

Minutes - Board Meeting –08/08/12

Minutes of the meeting of the Board of Trustees of the Incorporated Village of Mineola held Wednesday, August 8, 2012 at Village Hall, 155 Washington Avenue, Mineola, New York 11501.

PRESENT: Mayor Scott P. Strauss
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Trustee Paul A. Pereira
Trustee George R. Durham

ALSO PRESENT: Village Attorney John Spellman
Village Clerk Joseph R. Scalero
Deputy Village Clerk Cora T. Kelly
Superintendent of Buildings Daniel B. Whalen

Press Observers: Rich Forestano, *Mineola American*
Rich Tedesco, *Williston Times*
Geoffrey Walter, *Patch .com*

Sunshine Observers: 28 Observers

Mayor Scott P. Strauss called the Public Hearing to order at 6:40 PM

A continuation of May 23, 2012 Public Hearing was held at 6:40 PM at the Village Hall, 155 Washington Avenue, Mineola, New York, 11501 in order to receive public comment upon the following:

APPLICATION OF 250 OLD COUNTRY ROAD LLC FOR A SPECIAL PERMIT PURSUANT TO CHAPTER 30 OF THE CODE OF THE INCORPORATED VILLAGE OF MINEOLA ENTITLED "ZONING", SECTION 30.5(A) (DEVELOPMENT INCENTIVE BONUS LAW), FOR THE CONSTRUCTION OF 345 RENTAL UNITS IN THE B-3 ZONE UPON THE PROPERTY LOCATED AT 250 OLD COUNTRY ROAD, MINEOLA, NEW YORK.

6 Speakers addressed the Board

Resolution No. 201-12

Resolved to declare the application of 250 Old Country Road. LLC for a special permit at 250 Old Country Road, Mineola NY as an unlisted action with a negative declaration under the New York State Environment Quality Review Act (SEQRA).

Motioned by Trustee Lawrence A. Werther
Seconded by Trustee Paul A. Pereira

Village Clerk Joseph R. Scalero polled the Board

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Trustee Lawrence A. Werther		
Trustee Paul A. Pereira		
Trustee Paul S. Cusato		
Trustee George R. Durham		
Mayor Scott P. Strauss		

Mayor Scott P. Strauss requested a motion to close the hearing and reserve decision at 8:10 PM.

Motioned by Trustee Paul A. Pereira
Seconded by Trustee Lawrence A. Werther

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Scott P. Strauss		
Trustee Lawrence A. Werther		
Trustee Paul A. Pereira		
Trustee Paul S. Cusato		
Trustee George R. Durham		

Mayor Scott P. Strauss called the Work Session to order at 8:25 PM.

PRESENT: Mayor Scott P. Strauss
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Trustee Paul A. Pereira
Trustee George R. Durham

ALSO PRESENT: Village Attorney John Spellman
Village Clerk Joseph R. Scalero
Deputy Village Clerk Cora T. Kelly
Superintendent of Buildings Daniel B. Whalen

Press Observers: Rich Forestano, *Mineola American*
Rich Tedesco, *Williston Times*
Geoffrey Walter, *Patch .com*

Sunshine Observers: 9 Observers

Resolution No. 202-12

Resolved to approve bills and payroll.

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

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Scott P. Strauss		
Trustee Lawrence A. Werther		
Trustee Paul S. Cusato		
Trustee Paul A. Pereira		
Trustee George R. Durham		

Resolution No. 203-12

Resolved to approve a request of The Irish American Society of Nassau, Suffolk & Queens, Inc. for the use of village roads to conduct a St. Patrick's Day Parade on Sunday March 3, 2013 at 1:00 PM.

Motioned by Trustee Lawrence A. Werther
Seconded by Trustee Paul A. Pereira

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Scott P. Strauss		
Trustee Lawrence A. Werther		
Trustee Paul S. Cusato		
Trustee Paul A. Pereira		
Trustee George R. Durham		

Resolution No. 204-12

Resolved to authorize the Superintendent of Public Works and the Deputy Superintendent of Public Works to attend the annual NYCOM Public Works Training School in Canandaigua, New York, October 22 – October 24, 2012.

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

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Scott P. Strauss		
Trustee Lawrence A. Werther		
Trustee Paul S. Cusato		
Trustee Paul A. Pereira		
Trustee George R. Durham		

Resolution No. 205-12

Resolved to approve a request by Winthrop University Hospital for the use of the Community Center auditorium for its 2012-2013 Wellness Education program series, "Health Update for Seniors and Their Families" from 1:00 PM – 3:00 PM on the following dates:

September 10, 2012	March 13, 2013
October 10, 2012	April 10, 2013
November 14, 2012	May 8, 2013
December 12, 2012	June 12, 2013

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

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Scott P. Strauss		
Trustee Lawrence A. Werther		
Trustee Paul S. Cusato		
Trustee Paul A. Pereira		
Trustee George R. Durham		

Resolution No. 206-12

Resolved to approve a request by Winthrop University Hospital for the use of the Community Center auditorium for its free community wellness education program series from 6:00 PM – 9:00 PM on the following dates:

Tuesday, October 2, 2012	Tuesday, October 30, 2012 (5-9 PM)
Tuesday, October 16, 2012	Thursday, November 8, 2012
Thursday, October 18, 2012	Tuesday, November 13, 2012
Tuesday, October 23, 2012	Thursday, November 15, 2012
Tuesday, April 30, 2013	Thursday, May 2, 2013
Tuesday, May 14, 2013	

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

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Scott P. Strauss		
Trustee Lawrence A. Werther		
Trustee Paul S. Cusato		
Trustee Paul A. Pereira		
Trustee George R. Durham		

Resolution No. 207-12

Resolved to approve a request by Grace International Assembly of God Church to remove its Landmark Status designation in order to replace its current church with a newly remodeled church.

Motioned by Trustee Paul A. Pereira
Seconded by Trustee Lawrence A. Werther

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Scott P. Strauss		
Trustee Lawrence A. Werther		
Trustee Paul S. Cusato		
Trustee Paul A. Pereira		
Trustee George R. Durham		

Village Attorney John M. Spellman reported on the 2011/2012 Tax Certiorari cases which were settled during the 2012/2013 Tax Year with the total settlement amounting to \$584,636.00 funding for which falls within the 2011/2012 annual budget appropriation.

Resolution No. 208-12

Address: 23 Roslyn Rd.
Petitioner: 23 Roslyn Rd. LLC
Petitioner's Attorney: Koepfel

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough Polizzi & Truncale, LLP, regarding 23 Roslyn Rd LLC, Section 9, Block 355, Lot(s) 32 is approved.

Further resolved, that the Petitioner will receive a refund of \$6,000.00 for the tax years 2005/2006 through 2011/2012. The refund shall be payable 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 Paul A. Pereira

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Scott P. Strauss		
Trustee Lawrence A. Werther		
Trustee Paul S. Cusato		
Trustee Paul A. Pereira		
Trustee George R. Durham		

Resolution No. 209-12

Address: 90 Jericho Turnpike
Petitioner: 90 Jericho Turnpike LLC
Petitioner's Attorney: Schroeder & Strom

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough Polizzi & Truncale, LLP, regarding 90 Jericho Turnpike

LLC, Section 9, Block 336, Lot(s) 418-432 is approved.

Further resolved, that the Petitioner will receive a refund of \$17,500.00 for the tax years 2005/2006 through 2011/2012. The refund shall be payable 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 Paul A. Pereira

Vote:

Yes

No

Abstain

Mayor Scott P. Strauss
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Trustee Paul A. Pereira
Trustee George R. Durham

Resolution No. 210-12

Address: 152 Jericho Turnpike

Petitioner: 152 Jericho Turnpike Realty Corp.

Petitioner's Attorney: Murphy & Lynch

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough Polizzi & Truncale, LLP, regarding 152 Jericho Turnpike Realty Corp., Section 9, Block 322, Lot(s) 16-17 is approved.

Further resolved, that the Petitioner will receive a refund of \$4,500.00 for the tax years 2006/2007 through 2011/2012. The refund shall be payable 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 Paul A. Pereira

Vote:

Yes

No

Abstain

Mayor Scott P. Strauss
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Trustee Paul A. Pereira
Trustee George R. Durham

Resolution No. 211-12

Address: 161 Willis Avenue

Petitioner: 161 Willis Avenue Realty Corp.

Petitioner's Attorney: Murphy & Lynch

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough Polizzi & Truncale, LLP, regarding 161 Willis Avenue Realty Corp., Section 9, Block 412, Lot(s) 793 is approved.

Further resolved, that the Petitioner will receive a refund of \$4,000.00 for the tax years 2006/2007 through 2011/2012. The refund shall be payable 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 Paul A. Pereira

Vote:

Yes

No

Abstain

Mayor Scott P. Strauss
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Trustee Paul A. Pereira
Trustee George R. Durham

Resolution No. 212-12

Address: 260 East Jericho Turnpike

Petitioner: 260 East Jericho Corp.

Petitioner's Attorney: Meyer Suozzi

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough Polizzi & Truncale, LLP, regarding 260 East Jericho Corp., Section 9, Block 381, Lot(s) 57 is approved.

Further resolved, that the Petitioner will receive a refund of \$9,000.00 for the tax years 2007/2008 through 2011/2012. The refund shall be payable 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 Paul A. Pereira

Vote:

Yes

No

Abstain

Mayor Scott P. Strauss
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Trustee Paul A. Pereira
Trustee George R. Durham

Resolution No. 213-12

Address: 361-363 Hillside Avenue

Petitioner: 361 Hillside Corp.

Petitioner's Attorney: Forchelli

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough Polizzi & Truncale, LLP, regarding 361 Hillside Corp., Section 9, Block 13, Lot(s) 366 is approved.

Further resolved, that the Petitioner will receive a refund of \$3,000.00 for

the tax years 2006/2007 through 2011/2012. The refund shall be payable 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 Paul A. Pereira

Vote:

Yes

No

Abstain

Mayor Scott P. Strauss
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Trustee Paul A. Pereira
Trustee George R. Durham

Resolution No. 214-12

Address: Second Street
Petitioner: Allen Air Corporation
Petitioner's Attorney: Certilman

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough Polizzi & Truncale, LLP, regarding Allen Air Corporation , Section 9, Block 663, Lot(s) 33 is approved.

Further resolved, that the Petitioner will receive a refund of \$3,000.00 for the tax years 2008/2009 through 2011/2012. The refund shall be payable 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 Paul A. Pereira

Vote:

Yes

No

Abstain

Mayor Scott P. Strauss
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Trustee Paul A. Pereira
Trustee George R. Durham

Resolution No. 215-12

Address: 120 Front Street
Petitioner: Boockvar
Petitioner's Attorney: Jaspan

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough Polizzi & Truncale, LLP, regarding Boockvar, Section 9, Block 417, Lot(s) 50, 519, 520 is approved.

Further resolved, that the Petitioner will receive a refund of \$1,000.00 for the tax years 2006/2007 through 2011/2012. The refund shall be payable 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 Paul A. Pereira

Vote:

Yes

No

Abstain

Mayor Scott P. Strauss
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Trustee Paul A. Pereira
Trustee George R. Durham

Resolution No. 216-12

Address: 258 Second Street

Petitioner: Burns Realty Inc.

Petitioner's Attorney: Koepfel

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough Polizzi & Truncale, LLP, regarding Burns Realty Inc., Section 9, Block 663, Lot(s) 25 is approved.

Further resolved, that the Petitioner will receive a refund of \$8,000.00 for the tax years 2006/2007 through 2011/2012. The refund shall be payable 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 Paul A. Pereira

Vote:

Yes

No

Abstain

Mayor Scott P. Strauss
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Trustee Paul A. Pereira
Trustee George R. Durham

Resolution No. 217-12

Address: 184 Old Country Rd.

Petitioner: Dr. Butani

Petitioner's Attorney: Meyer Suozzi

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough Polizzi & Truncale, LLP, regarding Dr. Butani, Section 9, Block 429, Lot(s) 4, 137, 139 is approved.

Further resolved, that the Petitioner will receive a refund of \$9,700.00 for the tax years 2006/2007 through 2011/2012. The refund shall be payable 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 Paul A. Pereira

Vote:

Yes

No

Abstain

Mayor Scott P. Strauss
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Trustee Paul A. Pereira
Trustee George R. Durham

Resolution No. 218-12

Address: 80 East Jericho Turnpike
Petitioner: CVI Realty Associates Inc.
Petitioner's Attorney: Schroeder & Strom

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough Polizzi & Truncale, LLP, regarding CVI Realty Associates Inc., Section 9, Block 362, Lot(s) 53-62, 89 is approved.

Further resolved, that the Petitioner will receive a refund of \$13,700.00 for the tax years 2005/2006 through 2011/2012. The refund shall be payable 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 Paul A. Pereira

Vote:

Yes

No

Abstain

Mayor Scott P. Strauss
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Trustee Paul A. Pereira
Trustee George R. Durham

Resolution No. 219-12

Address: 328 Sagamore Avenue
Petitioner: D&A Properties
Petitioner's Attorney: Jaspan

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough Polizzi & Truncale, LLP, regarding D&A Properties, Section 9, Block 662, Lot(s) 24 is approved.

Further resolved, that the Petitioner will receive a refund of \$3,800.00 for the tax years 2003/2004 through 2011/2012. The refund shall be payable 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 Paul A. Pereira

Vote:

Yes

No

Abstain

Mayor Scott P. Strauss
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Trustee Paul A. Pereira
Trustee George R. Durham

Resolution No. 220-12

Address: 126 Herricks Rd.

Petitioner: Michael & Rocco D'Amelio

Petitioner's Attorney: Koch

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough Polizzi & Truncale, LLP, regarding Michael & Rocco D'Amelio, Section 9, Block 39, Lot(s) 36 is approved.

Further resolved, that the Petitioner will receive a refund of \$4,350.00 for the tax years 2005/2006 through 2011/2012. The refund shall be payable 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 Paul A. Pereira

Vote:

Yes

No

Abstain

Mayor Scott P. Strauss
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Trustee Paul A. Pereira
Trustee George R. Durham

Resolution No. 221-12

Address: 297 Mineola Blvd.

Petitioner: Danjonico Realty LLC

Petitioner's Attorney: Forchelli

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough Polizzi & Truncale, LLP, regarding Danjonico Realty LLC, Section 9, Block 313, Lot(s) 125, 126 is approved.

Further resolved, that the Petitioner will receive a refund of \$4,200.00 for the tax years 2006/2007 through 2011/2012. The refund shall be payable 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 Paul A. Pereira

Vote:

Yes

No

Abstain

Mayor Scott P. Strauss
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Trustee Paul A. Pereira
Trustee George R. Durham

Resolution No. 222-12

Address: 120 Clinton Avenue
Petitioner: Embassy Apartments
Petitioner's Attorney: Koepfel

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough Polizzi & Truncale, LLP, regarding Embassy Apartments, Section 9, Block 460, Lot(s) 76-78 is approved.

Further resolved, that the Petitioner will receive a refund of \$8,000.00 for the tax years 2008/2009 through 2011/2012. The refund shall be payable 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 Paul A. Pereira

Vote:

Yes

No

Abstain

Mayor Scott P. Strauss
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Trustee Paul A. Pereira
Trustee George R. Durham

Resolution No. 223-12

Address: 216 Second Street
Petitioner: F&M Realty
Petitioner's Attorney: Koepfel

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough Polizzi & Truncale, LLP, regarding F&M Realty, Section 9, Block 73, Lot(s) 36-39, 40-43, 44-48 is approved.

Further resolved, that the Petitioner will receive a refund of \$27,000.00 for the tax years 1999/2000 through 2011/2012. The refund shall be payable in two (2) equal installments of \$13,500.00 on July 31, 2012 and July 31, 2013 following the submission of a voucher along with a Judgment and Stipulation.

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

Vote:

Yes

No

Abstain

Mayor Scott P. Strauss
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Trustee Paul A. Pereira
Trustee George R. Durham

Resolution No. 224-12

Address: 194 First Street

Petitioner: First National Bank of Long Island

Petitioner's Attorney: Herman Katz

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough Polizzi & Truncale, LLP, regarding First National Bank of Long Island, Section 9, Block 415, Lot(s) 119 is approved.

Further resolved, that the Petitioner will receive a refund of \$2,000.00 for the tax years 2005/2006 through 2011/2012. The refund shall be payable 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 Paul A. Pereira

Vote:

Yes

No

Abstain

Mayor Scott P. Strauss
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Trustee Paul A. Pereira
Trustee George R. Durham

Resolution No. 225-12

Address: 71 Jericho Turnpike

Petitioner: Gaspar Industries Inc.

Petitioner's Attorney: Santemma

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough Polizzi & Truncale, LLP, regarding Gaspar Industries Inc., Section 9, Block 451, Lot(s) 477 is approved.

Further resolved, that the Petitioner will receive a refund of \$13,000.00 for the tax years 1998/1999 through 2011/2012. The refund shall be payable 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 Paul A. Pereira

Vote:

Yes

No

Abstain

Mayor Scott P. Strauss
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Trustee Paul A. Pereira
Trustee George R. Durham

Resolution No. 226-12

Address: 77 Jericho Turnpike
Petitioner: Gaspar Industries Inc.
Petitioner's Attorney: Santemma

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough Polizzi & Truncale, LLP, regarding Gaspar Industries Inc., Section 9, Block 451, Lot(s) 476 is approved.

Further resolved, that the Petitioner will receive a refund of \$64,000.00 for the tax years 1998/1999 through 2011/2012. The refund shall be payable in two equal installments of \$32,000.00 on July 31, 2012 and July 31, 2013 following the submission of a voucher along with a Judgment and Stipulation.

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

Vote:

Yes

No

Abstain

Mayor Scott P. Strauss
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Trustee Paul A. Pereira
Trustee George R. Durham

Resolution No. 227-12

Address: 251-253 Mineola Blvd.
Petitioner: Rosalina Gomes
Petitioner's Attorney: Koepfel

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough Polizzi & Truncale, LLP, regarding Rosalina Gomes, Section 9, Block 398, Lot(s) 185-186 is approved.

Further resolved, that the Petitioner will receive a refund of \$26,000.00 for the tax years 1998/1999 through 2011/2012. The refund shall be payable in two equal installments of \$13,000.00 on July 31, 2012 and July 31, 2013 following the submission of

a voucher along with a Judgment and Stipulation.

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

Vote:

Yes

No

Abstain

Mayor Scott P. Strauss
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Trustee Paul A. Pereira
Trustee George R. Durham

Resolution No. 228-12

Address: 179 Liberty Avenue

Petitioner: Great Falls Properties LLC

Petitioner's Attorney: Meyer Suozzi

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough Polizzi & Truncale, LLP, regarding Great Falls Properties LLC, Section 9, Block 300, Lot(s) 14-22 is approved.

Further resolved, that the Petitioner will receive a refund of \$17,000.00 for the tax years 2006/2007 through 2011/2012. The refund shall be payable 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 Paul A. Pereira

Vote:

Yes

No

Abstain

Mayor Scott P. Strauss
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Trustee Paul A. Pereira
Trustee George R. Durham

Resolution No. 229-12

Address: 500 Jericho Turnpike

Petitioner: KP Mineola

Petitioner's Attorney: Koeppel

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough Polizzi & Truncale, LLP, regarding KP Mineola, Section 9, Block 19, Lot(s) 32, 131 is approved.

Further resolved, that the Petitioner will receive a refund of \$3,500.00 for the tax years 2007/2008 through 2011/2012. The refund shall be payable 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 Paul A. Pereira

Vote:

Yes

No

Abstain

Mayor Scott P. Strauss
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Trustee Paul A. Pereira
Trustee George R. Durham

Resolution No. 230-12

Address: 129 Third Street

Petitioner: John Lawlor

Petitioner's Attorney: Jaspan

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough Polizzi & Truncale, LLP, regarding John Lawlor, Section 9, Block 350, Lot(s) 18 is approved.

Further resolved, that the Petitioner will receive a refund of \$4,500.00 for the tax years 2005/2006 through 2011/2012. The refund shall be payable 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 Paul A. Pereira

Vote:

Yes

No

Abstain

Mayor Scott P. Strauss
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Trustee Paul A. Pereira
Trustee George R. Durham

Resolution No. 231-12

Address: 142-150 Jericho Turnpike

Petitioner: Mancar Realty Corp.

Petitioner's Attorney: Schroeder & Strom

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough Polizzi & Truncale, LLP, regarding Mancar Realty Corp., Section 9, Block 322, Lot(s) 12, 13, 214 is approved.

Further resolved, that the Petitioner will receive a refund of \$9,053.00 for the tax years 2004/2005 through 2011/2012. The refund shall be payable 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 Paul A. Pereira

Vote:

Yes

No

Abstain

Mayor Scott P. Strauss
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Trustee Paul A. Pereira
Trustee George R. Durham

Resolution No. 232-12

Address: 100 East Jericho Turnpike
Petitioner: Nutrition Warehouse
Petitioner's Attorney: Schroeder & Strom

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough Polizzi & Truncale, LLP, regarding Nutrition Warehouse, Section 9, Block 362, Lot(s) 81 is approved.

Further resolved, that the Petitioner will receive a refund of \$4,500.00 for the tax years 2000/2001 through 2008/2009. The refund shall be payable on July 1, 2012 following the submission of a voucher along with a Judgment and Stipulation.

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

Vote:

Yes

No

Abstain

Mayor Scott P. Strauss
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Trustee Paul A. Pereira
Trustee George R. Durham

Resolution No. 233-12

Address: 106 East Jericho Turnpike
Petitioner: Nutrition Warehouse
Petitioner's Attorney: Schroeder & Strom

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough Polizzi & Truncale, LLP, regarding Nutrition Warehouse, Section 9, Block 362, Lot(s) 37-40, 70-71 is approved.

Further resolved, that the Petitioner will receive a refund of \$24,000.00 for the tax years 2001/2002 through 2007/2008. The refund shall be payable on July 1, 2012 following the submission of a voucher along with a Judgment and Stipulation.

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

Vote:

Yes

No

Abstain

Mayor Scott P. Strauss
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Trustee Paul A. Pereira
Trustee George R. Durham

Resolution No. 234-12

Address: 157-161 Jericho Turnpike
Petitioner: Piccola Bussola Restaurant
Petitioner's Attorney: Meyer Suozzi

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough Polizzi & Truncale, LLP, regarding Piccola Bussola Restaurant, Section 9, Block 405, Lot(s) 158 is approved.

Further resolved, that the Petitioner will receive a refund of \$12,500.00 for the tax years 2005/2006 through 2011/2012. The refund shall be payable 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 Paul A. Pereira

Vote:

Yes

No

Abstain

Mayor Scott P. Strauss
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Trustee Paul A. Pereira
Trustee George R. Durham

Resolution No. 235-12

Address: 190 Mineola Blvd.
Petitioner: President Apartments
Petitioner's Attorney: Koepfel

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough Polizzi & Truncale, LLP, regarding President Apartments, Section 9, Block 410, Lot(s) 534-541, 585-592 is approved.

Further resolved, that the Petitioner will receive a refund of \$20,000.00 for the tax years 2006/2007 through 2011/2012. The refund shall be payable 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 Paul A. Pereira

Vote:

Yes

No

Abstain

Mayor Scott P. Strauss
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Trustee Paul A. Pereira
Trustee George R. Durham

Resolution No. 236-12

Address: 276-282 Jericho Turnpike

Petitioner: Rard Realty Inc.

Petitioner's Attorney: Farrell Fritz

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough Polizzi & Truncale, LLP, regarding Rard Realty Inc., Section 9, Block 296, Lot(s) 103,104,105,106 is approved.

Further resolved, that the Petitioner will receive a refund of \$13,000.00 for the tax years 2008/2009 through 2011/2012. The refund shall be payable 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 Paul A. Pereira

Vote:

Yes

No

Abstain

Mayor Scott P. Strauss
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Trustee Paul A. Pereira
Trustee George R. Durham

Resolution No. 237-12

Address: 267 East Jericho Turnpike

Petitioner: Stateside

Petitioner's Attorney: Koepfel

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough Polizzi & Truncale, LLP, regarding Stateside, Section 9, Block 259, Lot(s) 45 is approved.

Further resolved, that the Petitioner will receive a refund of \$7,000.00 for the tax years 2005/2006 through 2011/2012. The refund shall be payable 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 Paul A. Pereira

Vote:

Yes

No

Abstain

Mayor Scott P. Strauss
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Trustee Paul A. Pereira
Trustee George R. Durham

Resolution No. 238-12

Address: Pomander Road
Petitioner: We Won Realty
Petitioner's Attorney: Koeppel

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough Polizzi & Truncale, LLP, regarding We Won Realty, Section 9, Block 320, Lot(s) 134, 149 is approved.

Further resolved, that the Petitioner will receive a refund of \$4,000.00 for the tax years 2005/2006 through 2011/2012. The refund shall be payable 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 Paul A. Pereira

Vote:

Yes

No

Abstain

Mayor Scott P. Strauss
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Trustee Paul A. Pereira
Trustee George R. Durham

Resolution No. 239-12

Address: 286 First Street
Petitioner: Winthrop
Petitioner's Attorney: Farrell Fritz

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough Polizzi & Truncale, LLP, regarding Winthrop, Section 9, Block 393, Lot(s) 111 is approved.

Further resolved, that the Petitioner will receive a refund of \$70,000.00 for the tax years 2004/2005 through 2011/2012. The refund shall be payable in two (2) equal installments of \$35,000.00 on July 31, 2012 and July 31, 2013 following the submission of a voucher along with a Judgment and Stipulation.

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

Vote:

Yes

No

Abstain

Mayor Scott P. Strauss
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Trustee Paul A. Pereira
Trustee George R. Durham

Resolution No. 240-12

Address: 290 Old Country Rd.

Petitioner: Winthrop

Petitioner's Attorney: Farrell Fritz

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough Polizzi & Truncale, LLP, regarding Winthrop, Section 9, Block 434, Lot(s) 78A-78B, 79A-79B, 82-83, 80A-80B, 81A-81B is approved.

Further resolved, that the Petitioner will receive a refund of \$32,000.00 for the tax years 2004/2005 through 2011/2012. The refund shall be payable in two (2) equal installments of \$16,000.00 on July 31, 2012 and July 31, 2013 following the submission of a voucher along with a Judgment and Stipulation.

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

Vote:

Yes

No

Abstain

Mayor Scott P. Strauss
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Trustee Paul A. Pereira
Trustee George R. Durham

Resolution No. 241-12

Address: 288 Old Country Rd.

Petitioner: Winthrop

Petitioner's Attorney: Farrell Fritz

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough Polizzi & Truncale, LLP, regarding Winthrop, Section 9, Block 434, Lot(s) 76A-76B, 77A-77B, 91 is approved.

Further resolved, that the Petitioner will receive a refund of \$15,000.00 for the tax years 2005/2006 through 2011/2012. The refund shall be payable 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 Paul A. Pereira

Vote:

Yes

No

Abstain

Mayor Scott P. Strauss
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Trustee Paul A. Pereira
Trustee George R. Durham

Village Attorney John M. Spellman stated that he received an appraisal in response to an East Jericho business owner's request to lease vacant Village owned property on East Jericho Turnpike and commented that the business rejected the proposed lease price, but made a counter offer to purchase. This offer can be considered at a future Board meeting.

Mayor Scott R. Strauss requested a motion to close the Work Session at 8:40 PM

Motioned by Trustee Lawrence A. Werther
Seconded by Trustee Paul A. Pereira

Vote:

Yes

No

Abstain

Mayor Scott P. Strauss
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Trustee Paul A. Pereira
Trustee George R. Durham