

Minutes - Board Meeting 08/9/06

Minutes of the meeting of the Board of Trustees of the Incorporated Village of Mineola held Wednesday, August 9, 2006 Village Hall, 155 Washington Avenue, Mineola, New York 11501.

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

ALSO PRESENT: Village Attorney John Spellman
Deputy Village Clerk Janet H. Zalkin
Superintendent of Buildings Daniel B. Whalen

Sunshine Observers: Approximately 35 Observers

Press Observer: Joe Rizza, Mineola American

A Public Hearing 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:

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

Mayor Martins requested a motion to go into Executive Session at 8:20 PM.

Motioned by Trustee Lawrence A. Werther
Seconded by Trustee John S. DaVanzo

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Trustee Linda Fairgrieve		
Trustee John S. DaVanzo		
Trustee Lawrence A. Werther		
Trustee Paul S. Cusato		
Mayor Jack M. Martins		

Mayor Martins requested a motion to come out of Executive Session at 8:35 PM.

Motioned by Trustee Lawrence A. Werther
Seconded by Trustee Paul S. Cusato

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Trustee Linda Fairgrieve		
Trustee John S. DaVanzo		
Trustee Lawrence A. Werther		
Trustee Paul S. Cusato		
Mayor Jack M. Martins		

Resolution No. 279-06

Resolved to approve the franchise agreement subject to the inclusion of the words *through this agreement* on the seventh line of Section 2.2 between the words *authority* and *over* so that it reads the *LFA has not been granted broad new authority through this agreement over the construction, placement and operation of franchisee's mixed use facilities.*

Be it further resolved that the Village of Mineola will receive a letter from Verizon that will be incorporated into this agreement detailing that an insertion point will be placed here at Village Hall at our studio that will be compatible with all of the equipment that the Village has with a time frame provided by the franchisee, but to be approved by this Board.

Motioned by Trustee Lawrence A. Werther
Seconded by Trustee John S. DaVanzo

Deputy Village Clerk Janet Zalkin polled the Board:

Vote:

Yes

No

Abstain

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

Mayor Martins requested a motion to close the hearing at 8:40 PM.

Motioned by Trustee John S. DaVanzo
Seconded by Trustee Lawrence A. Werther

Vote:

Yes

No

Abstain

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

A Public Hearing was held at 8:45 PM at the Village Hall, 155 Washington Avenue, Mineola, New York, 11501 in order to receive public comment upon the following:

**APPLICATION OF ANTHONY TUZZOLO FOR A SPECIAL PERMIT,
PURSUANT TO CHAPTER 30 OF THE CODE OF THE INCORPORATED
VILLAGE OF MINEOLA, ENTITLED "ZONING," SECTION 30.31
ENTITLED "B-1 DISTRICTS", SUBSECTION 30.51 (A) (1), TO MAINTAIN A
SPECIAL USE TO OPERATE A DINER UPON THE PROPERTY KNOWN AS
106 EAST 2ND STREET, MINEOLA, NEW YORK 11501 (KNOWN AND
DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS
SECTION 9, BLOCK 301, LOTS 43, 44).**

Resolution No. 280-06

Resolved to approve the application of Anthony Tuzzolo to maintain a Special Use to operate a diner upon the property known as 106 East 2nd Street Mineola, New York.

Motioned by Trustee Paul S. Cusato
Seconded by Trustee Lawrence A. Werther

Deputy Village Clerk Janet Zalkin polled the Board:

Vote:

Yes

No

Abstain

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

A Public Hearing was held at 8:50 PM at the Village Hall, 155 Washington Avenue, Mineola, New York, 11501 in order to receive public comment upon the following:

APPLICATION OF CHRISTIAN-ROBERT, INC. FOR A SPECIAL PERMIT, PURSUANT TO CHAPTER 30 OF THE CODE OF THE INCORPORATED VILLAGE OF MINEOLA ENTITLED "ZONING", SECTION 30.31 ENTITLED "B-1 DISTRICTS" SUBSECTION B (1), FOR A CHANGE OF USE TO A CAFÉ/COFFEEHOUSE UPON THE PROPERTY KNOWN AS 95 MINEOLA BOULEVARD, MINEOLA, NEW YORK 11501 (KNOWN AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 9, BLOCK 422, LOT 1).

Resolution No. 281-06

Resolved to declare the action as an unlisted action with no negative environmental impact pursuant to the State's Environmental Quality Review Act (SEQRA).

Motioned by Trustee Lawrence A. Werther
Seconded by Trustee John S. DaVanzo

Vote:

Yes

No

Abstain

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

Mayor Martins stated that the matter would be referred to the Nassau County Planning Board for review.

Mayor Martins requested a motion to reserve decision and close the hearing at 10:15 PM.

Motioned by Trustee Lawrence A. Werther
Seconded by Trustee Paul S. Cusato

Vote:

Yes

No

Abstain

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

Mayor Martins opened the Work Session at 10:25 PM.

Resolution No. 282-06

Resolved to approve bills and payroll.

Motioned by Trustee John S. DaVanzo

Seconded by Trustee Lawrence A. Werther

Vote:

Yes

No

Abstain

Trustee Linda Fairgrieve

Trustee John S. DaVanzo

Trustee Lawrence A. Werther

Trustee Paul S. Cusato

Mayor Jack M. Martins

Mayor Martins re-opened the discussion on the Mineola Police Department RFP and asked each of the trustees to share their thoughts on the proposals.

Trustee Linda Fairgrieve thanked everyone for their kindness throughout her illness especially the nursing staff at Winthrop-University Hospital.

Trustee Linda Fairgrieve dismissed the submission by the architectural firm as inappropriate. Trustee Fairgrieve stated that after examining the other two submissions she liked Center for Government Research (CGR), particularly for their philosophy and their suggestion to conduct a detailed analysis of calls for service in order to analyze our needs. Trustee Fairgrieve also liked CGR as they are familiar with Long Island, particularly Nassau County, and had worked as consultants to the Nassau County Police Department. Trustee Fairgrieve stated that CGR's study would take 6-7 months and would include an operational analysis. Trustee Fairgrieve liked the idea of the study being conducted in phases that would include a steering committee from the Village.

Trustee Fairgrieve gave an overview of CGR's qualifications and stated that the firm may be willing to negotiate their fee of \$112,000.00. Trustee Fairgrieve also stated that she favored CGR over Winbourne & Costas, Inc. because CGR was less expensive and felt that they would give an independent report. Trustee Fairgrieve stated that she didn't choose Winbourne & Costas, Inc. because their proposal focused on communications study.

Trustee John DaVanzo stated that he was opposed to the idea of an independent third party consultant from the beginning.

Trustee Lawrence Werther reported on some of his own research and stated that after eliminating the architectural firm, he didn't find either of the remaining firms to be qualified. Trustee Werther suggested that the village may need to engage an independent consultant to assist with the development of the police department once it is approved by the residents.

Trustee Paul S. Cusato stated that he was in favor of a third party consultant and chose CGR at \$112,000.00.

Mayor Martins stated that he dismissed the architectural firm as well as the communications firm which leaves only CGR. Mayor Martins stated that he had concerns with the level of qualified people for \$112,000.00, noting that only one police officer or person with police experience was included in their proposal and would contribute the least number of hours. Mayor Martins disagreed with Trustee Fairgrieve regarding a negotiation of fees stating that \$112,000.00 is a base fee for consulting services that would be higher in the end.

Trustee Fairgrieve said that the board members could interview the firm. Trustee Fairgrieve compared the \$112,000.00 to the annual salary of a police officer. Trustee Fairgrieve stated that most residents are concerned with the cost of having our own police department.

Mayor Martins stated that he doesn't feel that people are as concerned about the financial aspect as they are about the operational aspects such as staffing and day-to-day operations. Mayor Martins stated that he would prefer to reject the bids outright and move on.

Trustee Fairgrieve stated that there are consulting fees on everything you do and they are not cheap.

Mayor Martins requested a motion to retain the Center for Government Research CGR for \$112,000.00.

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

Deputy Village Clerk Janet Zalkin polled the Board:

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Trustee Linda Fairgrieve	Trustee John S. DaVanzo	
Trustee Paul S. Cusato	Trustee Lawrence A. Werther	
	Mayor Jack M. Martins	

Mayor Martins requested a motion to reject all bids submitted in response to the RFP for the Mineola Police Department.

Resolution No. 283-06

Resolved to reject all bids submitted in response to the RFP for an independent study of the proposed Mineola Police Department.

Motioned by Trustee Lawrence A. Werther
Seconded by Trustee John S. DaVanzo

Deputy Village Clerk Janet Zalkin polled the Board:

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Trustee John S. DaVanzo	Trustee Linda Fairgrieve	
Trustee Lawrence A. Werther	Trustee Paul S. Cusato	
Mayor Jack M. Martins		

Mayor Martins discussed a Village referendum for the proposed Mineola Police Department.

Mayor Martins also congratulated the Mineola Swim Team on their winning season.

Mayor Martins requested a motion to close the Work Session at 11:00 PM.

Motioned by Trustee Lawrence A. Werther
Seconded by Trustee John S. DaVanzo

Vote:

Yes

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

No

Abstain

Respectfully submitted,

Joseph R. Scalero
Village Clerk