

INCORPORATED VILLAGE OF MINEOLA

HEARING OF THE
BOARD OF TRUSTEES

January 20, 2016
6:30 o'clock p.m.

B e f o r e :

SCOTT P. STRAUSS,
Mayor

GEORGE R. DURHAM,

PAUL A. PEREIRA,

PAUL S. CUSATO,

DENNIS J. WALSH,
Trustees.

* * *

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

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JOSEPH R. SCALERO
Village Clerk

* * *

Sharon Tal
Freelance Court Reporter

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VILLAGE OF MINEOLA

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

5 MAYOR STRAUSS: Good evening, ladies and
6 gentlemen. We have a number of hearings on for this
7 evening.

8 Mr. Scalero?

9 MR. SCALERO: "Legal Notice, Public Hearing,
10 Incorporated Village of Mineola.

11 "Please take Notice that the Board of Trustees
12 of the Incorporated Village of Mineola will hold a Public
13 Hearing on Wednesday, January 20, 2016 at 6:30 p.m. at
14 the Village Hall, 155 Washington Avenue, Mineola, New
15 York 11501, or at some other location to be hereafter
16 designated by the Board of Trustees, in order to receive
17 public comment upon the following:

18 "Application of Dominick Persico for a Special
19 Use Permit pursuant to Chapter 550 of the code of the
20 Incorporated Village of Mineola, entitled "Zoning",
21 Section 550.12 entitled "B-1 Districts", Subsection (B)
22 and Section 550.16 entitled "M Districts", Subsection (A)
23 for the servicing, repairing and storing motor vehicles
24 upon the property known as 14 Roselle Street, Mineola,
25 New York, known and designated on the Nassau County Land

1 and Tax Map as Section 9, Block 348, Lots 955-958.

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

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

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

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

16 "Dated: December 4, 2015."

17 MAYOR STRAUSS: Mr. Whalen, a report on the
18 mailings?

19 MR. WHALEN: Yes, we have the appropriate
20 affidavit of mailing has been made.

21 MAYOR STRAUSS: Mr. Gibbons, anything?

22 MR. GIBBONS: No, Mayor.

23 MAYOR STRAUSS: Ladies and gentleman, this is
24 going to be the format for this evening's hearing. The
25 applicant will make its presentation, call its witnesses,

1 and we'll have interaction with the Board, and then we'll
2 open up to public comment. I'm asking anybody
3 approaching the podium to please speak clearly. State
4 your name and address for the record. And if you can
5 speak slowly for the reporter, that will be fantastic.

6 Sir?

7 MR. SILVA: Good evening, ladies and gentlemen,
8 my name is Marco Silva. Good evening also, Mayor Strauss
9 and Members of the Board. I am the attorney for 14
10 Roselle Street, Realty Inc. in its Application for a
11 Special Use Permit for the service, repair and storage of
12 motor vehicles at 14 Roselle Street, Mineola, New York,
13 known and designated on the Nassau County Land and Tax
14 Map as Section 9, Block 348, Lots 955-958.

15 This application made pursuant to Article V
16 ("Manufacturing & Industrial Districts") under Section
17 550-16, Subsection A, which provides that any use
18 permitted in a B-1 or B-2 District may be permitted in an
19 M District).

20 This makes sense, of course, since business
21 districts are certainly more restrictive than
22 manufacturing/industrial districts. So it follows,
23 logically, that such uses would also be permitted in the
24 Less restrictive zone.

25 Under Article III of the Village Code, section

1 550-12 (B) (6) refers to Special Uses available in B-1
2 Districts, which includes sales, service, warehousing,
3 repairing, storing, preparation and/or inspection of
4 vehicles and motor vehicles.

5 With me this evening is Dominick Persico, who
6 owns 14 Roselle Street. As well as John Cunha, the
7 architect, in case there are any questions that are
8 beyond my scope of expertise.

9 It is respectfully submitted that the instant
10 Application would present no additional impact upon the
11 health and safety or welfare of the neighborhood beyond
12 any other use that is already permitted "as of right" in
13 an M District, without the need for board approval.

14 Of course being a motor vehicle repair shop, a
15 public hearing is required in order to allow the Village
16 residents and their Board of Trustees the opportunity to
17 inquire as to the specifics of the proposed use. Article
18 10 of the Mineola Village Code, under 550-55(A)
19 delineates the Q: "General Standards" to be considered by
20 the Board in issuing Special Use permits - in 9
21 SubSections:

22 I'm not going to torture you with going through
23 all nine on this one.

24 Of those 9, SubSection 2 may best encapsulate
25 those criteria:

1 It asks: "Whether the proposed use is of such
2 character, size, location, design and site layout as to
3 be appropriate to and in harmony with the surrounding
4 properties."

5 Clearly, it is.

6 In fact, this is precisely the sort of use for
7 which manufacturing/industrial districts exist in the
8 first place. Although the code technically permits this
9 use in a B-1 District. And these do exist - It is more
10 ideally located in the M District.

11 Article 10, 550-55(C) entitled "Granting of
12 Special Use Permits" essentially summarizes the standards
13 to be employed by the Board in making its determination:

14 And I quote "If the Board of Trustees shall
15 determine that the Special Use permit will conform to the
16 general character of the neighborhood to which the
17 proposed use will apply and that the public health,
18 morals, safety and general welfare of such neighborhood
19 will be secure by the granting of issuance of such use,
20 subject to any safeguards imposed by the Board, then the
21 Board of Trustees shall authorize the issuance of a
22 Special Use permit."

23 You all have copies of the floor plans.

24 MR. CUSATO: Can you flip those drawings around
25 so it matches the view that we have? Thank you. So it

1 matches the view that we were given. Thank you.

2 MR. SILVA: So you all have copies of these.
3 And for members of the audience, you could see what's
4 here. There's nothing unusual here that you wouldn't see
5 in a normal auto body shop. The only unusual feature
6 here, if you call it that at all, is currently in this
7 area which is on the right side of the building looking
8 forward. Currently, there's a loading dock that goes
9 under. We propose to fill that in because we don't need
10 a loading dock anymore because it's not of use. And it
11 gives us some storage space for six additional off street
12 parking spots right there (indicating). There's also one
13 spot here. The rest of it, if you look through, again,
14 it's to the body shop, so you have a lift, a straightener
15 -- and spray booth, and spray booth as they are today,
16 paints. They're down draft -- clean for the environment,
17 for the neighbors and everything. So there's nothing
18 here that is out of the ordinary that you wouldn't expect
19 to see in a body shop.

20 In terms of total parking space, you have the
21 capacity to put in 20 vehicles off street. Above, we
22 have some office space. And there's a little bit -- one
23 feature here that you don't see very often is the waiting
24 room. There are two waiting rooms here and the reason
25 for that is Mr. Persico is in discussion with a insurance

1 company to do inspections. And they are requiring a
2 separate waiting area for their clients. Separate from
3 the regular body shop area will be an area specifically
4 designated for people waiting for their cars to be
5 inspected. And those inspections will happen right
6 there. There will be one of these drive-up type places,
7 you drive up, they take a look at what's going on while
8 you wait right there.

9 If there are any questions regarding layout,
10 use, anything that you would like to know or the Board
11 would like to know, we're open to questions.

12 MAYOR STRAUSS: What are going to be the hours
13 of operation?

14 MR. PERSICO: 8:00 to 6:00.

15 MAYOR STRAUSS: Sir, if you can approach the
16 podium, state your name and your address, please.

17 MR. PERSICO: My name is Dominick Persico.

18 MAYOR STRAUSS: How are you, sir?

19 MR. PERSICO: Sorry.

20 MAYOR STRAUSS: How are you, sir?

21 MR. PERSICO: Good. How are you?

22 MAYOR STRAUSS: Thank you for choosing Mineola
23 to open up a business here.

24 What are your hours of operation?

25 MR. PERSICO: 8:00 to 6:00, Monday through

1 Friday. And Saturday, 8:00 to 3:00.

2 MAYOR STRAUSS: And no Sunday hours?

3 MR. PERSICO: No.

4 MAYOR STRAUSS: Do you currently own a business
5 such as this elsewhere?

6 MR. PERSICO: Yes. Two doors down, Eight
7 Roselle Street. And prior to that I was on Sagamore
8 Avenue since '78 until about 2006.

9 MAYOR STRAUSS: Mr. Pereira?

10 MR. PEREIRA: Thank you. Good evening, Mr.
11 Persico, Mr. Silva.

12 Obviously, this is pretty straight forward:
13 You have an existing business at Eight Roselle Street?

14 MR. PERSICO: Yes.

15 MR. PEREIRA: This is true?

16 MR. PERSICO: Yes.

17 MR. PEREIRA: And we're just moving to 14
18 Roselle Street. I assume this location is larger?

19 MR. PERSICO: I'm expanding.

20 MR. PEREIRA: Is Eight Roselle Street going to
21 continue or you're moving out of Eight Roselle Street?

22 THE WITNESS: No, I want to stay at Eight.

23 MR. PEREIRA: Eight and 14?

24 MR. PERSICO: Yes.

25 MR. PEREIRA: What is currently or what was at

1 14 Roselle Street?

2 MR. PERSICO: It was a machine shop for about
3 20 years.

4 MR. PEREIRA: Okay. So it began and it's
5 surrounded by other body -- I believe there's at least a
6 few other body shops in the immediate vicinity?

7 MR. PERSICO: I believe there is five.

8 MR. PEREIRA: No further questions. I wish you
9 luck.

10 MR. PERSICO: Thank you.

11 MAYOR STRAUSS: Mr. Cusato?

12 MR. CUSATO: Good evening. How are you?
13 You have an exhaust fan for your paint?

14 MR. PERSICO: Yes.

15 MR. CUSATO: Is that fan there right now?

16 MR. PERSICO: No, it's not. This is not a body
17 shop, this is all open space right now. So it would be
18 right here (indicating). The mechanical room is here and
19 the exhaust fan goes here and continues up on the second
20 floor right there.

21 MR. CUSATO: Now, the loading dock which you're
22 going to fill up, are you going to keep that -- are you
23 going to keep a roof on it and close it?

24 MR. PERSICO: No, it's not going to have a roof
25 but it does have a six-foot fence around this side. It

1 has a sliding gate over here to keep the customers' cars
2 safe.

3 MR. CUSATO: With all those cars in that
4 garage, do you need a sprinkler system? Is that a
5 requirement?

6 MR. PERSICO: I don't know. We can ask the
7 architect, but basically anything that gets done here is
8 of course subject to whether its fire marshal or to
9 building department. All of it will be done according to
10 code and fire code and that sort of thing. But I don't
11 know if you want to answer it.

12 MR. CUNHA: John Cunha, Architect. The
13 building, the square foot area of the building which does
14 not require for a building code and a sprinkler system
15 for the storage of cars. The fire marshal never had --
16 right here -- spray booth.

17 MR. CUSATO: Thank you. That's it. Thank you,
18 Mayor.

19 MAYOR STRAUSS: Mr. Durham?

20 MR. DURHAM: A couple of questions. The
21 section, in the driveway you said for the inspection, is
22 that for like vehicles that had accidents and stuff like
23 that?

24 MR. SILVA: Yes. It's one of these drive-in
25 situations. And that's the reason for requiring

1 expansion. The existing shop that he has now can't
2 possibly handle -- it just doesn't have the square
3 footage.

4 MR. DURHAM: You go down there, you assess the
5 value --

6 MR. SILVA: Right. One of these drive-in type
7 things, you drive in, you wait in there, somebody comes
8 out and looks at it. If it requires anything additional
9 you would be able to drive in put it up on a lift and
10 take a look underneath. But most of the drive-in type
11 convenience that everyone is trying to market now.

12 MR. DURHAM: I have a question for Mr. Whalen.

13 Do we have any issues with the property at
14 Eight Roselle Street?

15 MR. WHALEN: None.

16 MR. DURHAM: None, thank you.

17 MR. SILVA: Also, I'd like to add that
18 Mr. Persico has been in the business for about 38 years,
19 since 1978. This would be now the third location in that
20 time as far as I'm aware. There have been no building
21 code violations issued on any of them.

22 MR. DURHAM: Thank you.

23 MAYOR STRAUSS: Mr. Walsh?

24 MR. WALSH: Thank you. Can I ask Mr. Persico a
25 question.

1 MR. PERSICO: (Approaching).

2 MR. WALSH: How are you?

3 MR. PERSICO: Good.

4 MR. WALSH: Good. Do you have any tow trucks
5 involved in this business?

6 MR. PERSICO: I own a flat bed, but I don't run
7 a towing service with it. I just pick up my own personal
8 -- my own customers.

9 MR. WALSH: You pick up your own customers.
10 You're not doing towing for the police?

11 MR. PERSICO: No. I'm not involved in any
12 police lists or anything like that.

13 MR. WALSH: Are you changing any lighting on
14 the outside of the building in the front, any lighting?

15 MR. PERSICO: No, I believe not, no.

16 MR. WALSH: You said you were on Sagamore
17 Avenue. Where were you on Sagamore Avenue?

18 MR. PERSICO: 335 Sagamore.

19 MR. WALSH: Are you also involved in the family
20 concrete business on Sagamore Avenue?

21 MR. PERSICO: That's my brother.

22 MR. WALSH: Thank you, that's all.

23 MAYOR STRAUSS: Anything else, Mr. Silva?

24 MR. SILVA: No. The changes to the outside, as
25 you could see are -- joined this garage door to a larger

1 door for easier access. And then just cosmetic. A
2 couple of windows I think are new as well. But just
3 cosmetic changes.

4 MAYOR STRAUSS: Thank you. I'll open it up to
5 public comments. I ask anybody that are wishing to speak
6 to approach the podium, and again, state your name and
7 your address for the record and please speak clearly.

8 Anybody in the second row? Third row? Fourth
9 row? Fifth row? Sixth row? Seventh row?

10 Mr. Silva, come on back up.

11 MR. SILVA: This never happened to me before.

12 MAYOR STRAUSS: Everything seems to be in
13 order. The questions have been answered. We don't see
14 it to be an issue. I'll entertain a motion to approve.

15 Mr. GIBBONS: Mayor, if you're going to make a
16 motion, can I also make a motion to declare this a Type 2
17 action?

18 MAYOR STRAUSS: Yes, you can.

19 MR. GIBBONS: Thank you.

20 MAYOR STRAUSS: Motion?

21 MR. PEREIRA: Motion.

22 MAYOR STRAUSS: By Trustee Pereira. Second.

23 MR. CUSATO: I'll second.

24 MAYOR STRAUSS: All in favor?

25 MR. Walsh: Aye.

1 MR. CUSATO: Aye.
2 MR. PEREIRA: Aye.
3 MR. DURHAM: Aye.
4 MAYOR STRAUSS: Any opposed?
5 Carried.
6 Entertain a motion to approve.
7 MR. PEREIRA: Motion.
8 MR. WALSH: Second.
9 MAYOR STRAUSS: Motion by Trustee Pereira.
10 Second by Trustee Walsh.
11 Mr. Scalero, pole the Board.
12 MR. SCALERO: Yes, sir.
13 Trustee Durham?
14 MR. SCALERO: Trustee Pereira?
15 MR. PEREIRA: Yes.
16 MR. SCALERO: Trustee Cusato?
17 MR. CUSATO: Yes.
18 MR. SCALERO: Trustee Walsh?
19 MR. WALSH: Yes.
20 MR. SCALERO: Mayor Strauss?
21 MAYOR STRAUSS: Yes.
22 Congratulations. Wish you very very much
23 success and lots of luck to you.
24 MR. PERSICO: Thank you.
25 MR. SILVA: Thank you.

* * *

MAYOR STRAUSS: Mr. Scalero?

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

"Please take Notice that the Board of Trustees
of the Incorporated Village of Mineola will hold a Public
Hearing on Wednesday, January 20, 2016 at 6:30 p.m. at
the Village Hall, 155 Washington Avenue, Mineola, New
York 11501, or at some other location to be hereafter
designated by the Board of Trustees, in order to receive
public comment upon the following:

"Application of Edward C. Hicks for a Special
Use Permit pursuant to Chapter 550 of the code of the
Incorporated Village of Mineola, entitled "Zoning",
Section 550.12 entitled "B-1 Districts", Subsection (B)
entitled "Special Uses" and Section 550-13 entitled "B-2
District", Subsection (A) for the purpose of establishing
a restaurant with the sale of beverages and food upon the
property known as 267 Mineola Boulevard, Mineola, New
York, known and designated on the Nassau County Land and
Tax Map as Section 9, Block 8, Lots 83-84.

"The Village of Mineola does not discriminate
on the basis of handicapped status in administration or
access to or employment in its projects and activities.

1 Joseph R. Scalero has been directed to coordinate
2 compliance with non-discrimination requirements of the
3 Federal Revenue Sharing regulations.

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

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

9 "By Order of the Board of Trustees of the
10 Incorporated Village of Mineola. Joseph R. Scalero,
11 Village Clerk.

12 "Dated: December 4, 2015."

13 MAYOR STRAUSS: Thank you.

14 Mr. Whalen, a report on the mailings.

15 MR. WHALEN: We have the signed and sealed
16 affidavit, Mayor. Everything is in order.

17 MAYOR STRAUSS: Thank you.

18 Mr. Gibbons, anything?

19 MR. GIBBONS: I'd ask for a resolution
20 requiring this to be a Type 2 action under SEQRA.

21 MAYOR STRAUSS: Motion.

22 MR. PEREIRA: Motion.

23 MAYOR STRAUSS: Motion by Trustee Pereira.

24 Second?

25 MR. DURHAM: Second.

1 MAYOR STRAUSS: Second by Trustee Durham. All
2 in favor?

3 MR. CUSATO: Aye.

4 MR. WALSH: Aye.

5 MR. DURHAM: Aye.

6 MR. PEREIRA: Aye.

7 MAYOR STRAUSS: Aye.

8 Any opposed? Carried.

9 Same format, folks. I will ask for the
10 Applicant to make their presentations and then we'll
11 ascertain questions for the Board and then we'll open up
12 to public comment.

13 Again, I will ask anybody approaching the
14 podium to please speak clearly and slowly for the court
15 reporter.

16 MR. HICKS: My name is Edward C. Hicks,
17 Architect, 192-18 35th Avenue, Flushing, New York 11358.

18 Basically, I submit an application to do some
19 cosmetic work on the front facade for a building that was
20 previously a restaurant. Actually, it was a nightclub.
21 In the course of working on the architectural, there was
22 a special use permit in effect but it expired; that's why
23 we're here.

24 Basically, the tenant wants to maintain it as a
25 restaurant and do some work on the front to open it up a

1 little bit and make it more appealing, and re-due the
2 exterior finishes, put in a skylight, and operate it as
3 an Indian restaurant.

4 MAYOR STRAUSS: Is the owner with you?

5 MR. HICKS: The person that's going to run the
6 restaurant is here, Mr. Gupta.

7 MAYOR STRAUSS: Can you please approach the
8 podium.

9 MR. GUPTA: (Approaching).

10 MAYOR STRAUSS: I have several operational
11 questions. Good afternoon.

12 MR. GUPTA: Good afternoon, sir.

13 MAYOR STRAUSS: Welcome to Mineola.

14 MR. GUPTA: Arvind Gupta, 210 Fairhaven Drive,
15 Jericho, New York 11753.

16 MAYOR STRAUSS: Do you own any current
17 restaurants?

18 MR. GUPTA: No, I don't, sir. But the main
19 partner, he does. He had a deli in New Hyde Park. I
20 worked there and ran the business for the last two and a
21 half years. But I used to have a food establishment in
22 2006, 2007 and 2008.

23 MAYOR STRAUSS: You're going into your own
24 business?

25 MR. GUPTA: This will supplement the income for

1 me and my wife, we just had a baby boy born in the
2 hospital last year.

3 MAYOR STRAUSS: Congratulations.

4 MR. GUPTA: Thank you. So she's not going to
5 go back to the job. So she used to do the event planning
6 in India, so this would be good for both of us.

7 MAYOR STRAUSS: What will the hours of
8 operation be?

9 MR. GUPTA: Hours of operation will be open
10 probably from like 11:30 until 10:00.

11 MAYOR STRAUSS: Until 10:00?

12 MR. GUPTA: Yes.

13 MAYOR STRAUSS: Is that seven days a week?

14 MR. GUPTA: Seven days a week. Some days we
15 might close 9:30.

16 MAYOR STRAUSS: How much staff do you think
17 you'll have on hand?

18 MR. GUPTA: How much staff, we expect, I mean
19 besides me, about five to seven people will be employed.

20 MAYOR STRAUSS: As I'm sure you're aware,
21 parking is an issue in that building. Do you have any
22 arrangements worked out?

23 MR. GUPTA: Yes. We are working with the next
24 door neighbor. They close after 5:00. So they will let
25 us use their parking.

1 MAYOR STRAUSS: The building to the south of
2 you?

3 MR. GUPTA: Yes, the building to the south of
4 us. We'll have valet parking, you know, in the evening
5 we might use some of the village parking in the lot after
6 6:00.

7 MAYOR STRAUSS: As a suggestion, if you're
8 successful here with the request for tonight might be to
9 reach out to the bank and if they're not using --

10 MR. GUPTA: Yes, we asked the Bank also. And
11 they close at 4, 430. After that, we'll be allowed to
12 use the parking lot.

13 MAYOR STRAUSS: Other than the cosmetic changes
14 to the front of the building which I think will certainly
15 enhance the comfort or the easiness of the building, so
16 to speak, for the people going into it, are there any
17 structural changes to the building.

18 MR. GUPTA: Mr. Hicks will be able to answer
19 that.

20 MR. HICKS: No.

21 MAYOR STRAUSS: Okay. No.

22 You have a back patio? I assume that you're
23 going to use it for serving food or gathering. Will
24 there be any music outside?

25 MR. GUPTA: No music outside, but we'll cleanup

1 the patio in the summertime so if people want to sit in
2 there, we'll allow it.

3 MAYOR STRAUSS: Alright.

4 MR. GUPTA: It will be a family restaurant.

5 MAYOR STRAUSS: Family restaurant. I'll save
6 some other questions for later.

7 Mr. Pereira.

8 MR. PEREIRA: Thank you, sir. Welcome. As the
9 architect did state, obviously, this property has been a
10 restaurant, a bar, a nightclub, going back decades.

11 MR. GUPTA: Since 1988.

12 MR. PEREIRA: Way before that.

13 MR. GUPTA: Oh, way before that.

14 MR. PEREIRA: Even Mr. Cusato and Mr. Walsh
15 were a member of the camelot.

16 MR. GUPTA: We took it over -- he's been
17 successful since 1988.

18 MR. PEREIRA: Getting to the point of what the
19 architect said. He's correct in saying that had you not
20 waited or had six months not elapsed between the last use
21 and this use, you wouldn't even have to come here. You
22 would be able to open the restaurant as of right. But
23 because it has expired here you are.

24 As the Mayor had mentioned, I am glad that you
25 are -- although the architect is changing the facade

1 because I think it would be more inviting as a restaurant
2 to open up those windows -- when it was a nightclub that
3 made sense to have those dark windows and to not have
4 that airy feeling so...

5 Certainly, I think that's a move in the right
6 direction. Of course, every business that's been there,
7 parking is the issue. We do have a rather large village
8 parking lot and there's a bank parking lot. In the past
9 some of the tenants have managed to get some kind of
10 agreements with the bank to be able to park, so I
11 certainly would suggest that you proceed with that.

12 MR. GUPTA: Yes, we'll do so.

13 MR. PEREIRA: My question is, as the architect
14 mentioned, you're not changing the layout so the bar is
15 going to remain?

16 MR. GUPTA: Bar is going to remain there, yes.

17 MR. PEREIRA: And you're going to serve
18 alcohol?

19 MR. GUPTA: Yes.

20 MR. PEREIRA: You'll have a full liquor
21 license?

22 MR. GUPTA: Yes.

23 MR. PEREIRA: Live music, will you have live
24 music, performances, bands --

25 MR. GUPTA: No live music. We might have some

1 light music in the restaurant.

2 MR. PEREIRA: Ambient music, but nothing can be
3 heard from the outside?

4 MR. GUPTA: No.

5 MR. PEREIRA: I know and if you look at the
6 picture there the bar was promoting cigar, lounge and --

7 MR. GUPTA: No smoking.

8 MR. PEREIRA: No vaping.

9 MR. GUPTA: No.

10 MR. PEREIRA: No hookah bar?

11 MR. GUPTA: No.

12 MR. PEREIRA: No smoking?

13 MR. GUPTA: None.

14 MR. PEREIRA: This may be a question for the
15 architect as well. I do remember that the last applicant
16 that was here had to do some rather extensive changes to
17 the exhaust and the fire prevention system and the Ansul
18 system and all that. I assume that has all been checked
19 out by the --

20 MR. HICKS: Yes, it has all been checked out.

21 MR. PEREIRA: Sir. Garbage. How do you plan
22 to dispose of the garbage produced by the restaurant?
23 Are you going to use a private carter or our sanitation
24 department?

25 MR. GUPTA: We'll use whatever will be much

1 more better. That we haven't thought about yet. I think
2 the Village sanitation will be --

3 MR. PEREIRA: If you do choose to use the
4 Village then we ask that you adhere to the times and
5 days --

6 MR. GUPTA: Yes.

7 MR. PEREIRA: If you use a private carters
8 then, obviously, we ask that you do it at a time that it
9 will not interfere with people's quality of life.

10 MR. GUPTA: Most probably we'll use the Village
11 sanitation so it's not an issue.

12 MR. PEREIRA: For now that's all my questions.

13 MAYOR STRAUSS: If I can speak to the garbage
14 issue.

15 The Village Board and the Building Department
16 and the Chamber of Commerce, which I hope if you are
17 successful this evening you get involved with it --

18 MR. GUPTA: Yes.

19 MAYOR STRAUSS: -- has gone to great measures to
20 try to work with the businesses about the garbage and
21 when it's put out. So we ask for your cooperation to try
22 to keep Mineola as clean as you possibly could.

23 MR. GUPTA: Yes, sir. We want to bring value
24 to the place and we want to run it successfully. And
25 we'll adhere to the policies and keep it nice and clean.

1 MAYOR STRAUSS: I appreciate that.

2 Mr. Cusato?

3 MR. CUSATO: The only question I had was the
4 outside back patio which you've raised, so I actually
5 have no questions.

6 MAYOR STRAUSS: Sorry. Mr. Durham?

7 MR. DURHAM: You basically said that everything
8 is staying the same so that there was use of a restaurant
9 and a kitchen, if it's just those cosmetics, I have no
10 questions.

11 MAYOR STRAUSS: Mr. Walsh?

12 MR. WALSH: Thank you.

13 My question is for you or Mr. Hicks: You said
14 that you're going to have a restaurant and a bar only,
15 right?

16 MR. GUPTA: Yes, sir.

17 MR. WALSH: But on your application to the
18 Village it has "Present Use: Bar, restaurant, club.
19 Proposed Use: Bar, restaurant, club."

20 So you're applying for a bar, restaurant, and
21 club.

22 MR. HICKS: I guess it's a typo.

23 MR. WALSH: It's not a typo, it's handwritten.

24 MR. HICKS: You'll have to cross that out.

25 MR. WALSH: Mr. Hicks, if I could just finish.

1 I was an observer in the audience at the last hearing.
2 The guy's name was Alan, I don't remember his last name.
3 Going back to many years that has the right to have a
4 cabaret license in that bar. However, at that hearing he
5 said that he only wanted to have a family bar and he no
6 longer wanted to have a cabaret license and he forfeited
7 that right.

8 And they spoke about it on the Board at that
9 hearing several years ago. So you'll have to do
10 something to change that, because you're asking to have a
11 club also on your application.

12 MR. GUPTA: No, sir, we don't need that.

13 MR. HICKS: I'll revise it.

14 MAYOR STRAUSS: Come to the podium, sir.

15 MR. HICKS: I'll revise it. I made an error on
16 the description.

17 MR. GIBBONS: We can take your representation.
18 I will strike it from the application pursuant to the
19 owner's statement.

20 MR. WALSH: Thank you.

21 Mr. Gupta, you had just said that you spoke
22 with the bank; is that correct? You spoke with the bank
23 about parking --

24 MR. GUPTA: Yes. We spoke to the bank
25 originally, that was six to eight months ago when we took

1 the lease, because you know this took time. And they
2 said that when the bank is closed they will allow us to
3 use it.

4 MR. WALSH: Can you tell me who you spoke to?
5 Did you speak to a guy named John who is the security
6 guard in the parking lot.

7 MR. GUPTA: I spoke with a lady, I don't
8 remember.

9 MR. WALSH: Because I spoke with the bank today
10 and I spoke with the assistant manager, Mr. Santiago, and
11 he said he had no idea about the restaurant across the
12 street going to use that property as parking.

13 Sir, let me just finish please.

14 And then I spoke with the security guard in the
15 parking lot who said that about two or three months ago
16 he spoke with you, I guess. You didn't go beyond the
17 security guard inside the bank. You only spoke with him.
18 And he said he thought it would be all right.

19 You didn't get beyond the security guard in the
20 parking lot; is that correct?

21 MR. GUPTA: Sir, I did not speak to the
22 security guard. It must have been the owner or Mr. Sing.
23 It must have been Mr. Sing.

24 I went to the bank, I think that was Memorial
25 Day Weekend we went saying we are going to open a



1 restaurant in the town. At that time I don't remember
2 the name of the lady she was there. And we said we are
3 going to open a restaurant. I said, you know, we might
4 be using your parking here. And she said that should not
5 be an issue once the bank gets closed.

6 MR. WALSH: Can you give me the full name of
7 whomever -- all the owners of this restaurant.

8 MR. GUPTA: The restaurant will be owned by
9 Balvinder, Jit, Bains and Jasbir Singh,
10 B-A-L-V-I-N-D-E-R, J-I-T, last name, B-A-I-N-S and
11 J-A-S-B-I-R, S-I-N-G-H.

12 MR. WALSH: So there will be three owners or
13 two? You're not an owner.

14 MR. GUPTA: I am a small owner, sir.

15 MR. WALSH: So there are three owners.

16 MR. GUPTA: They are husband and wife.

17 MR. WALSH: There is Mr. Singh and you,
18 Mr. Gupta, are also an owner; is that correct?

19 MR. GUPTA: Correct.

20 Q. Now, you know, Mr. Santiago was the assistant
21 manager and there is a woman who is the manager. She as busy
22 and I didn't get a chance to speak to her so that very well
23 maybe a mix up. But you know maybe we need to clear that up
24 of whether you do have permission or whether you don't have
25 permission to use the bank parking lot. Because the security

1 guard told me that he told someone two months ago he wouldn't
2 mind. But when I asked the assistant manager he said nothing
3 about it and that, more than likely, the bank would not go
4 along with that, so we're going to have to clear that up.

5 MR. GUPTA: Yes, sir.

6 MR. WALSH: As far as parking is concerned,
7 there's no parking allowed in front of your building?

8 MR. GUPTA: Yes, sir.

9 MR. WALSH: But also on side of your building,
10 there's absolutely no parking on the side of your
11 building. There is opposite side parking at the house
12 beyond your property. But from your property to the
13 corner there is no parking on either side of the
14 building.

15 MR. GUPTA: Right, sir.

16 MR. WALSH: Where do you propose to put the
17 cars during the day? You're going to be open during the
18 day, right? What are your hours of operation too? I
19 didn't get that.

20 MR. GUPTA: 11:30 to 3:00.

21 MR. WALSH: 3:00 a.m.?

22 MR. GUPTA: We're open for lunch and then for
23 dinner.

24 MR. WALSH: So you'll be open from 11:30 until

25 --

1 MR. GUPTA: To 10:00 at night.

2 MR. WALSH: And you're not going to close in
3 between, you'll be open in case somebody comes in.

4 MR. GUPTA: Where going to sit in the
5 restaurant 3:30 to 5:00, maybe the kitchen staff --

6 MR. WALSH: Good. I get that.

7 So between 11:30 and 3:30, where do you think
8 the people are going to be parking that come to your
9 restaurant. And I hope your restaurant is successful if
10 you're allowed to operate it, but where will the cars be
11 parked?

12 MR. GUPTA: They will have to find the street
13 parking, meter parking.

14 MR. WALSH: Okay. Thank you. The only type of
15 music you may have is maybe one person with a little
16 instrument perhaps at times or absolutely none of that?

17 MR. GUPTA: No, we don't expect or we don't
18 plan to have anybody play any music there.

19 MR. WALSH: That's all I have.

20 MAYOR STRAUSS: Mr. Gupta, your deliveries,
21 where are your deliveries vehicles going to be parked?
22 Are they going to be parked on Mineola Boulevard? Are
23 they going to be parked on the Washington Avenue side?

24 MR. GUPTA: Delivery will be on the side alley
25 to that restaurant and the entrance is there right on

1 Mineola Boulevard.

2 MAYOR STRAUSS: It would be greatly appreciated
3 if you are successful to slide your delivery trucks
4 either onto Washington Avenue parked legally or use the
5 7-Eleven. Maybe you can make accommodations with them.

6 MR. GUPTA: We'll make every effort here, sir,
7 to not to block traffic or cause any inconvenience to the
8 public.

9 MAYOR STRAUSS: Mineola Boulevard between
10 Jericho Turnpike and Washington Avenue on the southbound
11 side can get a little sketchy. When you have a large
12 vehicle --

13 MR. GUPTA: Right.

14 MAYOR STRAUSS: And don't appreciate anybody
15 parking on the sidewalks.

16 MR. GUPTA: Right.

17 MAYOR STRAUSS: Thank you. Any other comments
18 from the Board?

19 MR. PEREIRA: Just one more comment:
20 Obviously, there's a spot where a sign would go. The
21 previous owner never even applied for a sign. He had a
22 banner hanging up there. I assume that you're going to
23 get some sort of a permanent sign?

24 MR. HICKS: Yes. I'll sign it under a separate
25 application.

1 MR. PEREIRA: You'll get the proper permits for
2 that?

3 MR. HICKS: Yes.

4 MR. PEREIRA: Are you planning -- that looks a
5 little structurally questionable.

6 MR. HICKS: I suggested to Mr. Gupta to get a
7 sign company.

8 MAYOR STRAUSS: If you can come to the podium.

9 MR. HICKS: I suggested to Mr. Gupta to contact
10 a sign company to work out a design and how it's going to
11 be attached. And with shop drawings to show how it's
12 going to be attached.

13 MR. PEREIRA: From your perspective in terms of
14 exterior lighting are you going to brighten up that?

15 MR. HICKS: Really most of the lighting will be
16 inside, it really won't be exterior per se.

17 MR. PEREIRA: The light will now come through
18 those sliders?

19 MR. HICKS: Slightly. But the glass will have
20 a tint to it, so it won't be clear glass, it will have a
21 slight tint.

22 MAYOR STRAUSS: Anymore comments?

23 MR. WALSH: On the interior, inside that
24 restaurant, you come in and then there's a step-down to
25 like an area, and then you step back up to go to the

1 back. Is that all going to remain the same?

2 MR. HICKS: Yes, it's not going to change.

3 MR. WALSH: Thank you.

4 MAYOR STRAUSS: Gentlemen, please have a seat.

5 I ask that if you can record any questions that may arise
6 from the public and we will answer them at the end.

7 I'll open up to public comment. Again, I
8 request anybody approaching the podium to please speak
9 slowly and clearly and to state your name and address for
10 the report.

11 Anybody in the second row? Third row? Fourth
12 row? Fifth row?

13 MR. PENNACCHIO: My name is Nick Pennacchio,
14 241 Columbus Parkway, Mineola. Good evening, Members of
15 the Board, Mayor, Mr. Gibbons.

16 I have not come here tonight intending to speak
17 on this matter, I'm here for another matter. But as a
18 member of the Arch Protection Review Board, I just want
19 to mention that this property has come before the Review
20 Board in the past under other potential owners. I'm
21 surprised to see this here tonight. The past owner that
22 came before us had some intention of putting up some
23 glass facades in the front, et cetera. We suggested that
24 they would not go along with those plans. We expected
25 that they would back with other plans.

1 This gentleman is an another owner, a new
2 owner, apparently. I'm just confused as to why they're
3 making their presentation before the Board tonight as
4 opposed to meeting with the ARB first.

5 MAYOR STRAUSS: Mr. Gibbons?

6 MR. PENNACCHIO: Many of the questions that
7 have been asked by the Mayor tonight and the Board are
8 generally the ones that are given to the ARB.

9 MR. WHALEN: There was an appearance by an
10 Applicant before the Architecture Review Board on
11 July 13, 2015 relative to the exterior work to be
12 commenced on this particular property. At that time the
13 Board decided collectively to deny said application and
14 ask the applicant to come back with some changes specific
15 to the outside. On October 5, 2015 the Applicant then
16 returned back to the Board having made substantive stages
17 of changes four, five or six that I could see
18 specifically, that may not be in keeping with what's
19 behind Mr. Pennacchio now. However, the decision of the
20 Board collectively that evening was an approval to do
21 what is in the October 5th decision. If that's not what
22 is represented there, then he is correct. But I would
23 only know that when I got the final stages of the plans
24 to my office.

25 So there is an approval from the Architectural

1 Review Board. Whether or not this was the applicant at
2 that time, I don't know. But if those changes are not
3 reflected in those boards, then those were the things
4 that I would have to get to both clarify the decision of
5 both the Architectural Review Board and whatever this
6 Board decides.

7 MAYOR STRAUSS: Thank you. We'll investigate
8 that issue.

9 MR. HICKS: Can I make a statement?

10 MAYOR STRAUSS: Come on up, sir.

11 MR. HICKS: I was the applicant. I've always
12 been the applicant on this project. I was there. These
13 are the boards that they saw and approved, no difference
14 whatsoever.

15 MAYOR STRAUSS: We have approval of the ARB.

16 MR. WHALEN: We do as of the October 5th
17 meeting. That's a representation of those changes, yes.

18 MR. HICKS: This is exactly what I brought.

19 MR. WALSH: 2015.

20 MR. WHALEN: Yes.

21 MAYOR STRAUSS: Anybody else in the fifth row?
22 Sixth row? Seventh row? Any other comments from the
23 Board.

24 MR. PEREIRA: The only comment I have is,
25 obviously, the applicant is here for a Special Use

1 permit. We're not looking to offend any anybody, at
2 least in my questions. We asked about parking, music,
3 vaping, garbage, serving alcohol hours of operation. So
4 I think those are the questions that are certainly within
5 our purview. The questions in terms of the architectural
6 look of the place were secondary to the questions that
7 are under the Special Use permit, so I think this Board
8 is doing its due diligence in asking those questions and
9 not stepping on anybody else's toes.

10 MAYOR STRAUSS: Absolutely. Any other comments
11 from the Board?

12 MR. WALSH: One, Mayor.

13 How about any odors from the kitchen? Anything
14 different, any special filters or anything put in or just
15 what you have existing is going to be fine?

16 MR. GUPTA: Yes, sir. We don't expect any odor
17 to be outside. It will be just usual herb, spice used in
18 Indian food. It's not a strange odor or strong odor that
19 will spread or anything. It will be confined to the
20 kitchen.

21 MR. WALSH: Is there a back door to that
22 kitchen.

23 MR. GUPTA: Yes.

24 MR. WALSH: Will you state that you will keep
25 that back door to your kitchen closed?

1 MR. GUPTA: That door will stay closed.

2 MR. WALSH: Thank you.

3 MR. PEREIRA: What is the name of the
4 restaurant?

5 MR. GUPTA: Jassi's Mineola, J-A-S-S-I slash S
6 in Mineola. There is a Jassi's in New Hyde Park and this
7 will be Jassi's in Mineola. It's a very successful
8 restaurant, Jassi's in New Hyde Park.

9 MR. PEREIRA: Where is it in New Hyde Park?

10 MR. GUPTA: 271-11 Union Turnpike. It's very
11 popular, successful, no violation of any kind.

12 MR. PEREIRA: And that's New Hyde Park, so
13 that's governed -- that's not in Queens?

14 MR. WALSH: That address is in Queens.

15 MR. GUPTA: That address legally it's in
16 Queens, but it's on the border of Lakeville Road, so the
17 address is New Hyde Park.

18 MR. DURHAM: Mayor, just check.

19 MAYOR STRAUSS: Yes.

20 MR. DURHAM: If the plans are different they
21 have to take it to the Architectural Review Board?

22 MAYOR STRAUSS: Yes, a Special Use permit.

23 MR. DURHAM: Okay. I just wanted to make that
24 clear.

25 MAYOR STRAUSS: Any other comments?

1 Entertainment a motion to approve?

2 MR. PEREIRA: Motion.

3 MAYOR STRAUSS: Motion by Trustee Pereira.

4 Second.

5 MR. CUSATO: Second.

6 MAYOR STRAUSS: Second by Trustee Cusato.

7 All in favor?

8 MR. DURHAM: Aye.

9 MR. PEREIRA: Aye.

10 MR. WALSH: Aye.

11 MR. CUSATO: Aye.

12 MAYOR STRAUSS: Mr. Scalero, pole the Board.

13 MR. SCALERO: Trustee Durham?

14 MR. DURHAM: Yes.

15 MR. SCALERO: Trustee Pereira?

16 MR. PEREIRA: Yes.

17 MR. SCALERO: Trustee Cusato?

18 MR. CUSATO: Yes.

19 MR. SCALERO: Trustee Walsh?

20 MR. WALSH: Yes.

21 MR. SCALERO: Mayor Strauss?

22 MAYOR STRAUSS: Yes.

23 Congratulations. We'll work out with the

24 Architectural Review Board, make sure that what you're

25 proposing here this evening is in agreement with what

1 they approved. If not we'll certainly address that.
2 Welcome to Mineola. I wish you much success. I just ask
3 that any changes that you do to the building you stay in
4 close contact with our building department.

5 MR. GUPTA: Thank you very much, sir.

6 MR. PEREIRA: Mr. Gibbons, when we write the
7 decision, will we be able to conclude the same conditions
8 as the last use, the conditions will continue. I
9 remember the conditions were very similar to the ones
10 that we --

11 MR. GIBBONS: Absolutely. I will present the
12 Board with a draft. I will include the same conditions
13 and address any other issues that came up tonight.

14 MR. PEREIRA: Thank you.

15
16 * * *

17
18 MAYOR STRAUSS: Mr. Scalero.

19 MR. SCALERO: "Legal Notice, Public Hearing,
20 Incorporated Village of Mineola.

21 "Please take Notice that the Board of Trustees
22 of the Incorporated Village of Mineola will hold a Public
23 Hearing on Wednesday, January 20, 2016 at 6:30 p.m. at
24 the Village Hall, 155 Washington Avenue, Mineola, New
25 York 11501, or at some other location to be hereafter

1 designated by the Board of Trustees, in order to receive
2 public comment upon the following:

3 "A resolution pursuant to Article III of the
4 Municipal Code of the Incorporated Village of Mineola,
5 entitled "Rate Zones", Section 475-4, entitled
6 "Establishment and Modification", to modify the schedule
7 of rates for transportation by taxicabs from, to, within
8 and between the established rate zones and for the
9 Village of Mineola; and

10 "The Village of Mineola does not discriminate
11 on the basis of handicapped status in administration or
12 access to or employment in its projects and activities.
13 Joseph R. Scalero has been directed to coordinate
14 compliance with non-discrimination requirements of the
15 Federal Revenue Sharing regulations.

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

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

21 "By Order of the Board of Trustees of the
22 Incorporated Village of Mineola. Joseph R. Scalero,
23 Village Clerk. Dated: December 4, 2015."

24 MAYOR STRAUSS: Gentlemen, we received a letter
25 from Long Island Transportation requesting a review of

1 the fees for the taxicabs, hence, we're here tonight.

2 I'll ask Mr. Plessinger if he could approach
3 the podium.

4 MR. PLESSINGER: Good evening, Mr. Mayor,
5 Members of the Board. Happy New Year.

6 MAYOR STRAUSS: Same to you.

7 MR. PLESSINGER: I put a request in to the
8 Village for a fair increase. It has been -- I've owned
9 the company now, approximately, 13 years. I believe it's
10 been at least ten years since we've done a fair increase
11 point-to-point within the Village. It is my
12 understanding after speaking to Larry Young from Young's
13 Taxi that the senior rate has not been increased in,
14 approximately, 25 years. So last time there was a fair
15 increase the senior rate stayed the same.

16 A lot has changed in the Village of Mineola
17 over the past ten plus years. Traffic has been
18 definitely been an issue, especially during the rush
19 hour. The wear and tear of cars have become -- have
20 taken more of a beating because of this. During rush
21 hour it could take a half an hour to go from Jericho
22 Turnpike and Herricks Road to Kennel Worth and Old
23 Country. And it's taken a lot longer to get around the
24 Village. Insurance costs have just about doubled.
25 Maintenance costs have gone up dramatically.

1 I'd like to present to the Board a copy of a
2 consumer price index that shows the increases over the
3 past decade, if that's possible.

4 MAYOR STRAUSS: Mr. Scalero. Place this into
5 the record please.

6 MR. PLESSINGER: The cost of vehicles have gone
7 up, minimum wage has gone up -- and it looks like it
8 could be going up again. The overall cost of running a
9 business has gone up dramatically over the past ten
10 years. If there's any questions?

11 MR. PEREIRA: Gas has gone down.

12 MR. PLESSINGER: Gas has, but that can all
13 change at the drop of a dime, as we all know.

14 MAYOR STRAUSS: We certainly understand the
15 increases, the cost of living as you mentioned, all of
16 the other costs that a business has to get to make their
17 business work.

18 The one problem we have or I have is the
19 senior, the senior costs. I understand it wasn't raised
20 in supposedly 25 years, but to virtually double it to our
21 senior citizens, I'm not very comfortable with. The
22 single passenger we're talking about, it's a minimal
23 increase. The additional passenger is again a minimal
24 increase. There doesn't appear to be any changes to any
25 of the other charges with the exception of the waiting

1 times and the rental of a taxicab.

2 Is there a -- well, it's up to us to decide.
3 But the senior citizens' fees where I'm uncomfortable
4 with. With that being said, I'd like to hear the input
5 from the public as well as from the rest of the Board
6 Members.

7 Mr. Pereira, any comments?

8 MR. PEREIRA: Thank you. Obviously, again,
9 I've been on the Board for eight years so you certainly
10 have not asked for any increases in eight years. It's
11 probably been longer than that.

12 As you've indicated, everything has gone up in
13 that time. Certainly, we want to be fair. And I think
14 that the increases are reasonable with the exception of
15 the senior citizens. I think if in fact if it was 20
16 years or 25 years ago since the last increase, perhaps we
17 can make it more moderate this time and then come back
18 again in ten years and do it again.

19 I think you're raising the single passenger by
20 25 percent and you're raising the senior citizens --
21 you're almost doubling it. You're going from \$2.50 to
22 \$4.50 and -- four to five. Do I have the right numbers?

23 MR. PLESSINGER: No. Four to six.

24 MR. PEREIRA: Oh, so you're going from four to
25 six?

1 MR. PLESSINGER: Correct.

2 MR. PEREIRA: So even the more reason to -- so
3 I have a list that says four to five.

4 So let's make sure we have the right info.
5 Single passenger you're going from four to six. Each
6 additional passenger --

7 MAYOR STRAUSS: Hold on one second. The letter
8 I have from you, Mr. Plessinger, dated January 7, 2015:

9 "We are formally requesting to increase our
10 current taxicab rate, rates of fair. For local calls
11 from any point within the Village of Mineola the rate
12 will be \$5.00.

13 MR. PLESSINGER: That is correct. And then I
14 sent a revised letter to the Village on December 30,
15 2015.

16 MAYOR STRAUSS: I'm not aware.

17 MR. PLESSINGER: I do have copies.

18 MAYOR STRAUSS: That's fine. So you're looking
19 to raise the single passenger from four to \$6.00.

20 MR. PLESSINGER: Yes.

21 MR. PEREIRA: Everything else remains the same?

22 MR. PLESSINGER: That's correct.

23 MR. PEREIRA: Additional passenger \$2.50 to
24 \$3.00?

25 MR. PLESSINGER: That's correct.

1 MR. PEREIRA: Senior citizens, \$2.50 to \$4.50?

2 MR. PLESSINGER: Correct.

3 MR. PEREIRA: Waiting time, \$25 an hour to \$40
4 an hour?

5 MR. PLESSINGER: That is correct.

6 MR. PEREIRA: \$5.00 every ten minutes --

7 MR. PLESSINGER: That is correct.

8 MR. PEREIRA: Rental time \$25 to \$40?

9 MR. PLESSINGER: That is correct.

10 MR. PEREIRA: I was actually going to suggest
11 that if we can get a little bit of a discount on the
12 seniors and add a dollar to the single passengers. So
13 since you add a dollar to these single passengers, I
14 think all we have left to discuss is to mitigate the
15 senior citizens. That's my opinion.

16 MR. PLESSINGER: Also, Trustee Pereira, we
17 maybe break it into the seniors, you know, do a fair
18 increase another six months later. I am open to ideas.

19 MR. PEREIRA: I was thinking more like five
20 years later.

21 MR. PLESSINGER: I don't have a crystal ball
22 over the next five years what's going to happen.

23 MR. PEREIRA: Well, I've got a crystal ball of
24 what happens. They're on fixed incomes and a dollar is a
25 lot.

1 Many of these seniors may not drive or no
2 longer drive. They are in fixed incomes. So adding a
3 dollar to a single passenger, somebody whose working,
4 somebody who is getting off the train is completely
5 understood. But adding \$2.00 to senior citizens, \$2.50
6 -- and you're right, \$2.50 is a bargain, it's a good
7 price, but that's what we want to do for our seniors.
8 You have to make it up somewhere else, but I certainly
9 wouldn't want to do it on the back of seniors.

10 So I will be all in favor of an incremental
11 increase, but certainly not in six months. That's my
12 opinion.

13 MAYOR STRAUSS: Thank you. Mr. Cusato.

14 MR. CUSATO: Mayor, I agree with both you and
15 Mr. Pereira regarding our senior citizen rates. They are
16 senior citizens, you know, I think we should do something
17 with that price.

18 Mr. Plessinger, I think I've used a cab maybe
19 four times in my entire life. Waiting time, what does
20 that mean 24 hours?

21 MR. PLESSINGER: What it is, there are very
22 limited occasions where somebody will say "I want to take
23 a taxi" say "I want to go to Roosevelt Field and I want
24 the car sitting outside for an hour."

25 There are times where a customer will call and

1 say, I'm going to the doctor, I want the car sitting
2 outside. It's a rare occurrence. If it happens once or
3 twice a month, it's a lot.

4 MR. CUSATO: Okay. Thank you. I can see.
5 Again, I just have an issue with the senior citizen fair.

6 MR. PLESSINGER: I'm open to suggestions on
7 that.

8 MAYOR STRAUSS: Mr. Durham.

9 MR. DURHAM: The first thing that jumped out to
10 me was the senior citizen rate. I said that was too big
11 a jump to hit our senior citizens with since they're the
12 largest population that even use the cabs in the Village
13 of Mineola.

14 MR. PLESSINGER: Trustee Durham, just to let
15 you know on an average we probably do about four to eight
16 senior rides a day.

17 MAYOR STRAUSS: Within the Village?

18 MR. PLESSINGER: Within the Village,
19 point-to-point.

20 MR. PEREIRA: You'd say that is very little?

21 MR. PLESSINGER: Yes.

22 MR. PEREIRA: So even more reason to not bang
23 those eight people through that, because it's not like --
24 that's not your bread and butter.

25 MR. PLESSINGER: I'm open to any suggestions,

1 Trustee.

2 MAYOR STRAUSS: Anything else?

3 MR. DURHAM: I would say take a raise of a
4 dollar, if that.

5 MAYOR STRAUSS: Let's see if Mr. Walsh has any
6 questions.

7 Any other questions?

8 MR. PEREIRA: No.

9 MAYOR STRAUSS: Mr. Walsh?

10 MR. WALSH: Thank you, Mayor. Good evening,
11 Mr. Plessinger.

12 MR. PLESSINGER: Good evening, Trustee Walsh.

13 MR. WALSH: Let's just stay with that senior
14 citizen point. What you're talking about is
15 point-to-point in Mineola for senior citizens, right?

16 MR. PLESSINGER: That is correct.

17 MR. WALSH: And that's a very finite number of
18 people, there's not a lot of people that are doing that.
19 However, if I'm a senior citizen and I want to go from
20 Mineola to Roosevelt field, then as soon as you get out
21 of the Village of Mineola you charge whatever you charge
22 for the rate for the zone; is that correct?

23 MR. PLESSINGER: If a senior citizen calls and
24 states they're a senior citizen, we automatically give
25 them a ten percent discount.

1 MR. WALSH: So you give them the ten percent
2 discount on whatever zone they're going to. For example,
3 if they're going to La Guardia Airport, you take ten
4 percent off if they're going to La Guardia Airport; is
5 that correct.

6 MR. PLESSINGER: That is correct. If they
7 state that they're a senior.

8 MR. WALSH: They have to state that they're a
9 senior when they call.

10 MR. PLESSINGER: Yes, sir.

11 MR. WALSH: What we're talking about here is
12 really minimal. Because it's just point-to-point in
13 Mineola. Because many people get in your cab and they go
14 beyond Mineola. They go to Williston Park, they go to
15 grocery stores, the senior citizens and such, outside the
16 Village.

17 And then you have the ability to charge, minus
18 the ten percent that you included, as you've stated,
19 whatever you charge them outside the Village of Mineola.
20 We have no control over that?

21 MR. PLESSINGER: That is correct.

22 MR. WALSH: So the only thing we have control
23 of are the small number of seniors that are traveling
24 within the Village of Mineola?

25 MR. PLESSINGER: That is correct.

1 MR. WALSH: I just wanted to make that point,
2 because people go beyond the Village and you charge -- it
3 goes beyond the senior fee that you charge, \$2.50.

4 Just to be curious now, you say in your
5 presentation that you gave us that there is medical care
6 and that went up by 35 percent.

7 Who gets medical coverage in your company?

8 MR. PLESSINGER: The dispatchers, the phone
9 answers, the mechanics that work on the vehicles.

10 MR. WALSH: Not the drivers?

11 MR. PLESSINGER: The drivers are considered
12 independent contractors, they're not employers.

13 MR. WALSH: Does the driver also get the -- you
14 said the minimum wage is going up by 46 percent. Do the
15 drivers get a minimum wage salary or do they work on
16 percentage?

17 MR. PLESSINGER: They lease the car.

18 MR. WALSH: They lease a car.

19 MR. PLESSINGER: They do not -- minimum wage is
20 in regards to the help center in the office -- that are
21 answering the phone calls, dispatching the calls.

22 MR. WALSH: Just talking about All-Island
23 Taxi -- because you have several other companies or you
24 have a company other than All-Island Taxi.

25 How many employees do you have just with those

1 that service the Village of Mineola that you pay minimum
2 wage or above and medical coverage for, medical care?

3 MR. PLESSINGER: The help that is in the office
4 is probably about 15 people.

5 MR. WALSH: But they service other companies?

6 MR. PLESSINGER: No. That's just the
7 dispatchers, the phone operators that are in -- at the
8 Mineola Train Station.

9 MR. WALSH: Okay. I got you. Thank you.

10 MR. PLESSINGER: And then I have a manager at
11 that location. And then I also have mechanics and body
12 labor to do work on the cars.

13 MR. WALSH: If I'm a driver for you is it like
14 a 60/40 split or I rent a car from you for the day.

15 MR. PLESSINGER: They lease the car and it's
16 based on 50/50 commission.

17 MR. WALSH: 50/50 commission and they lease the
18 car from you and they pay for the gas?

19 MR. PLESSINGER: That is correct.

20 MR. WALSH: Again, like everyone else, I think
21 this is such a small finite number of people that are
22 using this inside the Village itself. I really don't see
23 that we need such a large increase to seniors. That's
24 just my comment. Thank you, Mr. Plessinger.

25 MR. PLESSINGER: Thank you.

1 MAYOR STRAUSS: Any other comments from the
2 Board?

3 Mr. Plessinger, you can have a seat and we'll
4 open up to public comment.

5 MR. PLESSINGER: Thank you, Mr. Mayor, Members
6 of the Board.

7 MAYOR STRAUSS: Thank you, sir. Don't go too
8 far.

9 I ask anybody approaching the podium to please
10 speak clearly, state your name and address for the
11 reporter.

12 Anybody in the fourth row?

13 Yes, sir.

14 MR. GRILLO: Joe Grillo, Village of Mineola.
15 Good evening, Mayor, Members of the Board, Mr. Gibbons.

16 Yes. I understand it's four to eight senior
17 trips Mr. Plessinger mentioned. And as Mr. Pereira said
18 -- it's not their bread and butter. So if you're going
19 to raise it a dollar or \$2.00 -- and let's take a max of
20 eight trips a day. That's \$16. \$16 is going to put
21 anymore taxicabs into the business. I don't think it's
22 really going to affect the income.

23 Yes, everything is senior citizens this, senior
24 citizens that, but you know what, Mineola is built on
25 senior citizens. Senior citizens that are here are here

1 for a long time.

2 My salary hasn't gone up, but the expenses of
3 living in Mineola have gone up -- not because of the
4 Village Board but in general. So I think that they
5 raised -- I think it's double. Perhaps it's a bit too
6 much. A smaller raise would be nice. Of course, if All
7 Island would be very generous and keep the rate for at
8 least another year or two, the seniors would greatly
9 appreciate, we certainly would.

10 The next question is, would this price be just
11 for All Island or for the other taxis also?

12 MAYOR STRAUSS: That would be for all taxis.
13 We set the rates here for all companies.

14 MR. GRILLO: I'm just wondering the reason why
15 the other companies didn't come here.

16 MAYOR STRAUSS: They were all invited. I can't
17 speak for them.

18 MR. GRILLO: Thank you.

19 MR PLESSINGER: Mr. Young is back here.

20 MAYOR STRAUSS: Mr. Young is back here.

21 MR. YOUNG: I am here. Good evening, Mayor.

22 MAYOR STRAUSS: Good evening.

23 MR. YOUNG: Lawrence Young, 146 Harrison
24 Avenue, Mineola. I own Young's Taxi in Mineola.

25 I've been listening Mr. Plessinger the whole

1 time. The local rate should go up, it's justified. Gas
2 has come down. The cost of living has gone up.

3 As far as the senior rate, I could see raising
4 it a little bit. I was there too. The last time we did
5 not raise it, which was 10 years ago. It has to go up a
6 little bit. I do pick up a decent amount of seniors.
7 But they did build elsewhere and the apartment buildings.

8 MR. PEREIRA: My concern is that although we
9 may be talking four to eight rides a day, chances are
10 they're over the course of a month. It's probably
11 generally the same people that are doing that.

12 MR. YOUNG: Right.

13 MR. PEREIRA: Within the same pool. My parents
14 are both senior citizens and they are on social security.
15 Social security, as everyone knows, did not go up this
16 year at all.

17 So again those \$16 over a course of a month
18 makes a difference to a senior citizen. When we're
19 getting the people coming off the train from New York
20 City, it's completely understandable. You have to make a
21 living, Mr. Plessinger has to make a living. There's a
22 lot invested in these citizens. And you understand that
23 the cost of doing business on Long Island is certainly
24 not cheap, but we do it. I appreciate your willingness
25 to show some flexibility in that.

1 MR. YOUNG: Yes, I am a senior so.

2 MR. PEREIRA: Thank you.

3 MAYOR STRAUSS: Thank you.

4 MR. WALSH: How are you, Mr. Young?

5 MR. YOUNG: Good.

6 MR. WALSH: I see your circumstance much
7 different because you operate one cab by yourself.

8 MR. YOUNG: Yes.

9 MR. WALSH: About how many seniors do you
10 transport a day.

11 MR. YOUNG: It could be one, it could be six,
12 you never know.

13 MR. WALSH: So varying numbers.

14 MR. YOUNG: Yes.

15 MR. WALSH: I do remember ten years ago that
16 you did get up and say that you did not want the seniors
17 to be raised. You were good with the other raise
18 increase, but you didn't want the seniors to be raised?

19 MR. YOUNG: Right.

20 MR. WALSH: What do you feel about seniors?
21 What's your opinion?

22 MR. YOUNG: Mr. Durham said a dollar, that
23 would be fair. \$3.50. It has to go up some, a little
24 bit.

25 MR. WALSH: Thank you.

1 MAYOR STRAUSS: Any other questions for
2 Mr. Young?

3 Thank you, sir.

4 MR. YOUNG: Thank you, sir.

5 MAYOR STRAUSS: Anybody else in the fifth row?
6 Sixth row?

7 Mr. Plessinger, let's talk. I think it's the
8 other increases are understandable, reasonable. However,
9 the senior citizen, obviously, has gotten all of us to
10 take pause and after saying some conversation on whether
11 or not we grant any increase at all -- do we go to \$3.00,
12 do we go to \$3.50.

13 I think the \$4.50 as it sounds like with the
14 rest of the Board is in agreement with it's too much.

15 What are your feelings? Wager.

16 MR. WALSH: I'm wondering if I could ask you
17 this, Mr. Plessinger: You said that a senior citizen --
18 someone has to call and say "I'm a senior" in order to
19 get the senior rate. How about a senior citizen that
20 gets off the train in Mineola and gets into one of your
21 cabs? They don't get a senior citizen rate.

22 MR. PLESSINGER: Yes, they would. If they go
23 point-to-point in the Village of Mineola and they state
24 that they're a senior, absolutely.

25 MR. WALSH: If they say they're a senior, they

1 do get the same discount.

2 MR. PLESSINGER: Absolutely. If someone gets
3 off the train and they say that they're a senior, we take
4 them for their word. We drop them off at their location
5 within the Village.

6 MR. WALSH: Thank you.

7 MAYOR STRAUSS: Any other comments?

8 Gentleman, you want \$3.00, \$3.50, you want to
9 meet them halfway?

10 The senior citizens, as Mr. Pereira mentioned,
11 most of them are on a fixed income. Their social
12 security is for the most part with many of the senior
13 citizens only course of income. That doesn't go up. We
14 really need to take a close look at all of our senior
15 citizens as we always do.

16 MR. DURHAM: Do we want to do \$3.00 starting
17 now and \$3.50 on January 1, 2017 or something like that.

18 MAYOR STRAUSS: We can certainly do that.

19 Mr. GIBBONS: Just so you know, when you say
20 "starting now" we're going to have to allow sufficient
21 time for the rate cards to be reprinted. It might be a
22 start date in February.

23 MAYOR STRAUSS: Okay.

24 Do you want to go with \$3.00?

25 MR. PEREIRA: I'd like to hear from the two

1 senior citizens on the Board.

2 MR. WALSH: I think we should hear first from
3 Mr. Cusato.

4 MR. CUSATO: Mr. Plessinger, what Trustee
5 Durham recommended is I believe adequate.

6 MR. WALSH: \$3.00.

7 MR. CUSATO: And fair. And on January 1, 2017
8 increase it to \$3.50.

9 MAYOR STRAUSS: Okay. Mr. Gibbons, what do you
10 think would be --

11 MR. PEREIRA: Is that a problematic to print
12 the cards now.

13 MR. PLESSINGER: Why can't we do it this way?
14 I believe the licenses expire on March 31st, is that
15 correct?

16 MR. PEREIRA: Yes.

17 MR. PLESSINGER: So we could maybe do --

18 MR. PEREIRA: April 1st, 2017.

19 MR. PLESSINGER: Correct.

20 MAYOR STRAUSS: So we'll do these rates
21 increase as of April 1st and then on April 1, 2017 we'll
22 look to increase to \$3.50.

23 So we'll go from \$2.50 now to \$3.00 and \$3.00
24 to \$3.50 a year and change from now.

25 MR. PLESSINGER: Which would be April 1, 2017.

1 MAYOR STRAUSS: How is that? Is everybody in
2 agreement with that.

3 MR. DURHAM: Yes.

4 MAYOR STRAUSS: Is that an adequate time for
5 whatever we've got to do.

6 MR. GIBBONS: Absolutely.

7 MAYOR STRAUSS: You only have to put the cars
8 so there really isn't much.

9 Any other conversation -- comments. Motion?

10 MR. GIBBONS: Just so I'm understanding, the
11 senior rate and the other rates all will be in April
12 effective date?

13 MAYOR STRAUSS: Correct.

14 MR. PLESSINGER: I thought the increase would
15 go into effect some time in February once the rate cards
16 come in. And on April 1, 2017 we just increase the
17 senior rate to \$3.00 to \$3.50.

18 MAYOR STRAUSS: We can certainly do that.

19 MR. GIBBONS: Mr. Scalero, would February 15th
20 allow us sufficient time to re-due the rate cards.

21 MR. SCALERO: It should.

22 MR. GIBBONS: Do you want to have the February
23 15th commencement date?

24 MR. WALSH: That's good.

25 MAYOR STRAUSS: Okay. We'll look to have

1 single passengers go from \$4.00 to \$6.00. The other ones
2 stay the same. The senior citizens go from \$2.50 to
3 \$3.00 effective February 15th. And then to \$3.50
4 effective April 1st of 2017, which is over a year. And
5 then the others with a waiting time will increase from
6 \$25 an hour to \$40 an hour. And the \$5.00 for ten
7 minutes to \$8.00 for ten minutes. And then the rental
8 with taxi cabs from \$25 an hour to \$40 an hour all
9 effective April 15th.

10 Is that understood, gentleman? Board?
11 February 15th. I apologize.

12 MR. Plessinger: The additional passengers are
13 going up?

14 MAYOR STRAUSS: Yes, each additional. Each
15 additional passenger from \$2.50 to \$3.00 all effective as
16 proposed on February 15th with the exception of the
17 seniors which will only go up fifty cents.

18 MR. Cusato: That's correct.

19 MAYOR STRAUSS: Are we all okay, gentlemen?

20 I'll entertain a motion to approve that.

21 MR. WALSH: Motion.

22 MAYOR STRAUSS: Motion by Trustee Walsh.
23 Second?

24 MR. CUSATO: Second.

25 MAYOR STRAUSS: Second by Trustee Cusato.

1 All in favor.

2 MR. WALSH: Aye.

3 MR. PEREIRA: Aye.

4 MR. CUSATO: Aye.

5 MR. DURHAM: Aye.

6 MAYOR STRAUSS: Mr. Scalero, pole the Board.

7 MR. SCALERO: Yes, sir. Trustee Durham?

8 MR. DURHAM: Yes.

9 MR. SCALERO: Trustee Pereira?

10 MR. PEREIRA: Yes.

11 MR. SCALERO: Trustee Cusato?

12 MR. CUSATO: Yes.

13 MR. SCALERO: Trustee Walsh?

14 MR. WALSH: Yes.

15 MR. SCALERO: Mayor Strauss?

16 MAYOR STRAUSS: Yes.

17 Thank you, Mr. Plessinger.

18 MR. PLESSINGER: Thank you. Have a good
19 evening.

20 MAYOR STRAUSS: Entertain the motion to close
21 this hearing.

22 MR. PEREIRA: Motion.

23 MAYOR STRAUSS: You know, we'll go right into
24 that.

25 Mr. Scalero?

1 MR. SCALERO: "Legal Notice, Public Hearing,
2 Incorporated Village of Mineola.

3 "Please take Notice that the Board of Trustees
4 of the Incorporated Village of Mineola will hold a Public
5 Hearing on Wednesday, January 20, 2016 at 6:30 p.m. at
6 the Village Hall, 155 Washington Avenue, Mineola, New
7 York 11501, or at some other location to be hereafter
8 designated by the Board of Trustees, in order to receive
9 public comment upon the following:

10 "Proposed Local Law repealing Section 550-28 of
11 the Municipal Code of the Incorporated Village of Mineola
12 entitled "Metal Buildings and Sheds";.

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

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

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

24 "By Order of the Board of Trustees of the
25 Incorporated Village of Mineola. Joseph R. Scalero,

1 Village Clerk.

2 "Dated: December 4, 2015."

3 MAYOR STRAUSS: Folks, the way this hearing
4 came about is several months ago an Applicant came before
5 us for a permit for approval from the Board of Trustees
6 for a metal shed. We weren't sure why there was a
7 different between metal and wood shes, so we brought it
8 out here to the Board, we're not sure. And we want to
9 ask for input on this topic.

10 We're not sure why it was identified only as
11 metal sheds. If this person or any person wants to build
12 a wooden shed they don't have to come before the Board.
13 We're not understanding why this was implemented. We're
14 looking to streamline things here.

15 Now, it doesn't mean that you could put any
16 size or any kind of metal shed in your backyard. Like
17 the wooden shed, every shed will need a permit.

18 So you need to go through the regulatory
19 process through the Village to make sure it fits within
20 the parameters of the zoning.

21 So we're looking to get an opinion of the
22 public and discuss it here this evening about the
23 possibility of repealing this particular part of our code
24 where it says "No metal buildings or sheds in excess of
25 50 square feet in floor area and six feet in height shall

1 be erected in the following districts: R-1, R-2, R-3,
2 R-4 and R-5. Metal buildings and sheds will be permitted
3 in business districts and M Districts by a Special Use
4 permit subject to the approval of the Board of Trustees."

5 Again, it just specifies metal buildings. It
6 doesn't even speak about wood sheds. So here we are.
7 We'll open up to comment to the public. If anyone is
8 wishing to make a comment, again, I appreciate you coming
9 to the podium, stating your name and address, and
10 speaking clearly for the reporter.

11 Anybody wishing to make a comment on this
12 hearing?

13 Yes, sir.

14 MR. COLBERT: John Colbert, 167 Emory Road,
15 Mineola, New York. Hello, Mayor, Mr. Gibbons.

16 MAYOR STRAUSS: Good evening.

17 MR. COLBERT: I always thought that the shed
18 was wood. I never thought that the metal buildings or
19 that metal building and the shed was wood. I know our
20 building superintendant can clarify that, but I never...

21 MAYOR STRAUSS: You could purchase metal sheds,
22 you could purchase wood sheds, you could purchase plastic
23 sheds.

24 MR. COLBERT: Well, I think when the code was
25 written -- when was it written?

1 MR. WALSH: Before I was here.

2 MR. COLBERT: It was probably in the 1950s. I
3 think that that shed was wood. A metal building ad shed.
4 And the shed was considered wood.

5 MAYOR STRAUSS: There's --

6 MR. COLBERT: But I know now today you can buy
7 anything metal. I'm living and learning.

8 MR. PEREIRA: I know that when I moved into my
9 house in 2009 there was a metal shed. Those are the
10 doors that end up not really meeting and, you know,
11 actually there is a similar type right across the street
12 at the fire house. The metal is obviously much bigger.
13 I don't think they're in use so much anymore. I think
14 most people tend to go with wood, which is aesthetically
15 more pleasing or with the PVC which tends to last longer.

16 I think the question for us and for me becomes
17 -- you still have to get a permit, you still have to come
18 before the building department. This only removes the
19 need to come before us.

20 I think our question was why is the distinction
21 between metal sheds to have to come before us versus wood
22 sheds that have to come before us.

23 MR. COLBERT: In 14 years I never had a hearing
24 on a metal shed.

25 MR. PEREIRA: Right. And we had one a month

1 ago and that's what brought this to light. Send out
2 mailings, having to pay the fee to have a hearing before
3 the Board of Trustees. And we just think that that
4 perhaps is excessive. And there maybe another 30 years
5 before we get another hearing.

6 MR. COLBERT: Maybe this will be a zoning board
7 -- any structure.

8 MAYOR STRAUSS: Well, that's what we're looking
9 to do is to strike this one.

10 MR. COLBERT: Especially for the building
11 department.

12 MAYOR STRAUSS: Yes. We'll leave it 'as is'
13 same as a wooden shed. We just don't understand --

14 MR. COLBERT: A shed is a shed is a shed.

15 MAYOR STRAUSS: And streamline this. As Mr.
16 Pereira mentioned, there's fees involved. If someone
17 wants to put up a metal shed they have to purchase a
18 radius map; they have to send out mailings, which by the
19 way this Board two months ago has altered and made it
20 cost-effective to send out mailings. We reduced that
21 tremendously as a direct savings to the residents.

22 So this just doesn't seem -- it just seems like
23 more red tape. So we're looking to streamline the
24 process, make it easier on the residents, and try to get
25 rid of some of the government oversight, the unnecessary

1 oversight.

2 It's been this way forever and we're looking to
3 streamline things. But again, anybody wishing to build
4 or put up a shed needs to get permits.

5 MR. COLBERT: There's a lot of metal sheds out
6 there.

7 MAYOR STRAUSS: Yes, but this is in excess of
8 50 square feet so maybe there's more or maybe they just
9 didn't do it. Because it's probably cost-ineffective.
10 You're going to spend hundreds of dollars, literally, to
11 buy a radius map and until we changed the law a few
12 months ago -- like I said, several hundred dollars in
13 maps.

14 MR. COLBERT: Do you need architectural fees
15 too, architectural drawings?

16 MAYOR STRAUSS: No.

17 MR. COLBERT: Thank you.

18 MAYOR STRAUSS: Thank you, sir. Any other
19 comments from the public? Any other comments from the
20 Board?

21 MR. DURHAM: The only other thing I can think
22 of is that the old metal shed and stuff would have rusted
23 and been unsightly, where is the new stuff is all
24 alluminum or PVC or anything that would hold the design.

25 MAYOR STRAUSS: Mr. Pereira? Mr. Cusato?

1 I'll entertain a motion to repeal this law.

2 MR. CUSATO: Motion.

3 MAYOR STRAUSS: Motion by Trustee Cusato.

4 Second by?

5 MR. PEREIRA: Second.

6 MAYOR STRAUSS: Second by Trustee Pereira.

7 Mr. Scalero, pole the Board.

8 MR. SCALERO: 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. Thank you. Mr. Scalero.

18 MR. SCALERO: "Legal Notice, Public Hearing,

19 Incorporated Village of Mineola.

20 "Please take Notice that the Board of Trustees
21 of the Incorporated Village of Mineola will hold a Public
22 Hearing on Wednesday, January 20, 2016 at 6:30 p.m. at
23 the Village Hall, 155 Washington Avenue, Mineola, New
24 York 11501, or at some other location to be hereafter
25 designated by the Board of Trustees, in order to receive

1 public comment upon the following:

2 "A proposed Local Law amending Section 495-35
3 of the Municipal Code of the Incorporated Village of
4 Mineola entitled "Commencement of Work; Expiration of
5 Permit", Subsection A, to provide for an extension of a
6 building permit.

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

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

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

18 "By Order of the Board of Trustees of the
19 Incorporated Village of Mineola. Joseph R. Scalero,
20 Village Clerk.

21 "Dated: December 4, 2015."

22 MAYOR STRAUSS: Thank you, Mr. Scalero.

23 Gentleman, this is another thing that, again,
24 has come to light. We're looking to streamline the
25 process.

1 Currently, any building department permit
2 that's issued is good for six months. At the end of that
3 six months they can request a 90 day extension or an
4 extension as long as they notify the Board of Trustees.
5 And we haven't made a decision on that.

6 So the last time -- many factors delay the
7 construction of a project, whether it's the weather,
8 whether it's contractors being unavailable -- we can't
9 get the plumber in but the electrician is there and
10 things get delayed. But more often than that, it's also
11 finances. And for someone, for us to request somebody to
12 write down a financial reason that they have to pay
13 college tuition or they have lost their income due to
14 circumstances in life and they're unable to continue with
15 the project at this time or they've run over budget and
16 they need to allocate some more funds. Rather than
17 having people tell their details of their tale woes and
18 they're story to us and put it out in the public eye,
19 we're looking to kind of streamline this process a little
20 bit.

21 Having them to come before the Board also
22 extends the process by several weeks at times. All we're
23 looking to do is to alter a couple of words in the
24 current law. And part of it says, "All building permits
25 issued hereunder shall automatically expire six months

1 after the date of issuance unless extended by the Board
2 of Trustees." That's what it says currently.

3 What we're looking to do is delete the words
4 "Board of Trustees" so it says expires six months after
5 the date of issuance unless extended -- Mr. Gibbons, do
6 you mind reading?

7 MR. GIBBONS: Not at all.

8 "Unless extended by the superintendant of the
9 buildings upon good cause shown for a period not to
10 exceed 180 days. Any further request for extension of a
11 building permit shall be made to the Board of Trustees."

12 And I may just comment, Mayor, based upon the
13 circumstances for the delay in construction, the building
14 inspector would have the discretion to extend the permit
15 for a period less than 180 days if he feels it's
16 warranted.

17 MAYOR STRAUSS: After that it would come to the
18 Board.

19 So, again, we're just looking to make it a
20 little bit easier on the residents when they're
21 undergoing these projects.

22 So with that being said, I'll open it up to
23 comments from the Board. Mr. Pereira, any comments?

24 MR. PEREIRA: No, I think it's a pretty common
25 sense thing. Again, it doesn't happen very often, but if

1 someone applies for a permit, it's six months. If they
2 need an extra month or if they need an extra six weeks to
3 get the process completed and to have them have to write
4 a letter and come here and, essentially, air their
5 business in public I think is overkill. Mr. Whalen's
6 office can certainly handle that. His office would
7 better know because they have been visiting the site,
8 they have been visiting the project. So they would know
9 where they stand, how much longer they need. This does
10 give Mr. Whalen the leeway to give 180 days or to give 30
11 days, obviously, if he knows that the project is near its
12 completion. That kind of removes us from anything,
13 because we would go on Mr. Whalen's recommendation
14 anyway.

15 Again, as you mentioned somebody may write a
16 letter today, today is January 20th. We don't have a
17 meeting now until February. Now they'll wait three more
18 weeks to get a response or to get an extension. It may
19 not make it until the second week of February.

20 So, again, if it can be handled
21 administratively, and I think it can and it should.
22 Again, for those rare circumstances, you know, Mr. Whalen
23 issues hundreds of permits a year. Very rarely does it
24 need to come before us. So in those times, instances, it
25 does -- Mr. Whalen will be able to judge if the reasons

1 are viable or if they are valid. I don't think there's
2 anybody better than the building department to make that
3 determination. I think this is a commonsense change into
4 the law.

5 MAYOR STRAUSS: Thank you. Mr. Cusato?

6 MR. CUSATO: Mayor, you're doing a good thing
7 here. Over the past two or three months you've made a
8 lot of changes to our codes, streamlining things, as
9 you've said, Mayor, to make it easier for our people.
10 That's the important thing -- make things easier for our
11 residents. This is a done deal, basically.

12 MR. PEREIRA: I'd also add that in certain
13 municipalities, once it expires, the applicant would then
14 have to pay again for the permit and we're not looking to
15 bank people over the head twice. When things do happen
16 that are unforeseen or through no fault of their own.

17 I think, as Mr. Cusato said, in the last couple
18 of months, we're trying to make it easier for the
19 residents of this Village to do business with the Village
20 and to improve their property and to go about their
21 lives.

22 MR. DURHAM: I agree. I think if the project
23 gets too delayed and they're coming near the end of the
24 project for them to stop and have to wait and come back
25 before the Board before they continue makes no sense.

1 The building department can say -- you can take and
2 finish your project.

3 I would hate to have somebody that is having
4 work done in their house and their permits expire and
5 then have to stop the project when they're just about at
6 the point where they could finish and move back in would
7 not make sense when we could give it to the building
8 department. They're watching the projects in the
9 Village. So it makes sense for them to have the ability
10 to extend certain things.

11 MAYOR STRAUSS: Mr. Walsh?

12 MR. WALSH: The only comment I have to say is
13 that the building department, when projects like this are
14 going on, the building department is normally checking up
15 on these properties weekly so the building department
16 knows what's going on. And that's fine for me. Thank
17 you.

18 MAYOR STRAUSS: Open up to any public comment.
19 Anybody wishing to make comments on this topic?

20 Entertain a motion to approve the change.

21 MR. CUSATO: Motion.

22 MAYOR STRAUSS: Motion by Trustee Cusato.

23 Second?

24 MR. DURHAM: Second?

25 MAYOR STRAUSS: Second by Trustee Durham.

1 Mr. Scalero, please pole the Board.

2 MR. SCALERO: Trustee Durham?

3 MR. DURHAM: Yes.

4 MR. SCALERO: Trustee Pereira?

5 MR. PEREIRA: Yes.

6 MR. SCALERO: Trustee Cusato?

7 MR. CUSATO: Yes.

8 MR. SCALERO: Trustee Walsh?

9 MR. WALSH: Yes.

10 MR. SCALERO: Mayor Strauss?

11 MAYOR STRAUSS: Yes.

12 Thank you, gentlemen. I'll entertain a motion
13 to close the hearing.

14 MR. WALSH: Motion.

15 MAYOR STRAUSS: Motion by Trustee Walsh. Do I
16 have a second?

17 MR. PEREIRA: Second.

18 MAYOR STRAUSS: Second by Trustee Pereira.

19 All in favor?

20 MR. DURHAM: Aye.

21 MR. PEREIRA: Aye.

22 MR. CUSATO: Aye.

23 MR. WALSH: Aye.

24 MAYOR STRAUSS: Any opposed?

25 Carried.

1 Folks, we'll be out shortly for a work session.
2 Have a great evening.

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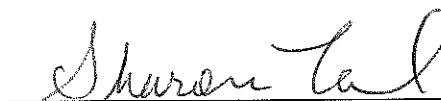
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