

INCORPORATED VILLAGE OF MINEOLA

HEARING OF THE  
BOARD OF TRUSTEES

January 10, 2018  
6:30 o'clock p.m.

B e f o r e:

SCOTT P. STRAUSS,  
Mayor,  
PAUL A. PEREIRA, Deputy Mayor,  
PAUL S. CUSATO,  
GEORGE R. DURHAM,  
DENNIS J. WALSH,  
Trustees.

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JOHN P. GIBBONS, JR., ESQ.  
Village Attorney

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JOSEPH R. SCALERO,  
Village Clerk

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PATRICIA A. TAUBER, RPR  
Official Court Reporter

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1 MR. SCALERO: Ladies and gentlemen, please  
2 silence all pagers and cell phones. In the event of an  
3 emergency there are exits located in the rear of the  
4 room.

5 MAYOR STRAUSS: Evening, folks. We have a  
6 couple of hearings on the agenda tonight. We are going  
7 to hear 393 Jericho Turnpike first.

8 Mr. Scalero?

9 MR. SCALERO: Yes.

10 "Legal Notice, Public Hearing, Incorporated  
11 Village of Mineola.

12 "Please take Notice that the Board of Trustees  
13 of the Incorporated Village of Mineola will hold a Public  
14 Hearing on Wednesday, January 10, 2018 at 6:30 p.m. at  
15 the Village Hall, 155 Washington Avenue, Mineola, New  
16 York 11501, or at some other location to be hereafter  
17 designated by the Board of Trustees, in order to receive  
18 public comment upon the following:

19 "Application of Patricia M. Russo for a Special  
20 Use Permit pursuant to Chapter 550 of the Code of the  
21 Incorporated Village of Mineola, entitled 'Zoning',  
22 Section 550.12, entitled 'B-1 Districts', Subsection (B),  
23 entitled 'Special Uses', to establish a children's math,  
24 reading and writing learning center upon the property  
25 known as 393 Jericho Turnpike, Mineola, New York, known

1 and designated on the Nassau County Land and Tax Map as  
2 Section 9, Block 22, Lots 28-34, 55-62 and 69-70."

3 "The Village of Mineola does not discriminate  
4 on the basis of handicapped status in administration or  
5 access to or employment in its projects and activities.  
6 Joseph R. Scalero has been directed to coordinate  
7 compliance with non-discrimination requirements of the  
8 Federal Revenue Sharing regulations.

9 "At this scheduled meeting of its Board of  
10 Trustees reserved decisions from previous meetings, if  
11 any, may be acted upon by the Board of Trustees.

12 "At the aforesaid time and place all interested  
13 persons will be given an opportunity to be heard.

14 "By Order of the Board of Trustees of the  
15 Incorporated Village of Mineola. Joseph R. Scalero,  
16 Village Clerk.

17 "Dated December 12, 2017."

18 MAYOR STRAUSS: Thank you.

19 Mr. Whalen, report on mailings?

20 MR. WHALEN: Yes, Mr. Mayor.

21 We have the Affidavit of Mailing. It's been  
22 notarized and signed, and everything is in order.

23 MAYOR STRAUSS: All right. Thank you very  
24 much.

25 Mr. Gibbons, anything?

1 MR. GIBBONS: Yes.

2 Nassau County Planning Commission has  
3 recommended local determination, and I would ask for a  
4 resolution declaring this a Type II Action under SEQRA.

5 MAYOR STRAUSS: Would someone like to make a  
6 motion?

7 MR. WALSH: Motion.

8 MR. PEREIRA: Second.

9 MAYOR STRAUSS: Motion by Trustee Walsh.  
10 Seconded by Trustee Pereira.

11 All in favor?

12 MR. DURHAM: Aye.

13 MR. PEREIRA: Aye.

14 MR. CUSATO: Aye.

15 MR. WALSH: Aye.

16 MAYOR STRAUSS: Aye.

17 Any opposed?

18 Carried.

19 OK. Ladies and gentlemen, this will be format  
20 for this evening's hearing: The applicant will make its  
21 presentation and call any witnesses it has. When they're  
22 done with their presentation the Board will ask any  
23 questions that we have and then, at that time, we'll open  
24 it up to public comment.

25 I ask anyone who is approaching the podium to

1 please speak clearly, speak slowly, for the benefit of  
2 our reporter, and state your name and your address for  
3 the record.

4 So who is here for 393?

5 Ma'am, come on up. Welcome.

6 MS. RUSSO: Thank you.

7 Good evening. My name is Patricia Russo. I  
8 reside at 21 Crest Hollow Lane in Albertson, New York.

9 Thank you for your time this evening and for  
10 allowing me to speak to you today.

11 I'm requesting a Special Use Permit for a  
12 business that I would like to open, a Sylvan Learning  
13 center, at 393 Jericho Turnpike. The business would  
14 operate primarily Monday through Thursday from 4:00 p.m.  
15 to 7:00 p.m., and Saturday mornings from 9:00 to 12:00.  
16 It's a tutoring center where children are primarily  
17 dropped off by their parents, mostly for a one- to  
18 two-hour session.

19 Most parents will drop off, visit local stores  
20 and businesses, and then come back and pick up the  
21 students. The business location has ample parking in the  
22 rear of the building and a municipal lot across the  
23 street. There would usually be three to five employees  
24 for about ten to 15 children, depending on how busy the  
25 day is. There are no food or snacks offered to the

1 children. So there's no additional waste which would be  
2 produced.

3 I kindly request your consideration and  
4 approval. Again, thank you for your time.

5 MAYOR STRAUSS: Thank you. Appreciate your  
6 choosing Mineola.

7 Have you done this type of work before?

8 MS. RUSSO: I actually --

9 MAYOR STRAUSS: Previous business?

10 MS. RUSSO: Yes, I do. I have a franchise in  
11 Huntington which has been in business for about 14 years.  
12 I took it over about a year ago. My primary business was  
13 banking prior to this. But the tutoring service has been  
14 doing very well and I was lucky enough to be able to  
15 secure a franchise here in the territory closer to my  
16 home and in Mineola. So I was looking forward to opening  
17 here.

18 MAYOR STRAUSS: Great. Thank you.

19 Deputy Mayor?

20 MR. PEREIRA: Thank you.

21 Good evening. Thank you for coming out.

22 There was a Sylvan center on Old Country Road  
23 in Garden City, wasn't there one?

24 MS. RUSSO: Yes, there was.

25 MR. PEREIRA: So that one is closing and this

1 one is replacing that one?

2 MS. RUSSO: That's been out of business or -- I  
3 don't know exactly what happened to it. I don't know if  
4 the person --

5 MR. PEREIRA: But it's not there anymore.

6 MS. RUSSO: It hasn't been there for a while.

7 MR. PEREIRA: OK. Will this also be a testing  
8 center?

9 I know that some of these places will double as  
10 a place where students can take tests, or if somebody's  
11 taking the MCATs or GMAT, something like that. Will that  
12 be going on?

13 MS. RUSSO: There will be proctoring there for  
14 real estate tests. We don't do MCATs or LSATs or  
15 anything like that. A lot of it is real estate testing,  
16 some regents. Some students who are taking online  
17 courses, like, during the breaks, if they go to Buffalo  
18 or somewhere out of state, they'll be able to take the  
19 test at our center.

20 MR. PEREIRA: OK. And those will be within  
21 those hours as well --

22 MS. RUSSO: That's correct.

23 MR. PEREIRA: -- Give or take.

24 How about in the summer? Will the hours change  
25 in the summer? Will you have summer camp, like a

1 learning camp kind of thing to, you know, kind of the  
2 summer slide, as they call it --

3 MS. RUSSO: Right.

4 MR. PEREIRA: -- and prevent that.

5 MS. RUSSO: We do offer camps. Usually they're  
6 robotic camps, and they're usually held maybe once or  
7 twice a week. We do continue to do tutoring, believe it  
8 or not. So that's our core business and it actually  
9 stays pretty strong through the summer.

10 MR. PEREIRA: OK. So you do, like, robotics  
11 camp; is that what you said?

12 MS. RUSSO: Yes. Robotics.

13 MR. PEREIRA: Robotics and --

14 MS. RUSSO: Coding.

15 MR. PEREIRA: -- coding.

16 MS. RUSSO: Mm hmm.

17 MR. PEREIRA: That type of thing. OK.

18 Parties. Will you have birthday parties, or  
19 any -- not that I would think a lot of kids would want to  
20 sign up for a tutoring party, but . . .

21 MS. RUSSO: We have tried it in the past in my  
22 Huntington location and it didn't -- it was really more  
23 trouble than it was worth, as far as the party was  
24 concerned. So we stick really to the main core business  
25 of tutoring and the robotics. It gives kids a little bit



1 of a reprieve, especially the kids who are looking for  
2 more of an enhancement. So they'll do the robotics and  
3 the coding. And then the rest of the kids, they try and  
4 keep up with their studies so they're not behind when  
5 September rolls around.

6 MR. PEREIRA: Excellent. I certainly see this,  
7 obviously, as a low-impact use in that building. And as  
8 you said, there is ample parking. You have a great  
9 location. So I certainly don't see any problem.

10 Good luck to you if you get approved.

11 MS. RUSSO: Thank you.

12 MAYOR STRAUSS: Thank you.

13 MS. RUSSO: Thank you.

14 MAYOR STRAUSS: Trustee Cusato?

15 MR. CUSATO: Thank you.

16 Good evening, ma'am.

17 I don't have an issue. I have some questions.

18 MS. RUSSO: Sure.

19 MR. CUSATO: Are you located -- 393 is a  
20 two-story building. There's like ten, 11, 12 offices in  
21 that building.

22 MS. RUSSO: Yes.

23 MR. CUSATO: Are you on the first floor, second  
24 floor?

25 MS. RUSSO: I'm on the first floor, on the

1 corner of Jericho and Latham.

2 MR. CUSATO: OK. So you'll use the main  
3 entrance to get into your place? Because there are  
4 entrances all over the building.

5 MS. RUSSO: Yes. There's an entrance on the  
6 side, on Latham. So that would be the entrance that goes  
7 into the center that I would be occupying.

8 MR. CUSATO: Well that's great. So people  
9 could stop by and drop the kids off on Latham, right?

10 MS. RUSSO: Correct.

11 MR. CUSATO: OK. Now I notice there's a  
12 learning center already in that building, or is that sign  
13 an old sign? There's a -- on the west side of the  
14 building, on Latham, there's a Sovarian Learning Center,  
15 (phonetic).

16 Are they gone, or are they there as well?

17 MS. RUSSO: That's actually my window sign.

18 MR. CUSATO: Oh. So that's already your sign.

19 MS. RUSSO: Yes.

20 MR. CUSATO: OK. All right. Thank you.

21 MAYOR STRAUSS: Thank you.

22 Trustee Durham?

23 MR. DURHAM: I have no questions.

24 And should you get approved, welcome to

25 Mineola.

1 MS. RUSSO: Thank you.

2 MAYOR STRAUSS: Trustee Walsh?

3 MR. WALSH: Yes, Mayor. Thank you.

4 Hello, Ms. Russo. How are you today?

5 MS. RUSSO: Good.

6 How are you?

7 MR. WALSH: I'm good.

8 You mentioned a franchise. Who is the  
9 franchisor for this? Who is the --

10 MS. RUSSO: The franchisee?

11 MR. WALSH: Yes.

12 MS. RUSSO: That would be myself. I actually  
13 own -- I purchased the franchise.

14 MR. WALSH: OK. And do you franchise to other  
15 people, or is it just you?

16 MS. RUSSO: No. I purchased it from Sylvan,  
17 which is the corporation, so Sylvan corporate, and I'm  
18 the franchisee of that corporation.

19 MR. WALSH: OK. Thank you.

20 And you know, I know that building quite well.  
21 I worked in that building when I was in Mineola High  
22 School. And there's plenty of parking. It used to be a  
23 factory. Now it has many uses.

24 I have no further questions. Thank you.

25 MAYOR STRAUSS: Thank you.

1 Anything else you'd like to mention?

2 MS. RUSSO: No. I think that's it.

3 MAYOR STRAUSS: All right. Great. I'm going  
4 to open it up to public comment. Don't go far.

5 MS. RUSSO: OK. I can sit back down?

6 MAYOR STRAUSS: Yes, but don't go far.

7 MS. RUSSO: OK. Thank you.

8 MAYOR STRAUSS: Not that we have a big room  
9 here, but probably sit in the front row there because  
10 you'll be up in a second.

11 Anybody in the first row wishing to speak?  
12 Second row, third row, fourth row, fifth row?

13 Yes, sir.

14 MR. HALE: Terence Hale, 104 Roslyn Road,  
15 Mineola.

16 I want to thank you for opening this place. I  
17 love the idea of the whole thing about it. Trustee Paul  
18 Pereira kind of asked the questions that I had had about  
19 it. I think it's wonderful and, you know what, welcome  
20 to the neighborhood.

21 MS. RUSSO: Thank you very much.

22 MAYOR STRAUSS: Thank you.

23 Anyone else wishing to speak?

24 Ma'am, come on back up.

25 Thanks for choosing Mineola. Appreciate it.

1 I'll entertain a motion to approve.

2 MR. PEREIRA: Motion.

3 MR. CUSATO: Second.

4 MAYOR STRAUSS: Motion by Trustee Pereira.

5 Second by Trustee Cusato.

6 Mr. Scalero, poll the Board.

7 MR. SCALERO: Yes.

8 Trustee Durham?

9 MR. DURHAM: Yes.

10 MR. SCALERO: Trustee Pereira?

11 MR. PEREIRA: Yes.

12 MR. SCALERO: Trustee Cusato?

13 MR. CUSATO: Yes.

14 MR. SCALERO: Trustee Walsh?

15 MR. WALSH: Yes.

16 MR. SCALERO: Mayor Strauss?

17 MAYOR STRAUSS: Yes.

18 Congratulations.

19 MS. RUSSO: Thank you.

20 MAYOR STRAUSS: Welcome to Mineola. Best of  
21 luck to you.

22 MS. RUSSO: Thank you very much.

23 MAYOR STRAUSS: Thank you very much.

24 \* \* \*

25

1                   MAYOR STRAUSS: OK. We're going to reopen the  
2 hearing for 782nd Street regarding the Black Sheep. It  
3 was adjourned for tonight. Unfortunately we haven't  
4 gotten a follow-up resolution from the Nassau County  
5 Planning Commission as requested, but I understand that  
6 there might be people here wishing to speak. So we're  
7 going to reopen the hearing.

8  
9                   "Application of Vincent Minutella for a Special  
10 Use Permit pursuant to Chapter 550 of the Code of the  
11 Incorporated Village of Mineola, entitled 'Zoning',  
12 Section 550.16, entitled 'M Districts', Subsection (A),  
13 entitled 'Permitted Uses', and Section 550.12, entitled  
14 'B-1 Districts', Subsection (B), entitled 'Special Uses',  
15 for the conversion of a bar patron space to kitchen and  
16 dining restaurant with outdoor beer garden upon the  
17 property known as 78-80 2nd Street, Mineola, New York,  
18 known and designated on the Nassau County Land and Tax  
19 Map as Section 9, Block 424, Lots 35-36."

20  
21                   MAYOR STRAUSS: And, sir, if you could.

22                   MR. MILLER: Thank you.

23                   Just on two points --

24                   MAYOR STRAUSS: Sir, if you could.

25                   MR. MILLER: I'm Robert Miller, 90 Main Street,

1 Mineola. Vince Minutella's manager. He apologizes for  
2 not being here. He's quite ill, and this was meant to be  
3 a bit of a placeholder set at the last meeting. So he  
4 asked if I would come in and speak with you quickly.

5 With regard to the resolution, I've spoken with  
6 Sean Sally, Supervisor, Nassau County Planning  
7 Department. He indicated that their concern with the  
8 resolution was directed towards Mineola's concerns. So  
9 we have to direct our response to the Village. The  
10 Village then has to tell them: OK. We're good with it.  
11 Then they issue a countermanding resolution.

12 With regard to the response, we have taken the  
13 Board's, our neighbors' and the County's concerns to  
14 heart. We are in the process of formulating the best way  
15 to deal with all those issues. We're working with our  
16 contractor, our architect, as well as we've also engaged  
17 a landscape design architect to help with the seating  
18 concerns that you had, and also the noise suppression and  
19 control.

20 With that, we will be settling a few things and  
21 submitting a response to the Village, hopefully very  
22 soon, and I assume we'll address any further concerns at  
23 the next meeting and then go from there, if that is all  
24 right with the Board.

25 MAYOR STRAUSS: Absolutely.

1 MR. GIBBONS: If you are going to make a  
2 submission, if you can not wait till the hearing night to  
3 do it.

4 MR. MILLER: No. No. Absolutely not.

5 We came here not prepared with the answer and  
6 I'm not going to try and go over that with you.

7 MR. GIBBONS: All right.

8 So if you'd make that submission to the  
9 Building Department, the Building Department will then  
10 give it to me. I will transmit it to the Nassau County  
11 Planning Commission. And that way I'll be able to track  
12 when the second resolution on the application comes out.

13 MR. MILLER: Excellent. Thank you.

14 MAYOR STRAUSS: Anything else, sir?

15 MR. MILLER: That should do it for tonight.

16 MAYOR STRAUSS: OK. Great.

17 So I understand -- I see that there are several  
18 residents here from the neighborhood.

19 Is there anyone wishing to speak again that  
20 hasn't spoken at the previous meeting that would like to  
21 weigh in and give their opinions and voice their  
22 concerns, or support, or whatever their issues are, on  
23 the record?

24 MR. HALE: We've already spoken.

25 MAYOR STRAUSS: OK. Yes, sir.



1 MR. CUSATO: Good evening, sir.

2 I'm concerned about the compressors that you're  
3 going to add. Are they loud? Noisy? What kind of  
4 compressors are they?

5 MR. MILLER: Well, again --

6 MR. CUSATO: Because they're facing the north  
7 side, towards the residential area.

8 MR. MILLER: That's correct, and there was  
9 something that was voiced the last time.

10 MR. CUSATO: Yes.

11 MR. MILLER: Again, I would like to have our  
12 contractor here at the next meeting to discuss with you  
13 the specific compressors that we plan on using and what  
14 level of noise they might project and, in addition to  
15 that, how we intend to rectify it.

16 MR. CUSATO: Fine. Thank you very much.

17 MAYOR STRAUSS: OK. Great. So we'll look to  
18 adjourn this again and continue it on February 14th.

19 So, folks, anybody that's interested in voicing  
20 their opinions, or just hearing about what's going to  
21 happen, feel free to come down here on February 14th.

22 MR. HALE: February 14?

23 MAYOR STRAUSS: February 14th, I apologize.

24 MR. HALE: Valentine's Day with you, Mayor  
25 Strauss.

1 MAYOR STRAUSS: All right. I'm sorry. My wife  
2 is used to me not being home.

3 Thank you, sir. Appreciate it.

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1                   MAYOR STRAUSS: Ladies and gentlemen, we are  
2 going to reopen the hearing for 52 Jericho Turnpike.  
3 There were several questions and concerns that the Board  
4 had, and we will open that up and continue.

5  
6                   "Application of Meixia Huang for a Special Use  
7 Permit pursuant to Chapter 550 of the Code of the  
8 Incorporated Village of Mineola, entitled 'Zoning',  
9 Section 550.12, entitled 'B-1 Districts', Subsection (B),  
10 entitled 'Special Uses', to install new cooking  
11 equipment, cooling and warming buffet tables, restaurant  
12 grills and fryers, and seating for 72 people with 17  
13 dining tables at existing supermarket upon the property  
14 known as 52 Jericho Turnpike, Mineola, New York, known  
15 and designated on the Nassau County Land and Tax Map as  
16 Section 9, Block 662, lots 13, 15 and 16."

17  
18                   MR. QIU: Good evening. My name is Jersey Qiu,  
19 28 Merit Lane, Jericho.

20                   MAYOR STRAUSS: Mr. Qiu, you said?

21                   MR. QIU: Mr. Qiu.

22                   We're here for last time we mention about the  
23 drawing. I believe Trustee Cusato mentioned about  
24 drawing, we'd made several mistakes on the drawing.  
25 Today we have our architect, Ms. Meixia Huang. Maybe she

1 can explain the whole thing better.

2 MAYOR STRAUSS: OK. Whoever you need to bring  
3 up to the podium, please do so.

4 MR. QIU: I'm sorry?

5 MR. PEREIRA: She should come up.

6 MAYOR STRAUSS: Yes. She should come up to the  
7 podium.

8 MS. HUANG: Good evening, ladies and gentlemen.

9 My name Meixia Huang. My address is 33-06  
10 162nd Street, Flushing.

11 Basically we revise the quality and match the  
12 number fixtures and match the plan right now. So if you  
13 have any questions you can ask me right now about the  
14 plan.

15 MAYOR STRAUSS: OK. So I guess we'll -- Mr.  
16 Cusato, you had the most questions.

17 MR. CUSATO: I did. You know what -- again, I  
18 want to say: I have no problem with your concept. I did  
19 have a problem with your drawing, as you know.

20 So I did review your drawing, and thank you for  
21 making the changes, but I notice that you made other  
22 changes. You added things, you deleted things, and you  
23 removed things. And my question is: If we were to have  
24 approved this back at the December 13th meeting, would  
25 you have made the same changes now that you didn't make

1 before?

2 Do you know what I'm saying?

3 MS. HUANG: I understand.

4 Basically, for my point, we just submit the  
5 paperwork. DOB didn't review the plan yet. DOB,  
6 Building Department, didn't review the plan yet. We  
7 thought we're going to receive, like, objections from you  
8 guys. That's what I thought.

9 MAYOR STRAUSS: So there was a miscommunication  
10 between what you expected and what our Building  
11 Department expected.

12 MS. HUANG: Yes --

13 MAYOR STRAUSS: OK. So now --

14 MS. HUANG: So normally --

15 MAYOR STRAUSS: I apologize for interrupting  
16 you.

17 Just so I understand it: You submitted plans  
18 to the Building Department for review and you expected  
19 them to return them to you with changes.

20 MS. HUANG: Yes. I thought that's the  
21 procedure.

22 MR. CUSATO: OK. So let me just point out,  
23 just as information, you moved things around and there's  
24 no dishwashers on your drawing. I know you have to have  
25 them, but I didn't see them on your drawing. And I'm not

1 holding that against you but, again, when the Building  
2 Department looks at the plans just make sure you show  
3 where the dishwashers are going to be.

4 MR. QIU: I'm sorry. As I mentioned last time,  
5 there was a mistake. We never have a dishwashing  
6 machine.

7 MR. CUSATO: I understand that. So I'm just  
8 asking you, just when you present your drawings to the  
9 Building Department, show where because right now the  
10 revised drawings don't show where you have any  
11 dishwashers, and I know that's not true. I know you're  
12 going to have them.

13 MR. QIU: We're not going to have them.

14 MR. CUSATO: OK.

15 MR. QIU: Thank you.

16 MR. WALSH: Did you just say you're not going  
17 to have any?

18 MR. QIU: We're not going to have dish washing  
19 because it's more like fast food. We take everything as  
20 one time fast food service type of thing. You know,  
21 people eat and put in the garbage. We don't have any  
22 dishes. It's not like a formal dining restaurant.

23 MAYOR STRAUSS: So anything you have to wash  
24 would be done in a sink.

25 MR. QIU: Nothing. Well, besides the

1 equipment, of course.

2 MR. CUSATO: I'm sorry. So. . .

3 MR. QIU: Not dishes. We're not having a dish  
4 washing machine because we don't have dishes to wash, but  
5 we just have equipment to wash in the three compartment  
6 sink.

7 And Trustee Cusato mentioned we made changes.  
8 We don't really make a lot of changes besides just adding  
9 a soda machine. Actually, it's a fountain soda. Last  
10 time you guys mentioned about are we having, like,  
11 serving sodas. We're not serving bottled sodas, you  
12 know, that would be a conflict for the supermarket  
13 because we are paying the supermarket. We do have the  
14 fountain water machine. I mean the soda machine. So  
15 that's the only thing we added to the drawing.

16 MR. CUSATO: And I did notice that. Thank you.  
17 I did notice that.

18 And can you just explain to me this curtain  
19 that you're going to use to separate? What is that  
20 curtain? I'm still confused.

21 MR. QIU: Again, that's another  
22 misunderstanding. It's actually the ceiling drop down  
23 curtain. It existed already. It's from the ceiling.

24 MAYOR STRAUSS: It's not really a curtain.

25 MR. QIU: It's not a curtain.

1 MAYOR STRAUSS: If a knee wall is from the  
2 ground, this is a wall from the ceiling --

3 MR. QIU: Yes.

4 MAYOR STRAUSS: -- just a couple of feet down  
5 from the top of the ceiling.

6 MR. QIU: It's a six feet wall extending from  
7 the top of the room. It's not coming up from the ground.

8 MAYOR STRAUSS: And it's not an actual curtain.  
9 It's called a ceiling drop --

10 MR. QIU: We might be using the wrong term, but  
11 it's a misunderstanding. It's not a curtain.

12 MR. CUSATO: OK. And again, please, I have no  
13 problem with your concept. I just had some problems with  
14 your drawings. OK?

15 MR. QIU: Understandable. Thank you so much.

16 MR. CUSATO: So thank you.

17 MR. DURHAM: I just want to ask, basically the  
18 wall that had the deli sign and stuff when it was the  
19 supermarket, that's the wall that we're talking about,  
20 the curtain.

21 MR. QIU: Yes. The wall already there.

22 MR. DURHAM: And then you had mentioned, on the  
23 seating, that you would take and drop down the number of  
24 seats, this number of seats. Did you take and do that?

25 MR. QIU: Yes.



1 MR. DURHAM: Because I still see, I think, the  
2 same number of tables in the drawing.

3 MR. QIU: Yes. We don't want to have seats  
4 next to the supermarket refrigerators that deal with fish  
5 and all that stuff. That's why we just take some seats  
6 out.

7 MAYOR STRAUSS: Any other questions from you?

8 MR. DURHAM: No.

9 MAYOR STRAUSS: Trustee Cusato, anything?

10 MR. CUSATO: I'm fine. Thank you.

11 MAYOR STRAUSS: Mr. Pereira?

12 MR. PEREIRA: No. I'm fine.

13 I think you have the space there. It's in a  
14 good location. So I think the concern here wasn't  
15 necessarily the use. I think the use is appropriate in  
16 that location. I think the concern was the presentation  
17 the last time, but a lot of these questions will be  
18 answered between you and the Building Department. You  
19 know. There are going to be issues with signage and  
20 lighting and things like that that you're going to have  
21 to address with the Building Department, the Fire  
22 Marshal, the Department of Health. And so our concern  
23 really is the use. And of course we want to make sure  
24 that everything is accurate so that what ends up there,  
25 if we approve it, is what you presented to us. So that

1 was our concern.

2 But I do have one question, since the owner of  
3 the FL Market is here. Will there be any additional sign  
4 on the existing sign on Jericho Turnpike --

5 MR. QIU: No.

6 MR. PEREIRA: -- indicating the restaurant or  
7 anything like that?

8 MAYOR STRAUSS: Sir, if you could come up to  
9 the podium. Just state your name and your address.

10 MR. ZHANG: Weilin Zhang, 52 Jericho Turnpike.

11 We have an awning on Jericho Turnpike. We  
12 still have two sections on the bottom. We might just put  
13 a small section over there.

14 MR. PEREIRA: Fine. I have no problem with  
15 that. I think that the owner of the restaurant would  
16 actually probably enjoy the advertising. I just want to  
17 make sure, again, anything to do with signs that you go  
18 through the Building Department first.

19 MR. ZHANG: Of course.

20 MR. PEREIRA: And make sure that it's approved  
21 and that it's up to code.

22 MR. ZHANG: Of course. Of course.

23 MAYOR STRAUSS: It's very important that you  
24 follow our code.

25 MR. ZHANG: Of course.

1 MAYOR STRAUSS: Mr. Walsh, anything?

2 MR. WALSH: Yes.

3 You know, what I want to say is that, like the  
4 Deputy Mayor just said, our function here is land use.  
5 And there is no problem with the land use for me, as far  
6 as I'm concerned, with this project. The garbage is  
7 going to be disposed of through the restaurant that was  
8 already approved to dispose of their garbage properly.  
9 There's plenty of parking. It's not interfering with  
10 anyone's neighborhood. Anything that has to do with food  
11 preparation, the temperature of food and such, the  
12 experts at the Health Department take care of that.  
13 Anything that has to do with exhaust from the building or  
14 anything like, the experts, the fire marshals, take care  
15 of that. Our function here is land use, and I think this  
16 is a proper land use.

17 Thank you, Mayor.

18 MAYOR STRAUSS: Thank you.

19 Any other questions from the Board?

20 Great. Gentlemen, I'll open it up to public  
21 comment and we'll see if anybody has anything to say.  
22 You can just have a seat.

23 Anybody here in the first row, second row,  
24 third row, fourth row, fifth row, sixth row, seventh row?

25 Lady and gentlemen, come on back up.

1 Any other comments from the Board, questions,  
2 concerns?

3 Mr. Gibbons, anything? We're OK?

4 MR. GIBBONS: You're good to go, Mayor.

5 MAYOR STRAUSS: All right. Thank you.

6 I'll entertain a motion to approve.

7 MR. WALSH: Motion.

8 MAYOR STRAUSS: Motion by Trustee Walsh.

9 Second?

10 MR. PEREIRA: Second.

11 MAYOR STRAUSS: By Trustee Pereira.

12 Mr. Scalero, poll the Board.

13 MR. SCALERO: Yes, sir.

14 Trustee Durham?

15 MR. DURHAM: Yes.

16 MR. SCALERO: Trustee Pereira?

17 MR. PEREIRA: Yes.

18 MR. SCALERO: Trustee Cusato?

19 MR. CUSATO: Yes.

20 And again, please understand my concerns.

21 Thank you.

22 MR. QIU: Thank you.

23 MR. SCALERO: Trustee Walsh?

24 MR. WALSH: Yes.

25 MR. SCALERO: Mayor Strauss?

1 MAYOR STRAUSS: Yes.

2 Congratulations, folks.

3 Again, I would like to reiterate what the  
4 Deputy Mayor mentioned, to stay within our code, work  
5 hand-in-hand with the Building Department.

6 And I know that during the holiday season the  
7 Red Cross, I believe, reached out to you guys for turkeys  
8 and you donated ten or so, a dozen or so turkeys. So  
9 it's greatly appreciated that you do that and you're part  
10 of the community.

11 And I encourage you to reach out to the Chamber  
12 of Commerce and get involved in the Chamber of Commerce.  
13 They are a great group of people. And maybe you can seek  
14 some benefit as well as they can seek some benefit as  
15 your membership.

16 So congratulations and best of luck to you.

17 MR. QIU: Thank you.

18 MS. HUANG: Thank you.

19 MR. PEREIRA: Good luck.

20 MAYOR STRAUSS: Mr. Scalero, can you do the  
21 next hearing?

22 Folks, you can leave, if you'd like. We're  
23 having a hearing on a Local Law.

24 MR. PEREIRA: You can stay.

25 MAYOR STRAUSS: You can stay, but I know you

1           guys probably want to get out of here.

2                   MR. ZHANG: I have to go back to work.

3                   MAYOR STRAUSS: Thank you very much.

4           Congratulations.

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1                   MAYOR STRAUSS: Mr. Scalero, would you do the  
2 next hearing?

3                   MR. SCALERO: "Legal Notice, Public Hearing,  
4 Incorporated Village of Mineola.

5                   "Please take Notice that the Board of Trustees  
6 of the Incorporated Village of Mineola will hold a Public  
7 Hearing on Wednesday, January 10, 2018 at 6:30 p.m. at  
8 the Village Hall, 155 Washington Avenue, Mineola, New  
9 York 11501, or at some other location to be hereafter  
10 designated by the Board of Trustees, in order to receive  
11 public comment upon the following:

12                   "Proposed Local Law amending Section 115 of the  
13 Municipal Code of the Incorporated Village of Mineola,  
14 entitled 'Officers and Employees', Section 115.12,  
15 entitled 'Village Assessor'; Board of Assessment Review."

16                   "The Village of Mineola does not discriminate  
17 on the basis of handicapped status in administration or  
18 access to or employment in its projects and activities.  
19 Joseph R. Scalero has been directed to coordinate  
20 compliance with non-discrimination requirements of the  
21 Federal Revenue Sharing regulations.

22                   "At this scheduled meeting of its Board of  
23 Trustees reserved decisions from previous meetings, if  
24 any, may be acted upon by the Board of Trustees.

25                   "At the aforesaid time and place all interested

1 persons will be given an opportunity to be heard.

2 "By Order of the Board of Trustees of the  
3 Incorporated Village of Mineola. Joseph R. Scalero,  
4 Village Clerk.

5 "Dated December 12, 2017."

6 MAYOR STRAUSS: Thank you.

7 Again, this is going to be the format for this  
8 evening's hearing. Actually, it's really kind of easy.  
9 So we're just going to go through it.

10 This is a Local Law being suggested by our  
11 Village Attorney that we create an Assessment Review  
12 Board, Board of Assessment Review. Previously we had it  
13 incorporated with our assessors, and it's better suited  
14 for the residents, as well as the Village, that we  
15 separate it. That's what we're looking to do tonight, is  
16 create a Local Law which creates a Board of Assessment to  
17 review our assessments.

18 Mr. Gibbons, I'll throw it to you.

19 MR. GIBBONS: I think that was well said,  
20 Mayor.

21 It's going to be a board composed of three  
22 individuals who are not employees or officers of the  
23 Village. They will be available each year on the third  
24 Tuesday of February, which by statute is grievance night,  
25 where if you disagree with the Village Assessor's



1 assessment of your home you can come and make a  
2 presentation, submit evidence and ask that the assessment  
3 be changed. The Board of Assessment Review will make  
4 that determination. If you're still not happy with the  
5 Board's decision, of course, there is a small claims  
6 procedure over at Nassau Supreme.

7 So it's one layer that the residents can avail  
8 themselves of where they can come to the Village Hall.  
9 It's informal. They don't have to worry about retaining  
10 an attorney or anything. Come in and just make their  
11 case as to why the assessment -- the argument is  
12 usually -- should be lower, and to present any evidence  
13 that they would like.

14 MAYOR STRAUSS: So it's very informal, as the  
15 attorney said. It allows Village residents, as the  
16 attorney said, to come down and grieve your taxes. And I  
17 actually encourage you to do so. If you think you're  
18 over-assessed, I encourage you to come down and grieve  
19 your taxes and avail yourself of that opportunity.

20 So I'll open it to up any comments from the  
21 Board. Deputy Mayor?

22 MR. PEREIRA: Yes. Thank you.

23 Essentially, so that people understand, this is  
24 nothing new. People have been grieving their taxes and  
25 we've been having this grievance night forever. All that

1 this does is it changes the form. Rather than grieving  
2 to the three assessors that we've had in the Village, now  
3 you're grieving to a Board of Assessment Review that is  
4 separate from the assessors.

5 It just makes sense. It just protects the  
6 Village. It gives the residents the comfort of knowing  
7 that they are being heard by an impartial party. And  
8 it's, again, one of those things. From time to time we  
9 look at our code, or something comes up, and we realize  
10 that perhaps it's time to make a change. So this is  
11 really a relatively small administrative change in that  
12 it just changes the forum, but it doesn't change any of  
13 the mechanics in terms of grieving your taxes or the  
14 ability to grieve your taxes. As the Mayor indicated,  
15 everyone can do that, and we encourage people to do that,  
16 not only at the Village level but certainly the county,  
17 the school, and all that, because this gives them the  
18 comfort of knowing that they are being heard by an  
19 independent and separate board of review, rather than the  
20 very people that were assessing their property. So it  
21 just makes sense.

22 MAYOR STRAUSS: Trustee Cusato?

23 MR. CUSATO: I think our Deputy Mayor said it  
24 all.

25 MAYOR STRAUSS: Trustee Durham?

1 MR. DURHAM: Yes. I think it's a good idea.  
2 It's an independent impartial review board. So that  
3 sometimes you have to hear it from somebody else if you  
4 don't like the first answer, whatever. But it's a  
5 possibility of actually having a different answer, a  
6 different outcome, depending on the review and  
7 presentation.

8 MAYOR STRAUSS: Trustee Walsh?

9 MR. WALSH: No comment. I'm prepared to vote  
10 on this.

11 MAYOR STRAUSS: Great.

12 I'll open it up to public comment. I ask  
13 anybody approaching the podium to please speak clearly  
14 and slowly, and state your name and address for the  
15 reporter.

16 Anybody in the first row, second row, third  
17 row, fourth row, fifth row, sixth row, seventh row?

18 OK. Great. I'll entertain a motion to  
19 approve.

20 MR. PEREIRA: Motion.

21 MR. CUSATO: Second.

22 MAYOR STRAUSS: Motion by Trustee Pereira.  
23 Second by Trustee Cusato.

24 Mr. Scalero, poll the Board.

25 MR. SCALERO: Trustee Durham?

1 MR. DURHAM: Yes.

2 MR. SCALERO: Trustee Pereira?

3 MR. PEREIRA: Yes.

4 MR. SCALERO: Trustee Cusato?

5 MR. CUSATO: Yes.

6 MR. SCALERO: Trustee Walsh?

7 MR. WALSH: Yes.

8 MR. SCALERO: Mayor Strauss?

9 MAYOR STRAUSS: Yes.

10 OK, folks. Thank you very much.

11 I'll entertain a motion to close the hearing.

12 MR. PEREIRA: Motion.

13 MAYOR STRAUSS: Motion by Trustee Pereira.

14 Second?

15 MR. CUSATO: I'll second.

16 MAYOR STRAUSS: Trustee Cusato.

17 All in favor?

18 MR. DURHAM: Aye.

19 MR. PEREIRA: Aye.

20 MR. CUSATO: Aye.

21 MR. WALSH: Aye.

22 MAYOR STRAUSS: Aye.

23 Any opposed? Carried.

\* \* \*

24 This is to certify that the within and foregoing is a  
25 true and accurate transcript.

  
PATRICIA A. TAUBER, RPR  
OFFICIAL COURT REPORTER

- Board of Trustees Hearing of 1/10/2018 -

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