

Minutes - Board Meeting 10/7/2015

Minutes of the meeting of the Board of Trustees of the Incorporated Village of Mineola held Wednesday, October 7, 2015 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 Cora T. Kelly
Village Treasurer Giacomo Ciccone
Superintendent of Public Works Thomas J. Rini
Superintendent of Buildings Daniel B. Whalen

Press Observer: *Mineola American*
Williston Times

Sunshine Observers: 5 Observers

Mayor Scott P. Strauss called the Work Session to order at 6:40 PM.

Resolution No. 261-15

Resolved to approve bills and payroll.

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. 262-15

Resolved to approve the minutes from the meetings of the Board of Trustees of September 2, 2015, September 9, 2015 and September 16, 2015.

Motioned by Trustee Paul S. Cusato
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 | | |

Resolution No. 263-15

Resolved to approve retaining Standard Valuation Services and Michael Haberman Associates, Inc. to adjust and update the 2015 Village Assessment Roll for the 2016/2017 Tax Year, at a cost of \$30,000.00.

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. 264-15

Resolved to approve a request by the Mineola 50+ Basketball group for use of the Community Center auditorium basketball courts on Monday's and Friday's from 12:30 PM to 3:00 PM, when available.

Motioned by Trustee George R. Durham
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. 265-15

Resolved to approve a request by United Food and Commercial Workers International Union (UFCW) Local 342 for a one-day parking permit for a mobile blood drive unit at their union offices at 166 East Jericho Turnpike for Monday November 2, 2015 previously approved for Monday, September 21, 2015 from 2:00 PM – 7:00 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. 266-15

Resolved to approve a request by Boy Scout Troop 45 for the use of the Community Center auditorium on Tuesday, May 3, 2016 starting at 7:30 PM – 9:00 PM to conduct a Basketball Night.

Motioned by Trustee George R. Durham
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. 267-15

Resolved to approve a request of Corpus Christi to use village streets for a Devotional Procession on Tuesday October 13, 2015 from approximately 9:00 PM – 10:30 PM utilizing following route:

Garfield East to Willis Avenue
South to Second Street
Turn around (U-Turn)
(will not block Second Street)
North on Willis to Garfield West to
Starting place at the Church

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

Village Clerk Joseph R. Scalero presented a Justice Court Report for September 2015.

Resolution No. 268-15

Resolved to approve the following payments in the amount of \$1,536,865.39 from the Development Incentive Bonus Funds in FY 2015-2016:

| <u>VENDOR</u> | <u>AMOUNT</u> | <u>PROJECT</u> |
|--|------------------------|--|
| Dvirka & Bartilucci Consulting Engineers | \$ 2,789.00 | Wilson Park Project |
| Dvirka & Bartilucci Consulting Engineers | \$ 6,212.66 | Well #1 |
| Dvirka & Bartilucci Consulting Engineers | \$ 4,585.65 | Well #1 |
| Dvirka & Bartilucci Consulting Engineers | \$ 2,182.23 | Hydraulic Modeling Distribution System |
| Rim Industries | \$ 2,384.20 | Fire Department Commercial Bus |
| Valente Contracting Corp. | \$268,492.80 | Memorial Park Project |
| Island Fence Company | \$ 1,995.00 | Memorial Park Project |
| Seagrave Fire Apparatus, LLC | <u>\$ 1,248,223.85</u> | Fire Department 75' Aerial Bucket Truck |
| TOTAL: | \$ 1,536,865.39 | |

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. 269-15

Resolved to authorize the purchase of 3, new 2016 GMC 3500HD, 4 wheel drive pickup trucks with plows, 1,500 lbs. rear lift gates, emergency lights and bed liners from Nassau BOCES Contract #13/14-016.

Vendor: Van Buren GMC
Cost: \$130,134.72

Funding Source: 2015/2016 Budget

Motioned by Trustee George R. Durham
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. 270-15

Resolved to authorize the 2 year HVAC Maintenance Contract:

| | <u>General Fund</u> | <u>Library Fund</u> |
|------------------------|----------------------------|----------------------------|
| Dynaire Service Corp.: | \$14,970.00 | \$3,500.00 |
| Comfort Tech: | \$17,900.00 | \$4,150.00 |
| Breathe Easy N.Y. | \$18,625.00 | \$4,550.00 |

Recommend awarding 2 Year HVAC Service Contract to Dynaire Service Corp.

Funding: General Fund Budgets and Library Fund Budget

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. 271-15

Resolved to authorize the purchase and installation of 225 feet of guard rail for the construction of the new parking lot located on the south side of Second Street at Roslyn Road.

| | |
|----------------------------|-------------|
| Island Fence Company: | \$ 9,610.00 |
| Valente Contracting Corp.: | \$10,675.00 |
| Pratt Brothers, Inc.: | \$11,649.00 |

Recommend purchase and installation by Island Fence Company

Funding Source: Development Incentive Bonus Funding

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. 272-15

Resolved to authorize the expansion of the curb cut at 5 Kenilworth Road, Mineola from 12 feet to 16 feet.

Motioned by Trustee Paul S. Cusato
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. 273-15

Resolved to authorize the posting for the position of a Supervisor of Water Plant Operations and for the posting of four (4) civil service positions of Water Plant Operator for the Water Department.

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

Superintendent of Buildings Daniel B. Whalen presented a financial report for the month of September 2015 and also gave a progress update report on the various projects underway in the village.

Resolution No 274-15

Resolved to appoint Gerard Loughran as Hearing Officer for the Village of Mineola with respect to two (2) grievances filed by UPSEU.

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

Village Attorney John P. Gibbons recommended the following resolution:

Resolution No 275-15

BOARD OF TRUSTEES
INCORPORATED VILLAGE OF MINEOLA

-----X

In the Matter of the Application of

7-ELEVEN, INC.

DECISION

-----X

NAME OF APPLICANTS: 7-Eleven, Inc.

SUBJECT PROPERTY: Section 9, Block 349, Lot 985

STREET LOCATION: 400 East Jericho Turnpike
Mineola, New York 11501

ZONING DISTRICT: B-1 District

DECISION:

Pursuant to the Decision and Order of the Appellate Division of the Supreme Court, Second Judicial District, dated April 29, 2015, the special use application is **GRANTED**, subject to the following conditions:

1. The premises shall be maintained in a clean condition at all times.
2. All deliveries shall occur on-site during off-peak traffic hours. No delivery shall occur between the hours of 9:00 p.m. and 7:00 a.m. As offered by the Applicant at the Public Hearing held on October 12, 2011, Applicant shall utilize only box trucks for all deliveries and shall enforce such a restriction on all of its vendors. See Hearing Transcript, pgs. 64-65.
3. The site shall be served by a private sanitation carter at the expense of the Applicant. As offered by the Applicant at the Public Hearing held on October 12, 2011, all putrescible waste shall be refrigerated indoors until pick-up. See Hearing Transcript, pg. 61. All garbage pick-ups shall take place between the hours of 7:00 a.m. and 9:00 p.m. only.
4. As offered by the Applicant at the Public Hearing held on October 12, 2011, all lighting shall be designed such that it shall shine upon the premises only and shall not be directed towards any neighboring residences. See Hearing Transcript, pgs. 68-69.
5. The garbage dumpster shall be maintained in a fully enclosed area and the gates to the area shall be closed at all times except during loading and pick-up. The garbage dumpster and surrounding area shall remain free from debris, odors and/or litter at all times.
6. As offered by the Applicant at the Public Hearing held on October 12, 2011,

Applicant shall eliminate the existing most westerly curb cut on Jericho Turnpike. The remaining most easterly curb cut on Jericho Turnpike shall be restricted to right turn in and right turn out movements. See Hearing Transcript, pg. 20. Applicant shall install and maintain the necessary signage designating the restrictions for the entrance and exit.

7. As offered by the Applicant at the Public Hearing held on October 12, 2011, Applicant shall apply to the New York State Department of Transportation for authorization to install and maintain a curb channel for the curb cut on Jericho Turnpike that would direct vehicular ingress and egress via a right turn movement. Applicant shall provide the Village with the New York State Department of Transportation's decision. See Hearing Transcript, pgs. 73-74.

8. As offered by the Applicant at the Public Hearing held on October 12, 2011, Applicant shall restrict the egress along Jay Court to be left turn only. Applicant shall install and maintain the necessary signage. Applicant shall install and maintain channelized curbs that will direct vehicles to only make left turns when exiting the Property. See Hearing Transcript, pgs. 52-53.

9. Applicant shall install new curbs and sidewalks at the Property in accordance with New York State Department of Transportation criteria.

10. In the event of any damage to Village roads during construction, Applicant shall correct the damage in accordance with all applicable code requirements.

11. As offered by the Applicant at the Public Hearing held on October 12, 2011, Applicant shall not engage in cooking activities upon the Property. See Hearing Transcript, pg. 62.

12. Applicant shall install and maintain a 6 foot PVC fence along the rear property line. See Hearing Transcript, pgs. 70-71 and 93.

13. As offered by the Applicant at the Public Hearing held on October 12, 2011, Applicant shall plant and maintain ten and a half foot natural buffer of evergreen landscaping along the rear property line. Applicant shall maintain all landscaping at the Property. Applicant shall install and maintain an automatic irrigation system. See Hearing Transcript, pgs. 21 and 93.

14. As offered by the Applicant at the Public Hearing held on October 12, 2011, Applicant shall install and maintain an exterior security camera system. See Hearing Transcript, pgs. 74-76. The security tapes shall be preserved for one (1) month.

Dated: Mineola, New York
October 7, 2015

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

Mayor Scott R. Strauss requested a motion to close the Work Session at 7:17 PM

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

Mayor Scott P. Strauss called the Public Meeting to order at 7:30 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
Deputy Village Clerk Cora T. Kelly
Village Treasurer Giacomo Ciccone
Superintendent of Public Works Thomas J. Rini
Superintendent of Buildings Daniel B. Whalen

Press Observer:

Mineola American
Williston Times

Sunshine Observers:

19 Observers

Mayor Scott P. Strauss reported on his meeting with Inspector Barry of the Third Precinct; reminded residents of the upcoming events; Mineola High School Homecoming Parade on Saturday October 10, Mineola Bike Safety Day on Sunday October 18 and the Halloween Party on Friday October 30 and encouraged residents to participate. Mayor Strauss also reminded residents of a Public Hearing on October 21 at 6:30 PM on the proposed Corpus Christi development and encouraged all residents to attend.

Trustee Paul A. Pereira reported on his participation in the “Tunnel-to-the-Towers event; congratulated Carl and Rosemary Marchese on being recognized as the “Italian Couple of the Year” by the Mineola Knights of Columbus; and also congratulated the Mineola Volunteer Ambulance Corp on being recognized as “Nassau County Ambulance Service of the Year”.

Trustee Paul S. Cusato reported on his and Mayor Strauss’ attendance at the Mineola Historical Society meeting; and congratulated Carl and Rosemary Marchese on being recognized at “Italian Couple of the Year”.

Trustee George R. Durham wished the Mineola High School football team good luck at the Homecoming Opening Day; congratulated Carl and Rosemary Marchese and announced that Boy Scouts of America Troop 45 wreaths sale is underway.

Trustee Dennis Walsh reported on his attendance with the Mineola Fire Department at the Nassau County Fire School.

6 Speakers addressed the Board

Mayor Scott P. Strauss stated that the Holiday Sanitation Schedule will be in effect for the week of October 12 in observance of Columbus Day.

Mayor Scott P. Strauss requested a motion to close the Public Meeting at 8:50 PM.

Motioned by Trustee Dennis J. Walsh
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 | | |