustee Linda Fairgrieve
Trustee John S. DaVanzo
Trustee Paul S. Cusato
Mayor Jack M. Martins

Trustee Lawrence A. Werther

Mayor Martins opened the Public Meeting at 8:10 PM.

Mayor Martins congratulated Tom McKevitt on his win of the 17th Assembly District Seat.

Trustee Paul Cusato complimented the Centennial Committee on the recent Ecumenical Service held at the Community Center.

Trustee John DaVanzo reminded residents that the Centennial Committee would be holding auditions for the Theatrical Review on March 31, 2006. Trustee DaVanzo also

invited everyone to the Square Dance to be held at the Community Center on Saturday, April 8, 2006.

Resolution No. 63-06

Resolved to approve the Mineola Civic Association's request to use the Community Center or Village Hall on Thursday, March 16, 2006 to host "Meet the Candidates" night.

Motioned by Mayor Jack M. Martins
Seconded by Trustee John S. DaVanzo

Vote:

Yes

Trustee Linda Fairgrieve
Trustee John S. DaVanzo
Trustee Paul S. Cusato
Mayor Jack M. Martins

No

Absent

Trustee Lawrence A. Werther

Mayor Martins requested a motion to close the Public Meeting at 9:15 PM.

Motioned by Trustee Paul S. Cusato
Seconded by Trustee John S. DaVanzo

Vote:

Yes

Trustee Linda Fairgrieve
Trustee John S. DaVanzo
Trustee Paul S. Cusato
Mayor Jack M. Martins

No

Absent

Trustee Lawrence A. Werther