

Minutes - Board Meeting – 7/14/10

Minutes of the meeting of the Board of Trustees of the Incorporated Village of Mineola held Wednesday, July 14, 2010 at Village Hall, 155 Washington Avenue, Mineola, New York 11501.

PRESENT: Mayor Jack M. Martins
Trustee Paul S. Cusato
Trustee Thomas F. Kennedy
Trustee Paul A. Pereira

ALSO PRESENT: Village Attorney John M. Spellman
Village Clerk Joseph R. Scalero
Superintendent of Public Works Thomas J. Rini

Sunshine Observers: 12 Observers

Mayor Jack M. Martins called the Work Session to order at 6:40 PM.

Resolution No. 177-10

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 Jack M. Martins		
Trustee Paul S. Cusato		
Trustee Thomas F. Kennedy		
Trustee Paul A. Pereira		

Resolution No. 178-10

Resolved to approve the membership of the following candidates as recommended by the Mineola Fire Department:

Thomas Redmond	Company #2
Dominick Vigario	Company #3
Spencer Wolf	Company #2

Motioned by Trustee Paul S. Cusato
Seconded by Trustee Thomas F. Kennedy

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Jack M. Martins		
Trustee Paul S. Cusato		
Trustee Thomas F. Kennedy		
Trustee Paul A. Pereira		

Resolution No. 179-10

Resolved to approve a 90-day extension of Building Permit No. 1447 at the premises known as 172 Andrews Road.

Motioned by Trustee Paul A. Pereira
Seconded by Trustee Thomas F. Kennedy

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Jack M. Martins		
Trustee Paul S. Cusato		
Trustee Thomas F. Kennedy		
Trustee Paul A. Pereira		

Resolution No. 180-10

Resolved to award the 2010-2013 contract for Street Light Maintenance to the lowest responsible bidder, Welsbach Electric Corp. of Long Island, based upon their low bid of \$164,811.00

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

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Jack M. Martins		

Trustee Paul S. Cusato
Trustee Thomas F. Kennedy
Trustee Paul A. Pereira

Superintendent of Public Works Thomas J. Rini presented an update on Station Plaza North stating that it is about 90% completed, announced that the annual roadway reconstruction/resurfacing public bid will be out on August 6, 2010, with plan specifications out next week. Superintendent Rini discussed upcoming concrete road and re-grading projects, gave an overview of the various issues regarding LIPA electrical supply problems at the pool pumps and presented an update on the Summer Recreation program.

Village Attorney John M. Spellman reported on the 2010 Tax Certiorari cases which were settled during the 2009/2010 Tax Year with the total settlement amount falling within the 2010/2011 annual budget appropriation.

Resolution No. 181-10

Address: Third Street
Petitioner: Third Street Garage, LLC
Petitioner's Attorney: Certilman

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding Third Street Garage, LLC, Section 9, Block 129, Lots 2, 4, 6, 8 and 222 and Section 9, Block 430, Lots 52-54, 56, 58, 60, 62, 64, 111, 166, 266, 311 is approved.

Further resolved, that the Petitioner will receive a refund of \$250,000.00 for the tax years 2003/2004 through 2009/2010. The refund shall be payable in three (3) installments of \$50,000.00 on July 31, 2010, \$100,000.00 on July 31, 2011 and \$100,000.00 on July 31, 2012 following the submission of a voucher along with a Judgment and Stipulation.

Motioned by Trustee Paul S. Cusato
Seconded by Trustee Thomas F. Kennedy

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Jack M. Martins		
Trustee Paul S. Cusato		
Trustee Thomas F. Kennedy		
Trustee Paul A. Pereira		

Resolution No. 182-10

Address: 70-74 Willis Avenue
Petitioner: 70-74 Willis Avenue, LLC
Petitioner's Attorney: Certilman

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding 70-74 Willis Avenue, LLC, Section 9, Block 417, Lot 512 is approved.

Further resolved, that the Petitioner will receive a refund of \$3,777.00 for the tax years 2007/2008 through 2009/2010. The refund shall be payable on July 31, 2010 following the submission of a voucher along with a Judgment and Stipulation.

Motioned by Trustee Paul S. Cusato
Seconded by Trustee Thomas F. Kennedy

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Jack M. Martins		
Trustee Paul S. Cusato		
Trustee Thomas F. Kennedy		
Trustee Paul A. Pereira		

Resolution No. 183-10

Address: 146 Old Country Road
Petitioner: 146 OCR, LLC
Petitioner's Attorney: Certilman

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding 146 OCR, LLC, Section 9, Block 430, Lot 415 is approved.

Further resolved, that the Petitioner will receive a refund of \$3,500.00 for the tax years 2007/2008 through 2009/2010. The refund shall be payable on July 31, 2010 following the submission of a voucher along with a Judgment and Stipulation.

Motioned by Trustee Paul S. Cusato
Seconded by Trustee Thomas F. Kennedy

Vote:

Yes
Mayor Jack M. Martins
Trustee Paul S. Cusato
Trustee Thomas F. Kennedy
Trustee Paul A. Pereira

No

Abstain

Resolution No. 184-10

Address: 255 E. 2nd Street
Petitioner: 255 E. 2nd Street Realty
Petitioner's Attorney: Certilman

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding 255 E. 2nd Street Realty, Section 9, Block 663, Lot 5 and Section 9, Block 663, Lot 5 is approved.

Further resolved, that the Petitioner will receive a refund of \$6,000.00 for the tax years 2006/2007 through 2009/2010. The refund shall be payable on July 31, 2010 following the submission of a voucher along with a Judgment and Stipulation.
Motioned by Trustee Paul S. Cusato
Seconded by Trustee Thomas F. Kennedy

Vote:
Yes
Mayor Jack M. Martins
Trustee Paul S. Cusato
Trustee Thomas F. Kennedy
Trustee Paul A. Pereira

No

Abstain

Resolution No. 185-10

Address: 472 Jericho Turnpike
Petitioner: 472 Jericho Turnpike Corp.
Petitioner's Attorney: Forchelli

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding 472 Jericho Turnpike Corp., Section 9, Block 6, Lots 59-63 is approved.

Further resolved, that the Petitioner will receive a refund of \$6,200.00 for the tax years 2003/2004 through 2009/2010. The refund shall be payable on July 31, 2010 following the submission of a voucher along with a Judgment and Stipulation.
Motioned by Trustee Paul S. Cusato
Seconded by Trustee Thomas F. Kennedy

Vote:
Yes
Mayor Jack M. Martins
Trustee Paul S. Cusato
Trustee Thomas F. Kennedy
Trustee Paul A. Pereira

No

Abstain

Resolution No. 186-10

Address: 288-290 E. Jericho Turnpike
Petitioner: Beardslee Transmission Equipment
Petitioner's Attorney: Koeppel

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding Beardslee Transmission Equipment, Section 9, Block 381, Lots 10-16, 17-21, 30-31 is approved.

Further resolved, that the Petitioner will receive a refund of \$16,500.00 for the tax years 2004/2005 through 2009/2010. The refund shall be payable on July 31, 2010 following the submission of a voucher along with a Judgment and Stipulation.
Motioned by Trustee Paul S. Cusato
Seconded by Trustee Thomas F. Kennedy

Vote:
Yes
Mayor Jack M. Martins
Trustee Paul S. Cusato
Trustee Thomas F. Kennedy
Trustee Paul A. Pereira

No

Abstain

Resolution No. 187-10

Address: 205 Mineola Boulevard
Petitioner: County Seat Condo
Petitioner's Attorney: Schroder

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding County Seat Condo, Section 9, Block 401, Lot 515 is approved.

Further resolved, that the Petitioner will receive a refund of \$95,000.00 for the tax years 2000/2001 through 2007/2008. The refund shall be payable in two (2) equal installments of \$47,500.00 on July 31, 2010 and July 31, 2011 following the submission of a voucher along with a Judgment and Stipulation.

Motioned by Trustee Paul S. Cusato
Seconded by Trustee Thomas F. Kennedy

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Jack M. Martins		
Trustee Paul S. Cusato		
Trustee Thomas F. Kennedy		
Trustee Paul A. Pereira		

Resolution No. 188-10

Address: 70 E. Second Street
Petitioner: Elias Art Metal Inc.
Petitioner's Attorney: Koepfel

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding Elias Art Metal Inc., Section 9, Block 302, Lots 43-44, 46 is approved.

Further resolved, that the Petitioner will receive a refund of \$5,500.00 for the tax years 2004/2005 through 2009/2010. The refund shall be payable on July 31, 2010 following the submission of a voucher along with a Judgment and Stipulation.

Motioned by Trustee Paul S. Cusato
Seconded by Trustee Thomas F. Kennedy

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Jack M. Martins		
Trustee Paul S. Cusato		
Trustee Thomas F. Kennedy		
Trustee Paul A. Pereira		

Resolution No. 189-10

Address: 34 Willis Avenue
Petitioner: F.B. Froelich
Petitioner's Attorney: Jaspan

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding F.B. Froelich, Section 9, Block 350, Lot 125 is approved.

Further resolved, that the Petitioner will receive a refund of \$18,000.00 for the tax years 1995/1996 through 2009/2010. The refund shall be payable on July 31, 2010 following the submission of a voucher along with a Judgment and Stipulation.

Motioned by Trustee Paul S. Cusato
Seconded by Trustee Thomas F. Kennedy

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Jack M. Martins		
Trustee Paul S. Cusato		
Trustee Thomas F. Kennedy		
Trustee Paul A. Pereira		

Resolution No. 190-10

Address: 98 & 100 Willis Avenue
Petitioner: GWB Realty Associates, LLC
Petitioner's Attorney: Koepfel

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding GWB Realty Associates, Section 9, Block 452, Lots 628, 629 is approved.

Further resolved, that the Petitioner will receive a refund of \$13,000.00 for the tax years 2004/2005 through 2009/2010. The refund shall be payable on July 31, 2010 following the submission of a voucher along with a Judgment and Stipulation.

Motioned by Trustee Paul S. Cusato

Seconded by Trustee Thomas F. Kennedy

Vote:

Yes

No

Abstain

Mayor Jack M. Martins
Trustee Paul S. Cusato
Trustee Thomas F. Kennedy
Trustee Paul A. Pereira

Resolution No. 191-10

Address: 216 Old Country Road

Petitioner: JP Morgan Chase

Petitioner's Attorney: Koepfel

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding JP Morgan Chase, Section 9, Block 428, Lot 207 is approved.

Further resolved, that the Petitioner will receive a refund of \$12,000.00 for the tax years 2006/2007 through 2009/2010. The refund shall be payable on July 31, 2010 following the submission of a voucher along with a Judgment and Stipulation.

Motioned by Trustee Paul S. Cusato

Seconded by Trustee Thomas F. Kennedy

Vote:

Yes

No

Abstain

Mayor Jack M. Martins
Trustee Paul S. Cusato
Trustee Thomas F. Kennedy
Trustee Paul A. Pereira

Resolution No. 192-10

Address: 205 Front Street

Petitioner: Liakonis

Petitioner's Attorney: Meyer

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding Liakonis, Section 9, Block 422, Lots 8-9 is approved.

Further resolved, that the Petitioner will receive a refund of \$32,000.00 for the tax years 2001/2002 through 2009/2010. The refund shall be payable on July 31, 2011 following the submission of a voucher along with a Judgment and Stipulation.

Motioned by Trustee Paul S. Cusato

Seconded by Trustee Thomas F. Kennedy

Vote:

Yes

No

Abstain

Mayor Jack M. Martins
Trustee Paul S. Cusato
Trustee Thomas F. Kennedy
Trustee Paul A. Pereira

Resolution No. 193-10

Address: 54 East Jericho Turnpike

Petitioner: Lopes

Petitioner's Attorney: Schroder and Strom

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding Lopes, Section 9, Block 366, Lots 16-18, 68-69 is approved.

Further resolved, that the Petitioner will receive a refund of \$8,500.00 for the tax years 2005/2006 through 2009/2010. The refund shall be payable on July 31, 2011 following the submission of a voucher along with a Judgment and Stipulation.

Motioned by Trustee Paul S. Cusato

Trustee Paul S. Cusato
Trustee Thomas F. Kennedy
Trustee Paul A. Pereira

Resolution No. 197-10

Address: 143 Jericho Turnpike
Petitioner: SLSL Realty
Petitioner's Attorney: Koeppel

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding SLSL Realty, Section 9, Block 405, Lot 101 is approved.

Further resolved, that the Petitioner will receive a refund of \$33,800.00 for the tax years 2003/2004 through 2009/2010. The refund shall be payable in two (2) equal installments of \$16,900.00 on July 31, 2010 and July 31, 2011 following the submission of a voucher along with a Judgment and Stipulation.

Motioned by Trustee Paul S. Cusato
Seconded by Trustee Thomas F. Kennedy

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Jack M. Martins		
Trustee Paul S. Cusato		
Trustee Thomas F. Kennedy		
Trustee Paul A. Pereira		

Resolution No. 198-10

Address: 141 Willis Avenue
Petitioner: Williston Carpentry, Inc.
Petitioner's Attorney: Koeppel

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding Williston Carpentry, Inc., Section 9, Block 416, Lot 820 is approved.

Further resolved, that the Petitioner will receive a refund of \$3,500.00 for the tax years 2004/2005 through 2009/2010. The refund shall be payable on July 31, 2010 following the submission of a voucher along with a Judgment and Stipulation.

Motioned by Trustee Paul S. Cusato
Seconded by Trustee Thomas F. Kennedy

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Jack M. Martins		
Trustee Paul S. Cusato		
Trustee Thomas F. Kennedy		
Trustee Paul A. Pereira		

Resolution No. 199-10

Address: 45 E. Jericho Turnpike
Petitioner: 45 E. Jericho Realty
Petitioner's Attorney: Farrell

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding 45 E. Jericho Realty, Section 9, Block 339, Lots 8, 92 is approved.

Further resolved, that the Petitioner will receive a refund of \$10,000.00 for the tax years 2004/2005 through 2009/2010. The refund shall be payable on July 31, 2010 following the submission of a voucher along with a Judgment and Stipulation.

Motioned by Trustee Paul S. Cusato
Seconded by Trustee Thomas F. Kennedy

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Jack M. Martins		
Trustee Paul S. Cusato		
Trustee Thomas F. Kennedy		
Trustee Paul A. Pereira		

Resolution No. 200-10

Address: 140 Old Country Road
Petitioner: 140 OCR, LLC
Petitioner's Attorney: Certilman

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding 140 OCR, LLC, Section 9, Block 430, Lot 418 is approved.

Further resolved, that the Petitioner will receive a refund of \$6,500.00 for the tax years 2007/2008 through 2009/2010. The refund shall be payable on July 31, 2010 following the submission of a voucher along with a Judgment and Stipulation.

Motioned by Trustee Paul S. Cusato
Seconded by Trustee Thomas F. Kennedy

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Jack M. Martins		
Trustee Paul S. Cusato		
Trustee Thomas F. Kennedy		
Trustee Paul A. Pereira		

Resolution No. 201-10

Address: 150 Old Country Road
Petitioner: 150 OCR, LLC
Petitioner's Attorney: Certilman

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding 150 OCR, LLC, Section 9, Block 430, Lots 65, 212 is approved.

Further resolved, that the Petitioner will receive a refund of \$3,000.00 for the tax years 2007/2008 through 2009/2010. The refund shall be payable on July 31, 2010 following the submission of a voucher along with a Judgment and Stipulation.

Motioned by Trustee Paul S. Cusato
Seconded by Trustee Thomas F. Kennedy

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Jack M. Martins		
Trustee Paul S. Cusato		
Trustee Thomas F. Kennedy		
Trustee Paul A. Pereira		

Resolution No. 202-10

Address: 94 Second Street
Petitioner: Barristers Realty, LLC
Petitioner's Attorney: Koepfel

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding Barristers Realty, LLC, Section 9, Block 424, Lots 43-44 is approved.

Further resolved, that the Petitioner will receive a refund of \$7,000.00 for the tax years 2003/2004 through 2009/2010. The refund shall be payable on July 31, 2010 following the submission of a voucher along with a Judgment and Stipulation.

Motioned by Trustee Paul S. Cusato
Seconded by Trustee Thomas F. Kennedy

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Jack M. Martins		
Trustee Paul S. Cusato		
Trustee Thomas F. Kennedy		
Trustee Paul A. Pereira		

Resolution No. 203-10

Address: 145 Jericho Turnpike
Petitioner: Calicchia
Petitioner's Attorney: Cronin

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding Calicchia,

Section 9, Block 405, Lot 102 is approved.

Further resolved, that the Petitioner will receive a refund of \$7,000.00 for the tax years 2003/2004 through 2009/2010. The refund shall be payable on July 31, 2010 following the submission of a voucher along with a Judgment and Stipulation.

Motioned by Trustee Paul S. Cusato
Seconded by Trustee Thomas F. Kennedy

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Jack M. Martins		
Trustee Paul S. Cusato		
Trustee Thomas F. Kennedy		
Trustee Paul A. Pereira		

Resolution No. 204-10

Address: 258 Jericho Turnpike

Petitioner: Gerland

Petitioner's Attorney: Forchelli

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding Gerland,

Section 9, Block 274, Lot 1504 is approved.

Further resolved, that the Petitioner will receive a refund of \$8,000.00 for the tax years 2003/2004 through 2009/2010. The refund shall be payable on July 31, 2010 following the submission of a voucher along with a Judgment and Stipulation.

Motioned by Trustee Paul S. Cusato
Seconded by Trustee Thomas F. Kennedy

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Jack M. Martins		
Trustee Paul S. Cusato		
Trustee Thomas F. Kennedy		
Trustee Paul A. Pereira		

Resolution No. 205-10

Address: 32 Jericho Turnpike

Petitioner: JP Morgan Chase

Petitioner's Attorney: Koeppel

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding JP Morgan

Chase, Section 9, Block 662, Lot 19 is approved.

Further resolved, that the Petitioner will receive a refund of \$24,000.00 for the tax years 1998/1999 through 2009/2010. The refund shall be payable in two (2) equal installments of \$12,000.00 on July 31, 2011 and July 31, 2012 following the submission of a voucher along with a Judgment and Stipulation.

Motioned by Trustee Paul S. Cusato
Seconded by Trustee Thomas F. Kennedy

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Jack M. Martins		
Trustee Paul S. Cusato		
Trustee Thomas F. Kennedy		
Trustee Paul A. Pereira		

Resolution No. 206-10

Address: 181 E. Jericho Turnpike

Petitioner: JRS Properties, LLC

Petitioner's Attorney: Schroder

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding JRS Properties, LLC, Section 9, Block 267, Lot 102 is approved.

Further resolved, that the Petitioner will receive a refund of \$8,250.00 for the tax years 2000/2001 through 2009/2010. The refund shall be payable on July 31, 2010 following the submission of a voucher along with a Judgment and Stipulation.

Motioned by Trustee Paul S. Cusato
Seconded by Trustee Thomas F. Kennedy

Vote:

Yes

No

Abstain

Mayor Jack M. Martins
Trustee Paul S. Cusato
Trustee Thomas F. Kennedy
Trustee Paul A. Pereira

Resolution No. 207-10

Address: 133 Jericho Turnpike

Petitioner: Lan-AI Inc.

Petitioner's Attorney: Meyer

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding Lan-AI Inc., Section 9, Block 267, Lots 5-9 is approved.

Further resolved, that the Petitioner will receive a refund of \$12,500.00 for the tax years 2003/2004 through 2009/2010. The refund shall be payable on July 31, 2010 following the submission of a voucher along with a Judgment and Stipulation.

Motioned by Trustee Paul S. Cusato
Seconded by Trustee Thomas F. Kennedy

Vote:

Yes

No

Abstain

Mayor Jack M. Martins
Trustee Paul S. Cusato
Trustee Thomas F. Kennedy
Trustee Paul A. Pereira

Resolution No. 208-10

Address: 225 First Street

Petitioner: LLR Realty, LLC

Petitioner's Attorney: Koch

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding LLR Realty, LLC, Section 9, Block 418, Lots 118, 120, 123, 124, 127 and 131 is approved.

Further resolved, that the Petitioner will receive a refund of \$27,000.00 for the tax years 2003/2004 through 2009/2010. The refund shall be payable on July 31, 2010 following the submission of a voucher along with a Judgment and Stipulation.

Motioned by Trustee Paul S. Cusato
Seconded by Trustee Thomas F. Kennedy

Vote:

Yes

No

Abstain

Mayor Jack M. Martins
Trustee Paul S. Cusato
Trustee Thomas F. Kennedy
Trustee Paul A. Pereira

Resolution No. 209-10

Address: 410 Jericho Turnpike

Petitioner: Mineola CVS

Petitioner's Attorney: Koepfel

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding Mineola CVS, Section 9, Block 2, Lots 69-72, 73, 83-86 is approved.

Further resolved, that the Petitioner will receive a refund of \$25,000.00 for the tax years 2003/2004 through 2009/2010. The refund shall be payable in two (2) equal installments of \$12,500.00 on July 31, 2010 and July 31, 2011 following the submission of a voucher along with a Judgment and Stipulation.

Motioned by Trustee Paul S. Cusato
Seconded by Trustee Thomas F. Kennedy

Vote:

Yes

No

Abstain

Mayor Jack M. Martins
Trustee Paul S. Cusato
Trustee Thomas F. Kennedy
Trustee Paul A. Pereira

Resolution No. 210-10

Address: 33 Willis Avenue
Petitioner: OCR/Willis, LLC
Petitioner's Attorney: Certilman

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding OCR/Willis, LLC, Section 9, Block 430, Lot 419 is approved.

Further resolved, that the Petitioner will receive a refund of \$3,000.00 for the tax years 2007/2008 through 2009/2010. The refund shall be payable on July 31, 2010 following the submission of a voucher along with a Judgment and Stipulation.
Motioned by Trustee Paul S. Cusato
Seconded by Trustee Thomas F. Kennedy

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Jack M. Martins		
Trustee Paul S. Cusato		
Trustee Thomas F. Kennedy		
Trustee Paul A. Pereira		

Resolution No. 211-10

Address: 174 Jericho Turnpike
Petitioner: Ping Hui
Petitioner's Attorney: Forchelli

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding Ping Hui, Section 9, Block 322, Lot 28 is approved.

Further resolved, that the Petitioner will receive a refund of \$6,000.00 for the tax years 2004/2005 through 2009/2010. The refund shall be payable on July 31, 2010 following the submission of a voucher along with a Judgment and Stipulation.
Motioned by Trustee Paul S. Cusato
Seconded by Trustee Thomas F. Kennedy

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Jack M. Martins		
Trustee Paul S. Cusato		
Trustee Thomas F. Kennedy		
Trustee Paul A. Pereira		

Resolution No. 212-10

Address: 515 Jericho Turnpike
Petitioner: Rodi
Petitioner's Attorney: Meyer

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding Rodi, Section 9, Block 34, Lots 33, 34-38, 204, 306 is approved.

Further resolved, that the Petitioner will receive a refund of \$3,500.00 for the tax years 2006/2007 through 2009/2010. The refund shall be payable on July 31, 2011 following the submission of a voucher along with a Judgment and Stipulation.
Motioned by Trustee Paul S. Cusato
Seconded by Trustee Thomas F. Kennedy

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Jack M. Martins		
Trustee Paul S. Cusato		
Trustee Thomas F. Kennedy		
Trustee Paul A. Pereira		

Resolution No. 213-10

Address: Jackson Avenue
Petitioner: Valente Contracting
Petitioner's Attorney: Cronin

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding Valente Contracting, Section 9, Block 462, Lots 595-598, 502 is approved.

Further resolved, that the Petitioner will receive a refund of \$7,500.00 for the tax years 2003/2004 through 2009/2010. The refund shall be payable on July 31, 2010 following the submission of a voucher along with a Judgment and Stipulation.
Motioned by Trustee Paul S. Cusato
Seconded by Trustee Thomas F. Kennedy

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Jack M. Martins		
Trustee Paul S. Cusato		
Trustee Thomas F. Kennedy		
Trustee Paul A. Pereira		

Resolution No. 214-10

Address: 146-150 Harrison Avenue
Petitioner: Zito
Petitioner's Attorney: Forchelli

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding Zito, Section 9, Block 412, Lots 769-774 is approved.

Further resolved, that the Petitioner will receive a refund of \$42,500.00 for the tax years 2003/2004 through 2009/2010. The refund shall be payable in two (2) equal installments of \$21,250.00 on July 31, 2010 and July 31, 2011 following the submission of a voucher along with a Judgment and Stipulation.
Motioned by Trustee Paul S. Cusato
Seconded by Trustee Thomas F. Kennedy

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Jack M. Martins		
Trustee Paul S. Cusato		
Trustee Thomas F. Kennedy		
Trustee Paul A. Pereira		

Resolution No. 215-10

Address: 250 Old Country Road
Petitioner: Keyspan
Petitioner's Attorney: Koeppel

Resolved, that the payment of the previously approved 2010/2011 tax certiorari obligation of \$110,000.00 regarding Keyspan, Section 9, Block 675, Lots 2A, 4, 5, 6 and 7, be paid from the 2009/2010 budget year.
Motioned by Trustee Paul A. Pereira
Seconded by Trustee Thomas F. Kennedy

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Jack M. Martins		
Trustee Paul S. Cusato		
Trustee Thomas F. Kennedy		
Trustee Paul A. Pereira		

Resolution No. 216-10

Address: 393 Jericho Turnpike
Petitioner: 393 Jericho Turnpike Associates, LLC
Petitioner's Attorney: Koeppel

Resolved, that the payment of the previously approved 2010/2011 tax certiorari obligation of \$21,666.00 regarding 393 Jericho Turnpike Associates, LLC, Section 9, Block 22, Lots 28-34, 55-62, 69-70 and Section 9, Block 3, Lot 163, be paid from the 2009/2010 budget year.
Motioned by Trustee Paul A. Pereira
Seconded by Trustee Thomas F. Kennedy

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Jack M. Martins		

Trustee Paul S. Cusato
Trustee Thomas F. Kennedy
Trustee Paul A. Pereira

Resolution No. 217-10

Address: 110 Willis Avenue
Petitioner: Day-Op Surgery
Petitioner's Attorney: Cronin

Resolved, that the payment of the previously approved 2010/2011 tax certiorari obligation of \$15,000.00 regarding Day-Op Surgery, Section 9, Block 452, Lot 615, be paid from the 2009/2010 budget year.
Motioned by Trustee Paul A. Pereira
Seconded by Trustee Thomas F. Kennedy

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Jack M. Martins		
Trustee Paul S. Cusato		
Trustee Thomas F. Kennedy		
Trustee Paul A. Pereira		

Resolution No. 218-10

Address: 400-408 Old Country Road
Petitioner: Fairhaven Apartments
Petitioner's Attorney: Meyer

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding Fairhaven Apartments, Section 9, Block 670, Lots 13A, 13B is approved.

Further resolved, that the Petitioner will receive a refund of \$315,000.00 for the tax years 2002/2003 through 2007/2008. The refund shall be payable in two (2) installments of \$120,000.00 on July 31, 2010 and \$195,000.00 on July 31, 2011 following the submission of a voucher along with a Judgment and Stipulation.

Further resolved, that the first installment payment of \$120,000.00 shall be as follows: \$51,257.00 shall be from the 2010/2011 Budget and \$68,743.00 shall be from the fund balance in the 2009/2010 Budget.
Motioned by Trustee Thomas F. Kennedy
Seconded by Trustee Paul S. Cusato

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Jack M. Martins		
Trustee Paul S. Cusato		
Trustee Thomas F. Kennedy		
Trustee Paul A. Pereira		

Mayor Jack M. Martins updated residents on the Garden City Verizon facility at 13th Avenue stating that the Village of Garden City and Verizon have retained their own consultants and they will be coordinating with the Village of Mineola's consultant in performing tests at the site. Mayor Martins further stated that he will be meeting with the Chamber of Commerce to discuss the scope and location of the Street Fair scheduled in September.

Mayor Jack M. Martins requested a motion to close the Work Session at 7:17 PM.

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

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Jack M. Martins		
Trustee Paul S. Cusato		
Trustee Thomas F. Kennedy		
Trustee Paul A. Pereira		