

INCORPORATED VILLAGE OF MINEOLA

HEARING OF THE  
BOARD OF TRUSTEES

ORIGINAL

May 13, 2015  
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

\* \* \*

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

\* \* \*

JOSEPH R. SCALERO  
Village Clerk

DANIEL WHALEN  
Superintendent of Buildings

\* \* \*

PATRICIA A. TAUBER, RPR  
Official Court Reporter

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2015 MAY 20 P 1:22  
INC VILAGE OF MINEOLA

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: Good evening, ladies and  
6 gentlemen. We have a couple of topics we need to have  
7 hearings on this evening. I'm going to ask Mr. Scalero,  
8 we're going to do one and roll right through them and  
9 make this as painless as possible. Appreciate you coming  
10 out this evening.

11 Mr. Scalero?

12 MR. SCALERO: "Notice of public hearing.

13 "Notice is hereby given that on Wednesday, May  
14 13, 2015 a public hearing, as required by Section 147(f)  
15 of the Internal Revenue Code of 1986, (The "Code"), will  
16 be held by the Incorporated Village of Mineola Board of  
17 Trustees with respect to the proposed issuance by the  
18 Public Finance Authority (The "Authority"), a commission  
19 organized under and pursuant to the provisions of  
20 Sections 66.0301, of 66.0303 and 66.0304 of the Wisconsin  
21 Statutes, of its revenue bonds, in one or more series  
22 (the "Bonds"), in an amount not to exceed \$15,000,000.  
23 The hearing will commence at 6:30 p.m., or as soon  
24 thereafter as the matter can be heard, and will be held  
25 at the Mineola Village Hall, 155 Washington Avenue,

1 Mineola, New York 11501.

2 "The proceeds of the bonds will be used (1) to  
3 finance and/or refinance capital improvements to or  
4 equipment purchases for the school facilities of  
5 Chaminade High School, a program within the Province of  
6 Meribah, Society of Mary, Inc. (the "Borrower"), located  
7 at 340 Jackson Avenue, Mineola, New York 11501, including  
8 construction of new academic facilities, improvements to  
9 the HVAC, electric and wireless internet systems, and  
10 improvements to the Borrower's football/track and field  
11 complex; and (2) to finance certain costs of issuing the  
12 Bonds.

13 "All of the above facilities are owned and  
14 operated by the Borrower, an organization described in  
15 Section 501(c) (3) of the Code.

16 "The Bonds are expected to be issued by the  
17 Authority pursuant to Section 66.0304 of the Wisconsin  
18 Statutes, as amended. The Bonds will be limited  
19 obligations of the Authority payable only from the loan  
20 repayments to be made by the Borrower to the Authority,  
21 and certain funds and accounts established by the  
22 financing agreement for the bonds. The bonds will not be  
23 a general obligation of the Incorporated Village of  
24 Mineola, (the "Village"). Issuance of the bonds will not  
25 obligate the Village to levy or pledge any form of

1       taxation for the Bonds or to make any appropriation for  
2       the payment of the Bonds.

3               "The hearing will provide a reasonable  
4       opportunity for expression of opinion, for argument on  
5       the merits, and for introduction of documentary evidence  
6       pertinent to the proposed issuance of the Bonds. Written  
7       comments will be accepted by Joseph R. Scalero, Village  
8       Clerk, at Mineola Village Hall, 155 Washington Avenue,  
9       Mineola, New York 11501, but must be received on or  
10      before the time and date of the hearing. The hearing  
11      site is handicapped accessible, including parking.  
12      Individuals with disabilities who need mobility, visual,  
13      hearing, and/or other assistance for effective  
14      participation should direct a request for assistance to  
15      Joseph R. Scalero at 516-746-0750 in advance of the  
16      meeting.

17               "Dated March 31, 2015.

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

21               MAYOR STRAUSS: Thank you.

22               This type of hearing is a rarity in the Village  
23      of Mineola. The last one that was done was in 2010. So  
24      I'm going to ask our attorney, Mr. Gibbons, to kind of  
25      explain it a little bit, if you don't mind.

1 MR. GIBBONS: Sure. I'll try to add to what  
2 Mr. Scalero said.

3 MAYOR STRAUSS: That was so clear. I don't  
4 know if you need to.

5 MR. GIBBONS: Chaminade is seeking financing  
6 for capital improvements of the school through the Public  
7 Finance Authority. The Public Finance Authority is  
8 authorized to issue tax exempt, taxable and tax credit  
9 conduit bonds for public and private entities throughout  
10 the 50 states. Pursuant to Section 147(f) of the  
11 Internal Revenue Code, prior to the issuance of these  
12 bonds the host political jurisdiction, in this case  
13 Mineola, must conduct a public hearing and must approve  
14 the Authority's issuance of bonds to finance the project.  
15 Although the Authority will be the issuer, the financing  
16 can not proceed without the Village of Mineola's approval  
17 of the financing.

18 The Incorporated Village of Mineola is not a  
19 party to any of the financing documents relating to the  
20 issuance of the bonds and is not named in any of the  
21 disclosure documents describing the bonds or in the  
22 proposed financing. Therefore, the Village of Mineola  
23 has no liability with respect to the issuance of bonds or  
24 the repayment of any debt service related to such bonds.  
25 In effect, the Village is using its good offices to

1 enable one of its residents, the Chaminade High School,  
2 to avail itself of favorable bonding through the Public  
3 Finance Authority.

4 The Village has undertaken to conduct a public  
5 hearing and to take any public comment with respect to  
6 the financing, and at the end of the public comment the  
7 Board has the opportunity to approve the bond without any  
8 liability, financial or otherwise, upon the Village.

9 And, Mayor, I have submitted to the Village  
10 Clerk a copy of the resolution in proper form, if the  
11 Board of Trustees chooses to approve the application of  
12 Chaminade.

13 Thank you.

14 MAYOR STRAUSS: Thank you.

15 So in essence, folks, the Village has no stake  
16 in the game. Jump in here, Mr. Gibbons, if I say  
17 something incorrect. No stake in the game. We're not  
18 held liable for anything that's being conducted tonight.  
19 We just have to host the hearing.

20 So as good hosts that we are, we're going to  
21 ask the applicant to come up to the podium. Please speak  
22 clearly and slowly for our reporter so she can document  
23 everything that's said. State your name and your address  
24 and why you're here, and we'll move along.

25 Gentlemen, please.

1 MR. DUFEK: Mr. Mayor, Trustees, thank you for  
2 taking the time to meet with us this evening.

3 MAYOR STRAUSS: Excuse me. If you could adjust  
4 the microphone up a little bit.

5 MR. DUFEK: Sure. Absolutely.

6 MAYOR STRAUSS: Thank you.

7 MR. DUFEK: My name is Thomas Dufek. My  
8 address is 12 Donna Court, Huntington, New York 11743.  
9 I'm a proud member of the Board of Advisers of Chaminade  
10 High School and I've worked with the school for close to  
11 30 years.

12 We had done -- the previous bond issue,  
13 Mr. Mayor, that you referred to was a Chaminade bond  
14 issue that was done in December of 2010, which is  
15 virtually an identical issue to the one we're now  
16 proposing, including the fact that the same public  
17 funding authority is being used and the same financing  
18 bank is being used as well, out in Denver. I was  
19 involved in both of those bond issues, and I'm here  
20 tonight with Bro. Thomas Cleary, the President of  
21 Chaminade, as well as Joe Horan, who has been the Project  
22 Manager working on a number of the projects that we're  
23 seeking reimbursement for.

24 We're primarily seeking the reimbursement at a  
25 time where the bonds are at a very low rate and,

1           therefore, we have spent a lot of cash on the things that  
2           we've done and, while the bond rate is low, we'd like to  
3           take advantage of the opportunity to finance longer term  
4           assets with long -- well, no -- longer terms assets with  
5           long term assets, rather.

6                     If you have any questions I'm happy to  
7           undertake them.

8                     MAYOR STRAUSS: I have no questions.  
9                     Anybody on the Board.

10                    MR. PEREIRA: No.

11                    MAYOR STRAUSS: Mr. Pereira?

12                    MR. PEREIRA: No.

13                    MR. WALSH: No.

14                    MAYOR STRAUSS: Mr. Gibbons, do you have any  
15           questions?

16                    MR. GIBBONS: I have no questions.

17                    MAYOR STRAUSS: Thank you.

18                    MR. DUFEK: Thank you very much to the Village  
19           for your time. Appreciate it.

20                    MAYOR STRAUSS: We appreciate everything that  
21           you guys do. It's a great organization.

22                    At this time I'll open up to public comment.  
23           And if anybody is wishing to make comment on the  
24           Chaminade hearing, please approach the podium and speak  
25           clearly and state your name and address for the record.



1 Anybody in the fourth row? Fifth row? Sixth  
2 row? Seventh row?

3 OK. I'll entertain a motion to approve their  
4 application to obtain financing from the Public Finance  
5 Authority.

6 MR. PEREIRA: Motion.

7 MAYOR STRAUSS: Motion by Trustee Pereira.  
8 Second?

9 MR. CUSATO: Second.

10 MAYOR STRAUSS: Seconded by Trustee Cusato.

11 All in favor?

12 MR. PEREIRA: Aye.

13 MR. CUSATO: Aye.

14 MR. WALSH: Aye.

15 MAYOR STRAUSS: Aye.

16 Any opposed?

17 Carried.

18 Congratulations, gentlemen.

19 MR. GIBBONS: Mr. Mayor, I would just ask that  
20 the form that I submitted be included in the minutes.

21 MAYOR STRAUSS: All right. We'll take care of  
22 that. Thank you.

23 Good night. Thank you very much.

24 \* \* \*

25

1 MAYOR STRAUSS: All right. Mr. Scalero, you  
2 want to go on with the second?

3 MR. SCALERO: Yes, sir.

4 "Legal Notice, Public Hearing, Incorporated  
5 Village of Mineola.

6 "Please take Notice that the Board of Trustees  
7 of the Incorporated Village of Mineola will hold a Public  
8 Hearing on Wednesday, May 13, 2015 at 6:30 p.m. at the  
9 Village Hall, 155 Washington Avenue, Mineola, New York  
10 11501, or at some other location to be hereafter  
11 designated by the Board of Trustees, in order to receive  
12 public comment upon the following:

13 "Application of Salvatore Ferrara, architect,  
14 for the New York College of Traditional Chinese Medicine  
15 for a Special Use Permit pursuant to Chapter 550 of the  
16 Code of the Incorporated Village of Mineola, entitled  
17 'Zoning,' Section 550.14, entitled 'B-3 Districts,'  
18 Subsection (B), entitled 'Special Uses,' for the purpose  
19 of operating the New York College of Traditional Chinese  
20 Medicine on the fourth, fifth and sixth floor of the  
21 property known as 200 Old Country Road, Mineola, New  
22 York, known and designated on the Nassau County Land and  
23 Tax Map as Section 9, Block 429, Lots 142, 144.

24 "The Village of Mineola does not discriminate  
25 on the basis of handicapped status in administration or

1 access to or employment in its projects and activities.  
2 Joseph R. Scalero has been directed to coordinate  
3 compliance with non-discrimination requirements of the  
4 Federal Revenue Sharing regulations.

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

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

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

13 "Dated April 13, 2015."

14 MAYOR STRAUSS: Thank you, Mr. Scalero.

15 Mr. Whalen, anything?

16 MR. WHALEN: Yes, sir. We had the appropriate  
17 -- I'm sorry -- Affidavit of Mailing. There were 85  
18 mailed, 48 were returned and none went unclaimed.

19 MAYOR STRAUSS: Thank you.

20 Mr. Gibbons, anything?

21 MR. GIBBONS: I don't have anything, Mayor.

22 MAYOR STRAUSS: All right. Excellent.

23 This will be the format for tonight's hearing.  
24 As mentioned earlier, the applicants will make their  
25 presentation to the Board. The Board will interact with

1 the applicants and ask any questions that we may have,  
2 and then we'll open it up for public comment. Again, I  
3 ask anybody approaching the podium to please state your  
4 name, your address and certainly identify yourself as to  
5 what you can bring to the applicants and to the table  
6 here.

7 Gentlemen.

8 MR. WHITE: Good evening, Mr. Mayor and Members  
9 of the Board. My name is Matthew White, the attorney for  
10 the applicant, 229 Seventh Street, Garden City, New York  
11 11530.

12 Tonight the applicant is seeking a special  
13 permit pursuant to Section 550.14 of the Zoning Code of  
14 the Incorporated Village of Mineola for the purpose of  
15 operating the New York College of Traditional Chinese  
16 Medicine on the fourth, fifth and sixth floors of the  
17 building located at 200 Old Country Road. Reit  
18 Management and Research, LLC manages the building on  
19 behalf of SNH Medical Office Property Trust. And the  
20 college is seeking to relocate its facilities from 155  
21 First Street to the building at 200 Old Country Road.

22 With me tonight are Sal Ferrara, the architect,  
23 of Combined Resources Consulting and Design, Inc., James  
24 Zeppa, senior property manager for Reit, and Drs. Yemeng  
25 Chen and James Bare, the president and dean,

1 respectively, of the college. These men are here tonight  
2 to answer any questions the Board may have.

3 MAYOR STRAUSS: All right. Thank you.

4 MR. WHITE: As background, the college is a  
5 fully accredited institution offering instruction in  
6 acupuncture and herbal medicine. The college is  
7 chartered by the Board of Regents of the University of  
8 the State of New York and has been so since, I believe,  
9 1997, or 1996. I'm sorry. The college first saw its  
10 enrollment in 1996, when it was located at 142 Mineola  
11 Boulevard. As I mentioned before, in 1999 the college  
12 relocated to 155 First Street and there it remains today.

13 The downtown area of Mineola is an ideal  
14 location for the college as approximately half of the  
15 students commute by way of mass transit, And it is for  
16 this reason that the college has enjoyed a benign impact  
17 with regard to traffic and parking.

18 Additionally, the college offers most of its  
19 courses on Saturday and Sunday, with a limited amount of  
20 classes and clinics conducted during the week. As such,  
21 again, this is another component of the college's ability  
22 to offer benign impact with regard to parking and  
23 traffic.

24 The proposed build out will provide the college  
25 with approximately 135 classroom seats and numerous

1 treatment rooms for practical instruction. The student  
2 enrollment of the school is approximately 150 students,  
3 and they attend classes on a staggered schedule. At any  
4 given moment the maximum occupancy of the building, as  
5 far as students goes, is usually about 75 to 80 students.

6 At this time I will defer to Mr. Ferrara, who  
7 will describe in better detail than I can the build out,  
8 which -- did the Board receive copies of these plans and  
9 materials? I know they were submitted. They may have  
10 gone to the BZA instead.

11 MAYOR STRAUSS: We don't have them here.

12 MR. WHITE: All right. So maybe we'll move  
13 them closer, then?

14 MAYOR STRAUSS: That's fine. That's fine.

15 MR. FERRARA: Good evening. My name is  
16 Salvatore Ferrara. I'm a registered architect in the  
17 State of New York. The name of my company is Combined  
18 Resources Consulting and Design. We're the design  
19 architects.

20 Our application is basically the fitting out of  
21 the spaces which are stacked pretty much over each other  
22 along what would be the north and west side of the  
23 building. So it's the side on the corner of Old Country  
24 Road and Mineola Boulevard, closer towards the north side  
25 which faces Winthrop University Hospital.

1           The fourth floor, which is up on the board  
2           currently, is largely fitted out for classroom space.  
3           The sixth floor is also fitted out for classroom space.  
4           The fifth floor, which is the floor in between, is  
5           largely an office space and some treatment rooms where  
6           they do some of the acupuncture.

7           The way we have it set up is that the sixth  
8           floor, which is a little bit of a larger space, actually  
9           has a lounge space for both teachers and for the  
10          students. So their congregations largely are held up on  
11          that sixth level. The day-to-day operation, which is  
12          really the fifth floor, is largely an office function  
13          which runs and manages the business of the college. The  
14          level below it is also a classroom space, some of which  
15          are lecture halls, some of which actually have tables for  
16          computer and learning off of the computer.

17          It's a fairly simple application. We were  
18          lucky enough to have not really a whole space that we  
19          could put them in, but the ability to stack them up over  
20          each other. It's in close proximity to what would be the  
21          west staircase in the building. So the students would be  
22          basically using, if they had to go from one floor to the  
23          next, an internal staircase.

24          The building, as you know, has a parking lot in  
25          the back. The parking lot does enter on the fourth

1 floor, which is the lower level from which we're  
2 entering. So we feel that this is a fairly good mix for  
3 them because most of the student population will be  
4 coming in off of the railroad. It also is good that we  
5 have the back entrance which connects to the railroad  
6 platform just through the parking lot.

7 Their current facility, which is down the  
8 block, also gives great familiarity. So we feel as if  
9 this is a nice marriage for them to move in the same  
10 location and still have an active facility.

11 Part of what we have here is also a library,  
12 which is on the fourth floor. Libraries these days are a  
13 combination of books and also study carrels in terms of  
14 computers. So we've housed basically all of the  
15 necessity of both the learning portion of the building  
16 for them on the sixth and fourth floor, and the  
17 day-to-day operation on the fifth floor.

18 MAYOR STRAUSS: Great. Thank you.

19 MR. WHITE: I have the doctors from the school,  
20 if you have any questions with regard to enrollment or  
21 class size.

22 MAYOR STRAUSS: If you're done with your  
23 presentation, we'll ask any questions that we may have.

24 MR. WHITE: Fine. I'm finished.

25 MAYOR STRAUSS: You answered some of the



1 questions that I have.

2 The hours of operation on Saturday and Sunday  
3 would be what?

4 DR. CHEN: Hi, Mr. Mayor and Trustees.

5 MAYOR STRAUSS: How are you, sir.

6 DR. CHEN: I'm Yemeng Chen, the president of  
7 the New York College of Traditional Chinese Medicine.  
8 Thank you to have a hearing today.

9 The class, because most student is second  
10 career for some people that went for the -- so most class  
11 will be the Saturday, and Friday night and Saturday, and  
12 some class will be the Sunday. So the total enrollment  
13 is 150, but I think the maximum students attending is  
14 around 100.

15 MR. WHITE: I believe the Saturday hours --  
16 approximately nine a.m. to 10:00 p.m. on Saturdays.

17 MAYOR STRAUSS: I missed it in your  
18 presentation, Mr. White.

19 How long have you been at 155 First Street.

20 MR. WHITE: Since 2001, I believe.

21 DR. CHEN: 1999, I think.

22 MAYOR STRAUSS: 1999?

23 DR. CHEN: 1999.

24 MR. WHITE: I'm sorry. You're right.

25 MAYOR STRAUSS: And as far as I know, the

1 school has been going very, very well.

2 DR. CHEN: Yes. Thank you.

3 MAYOR STRAUSS: You know, it's been a good part  
4 of the community down there, and thank you.

5 So in essence you're just moving from one spot  
6 to another location.

7 DR. CHEN: Yes, sir.

8 MAYOR STRAUSS: You're not new to the Village  
9 at all. So I appreciate you staying here.

10 DR. CHEN: Thank you.

11 MAYOR STRAUSS: Mr. Pereira?

12 MR. PEREIRA: Thank you.

13 Do you have any satellite campuses, or is this --

14 DR. CHEN: We have one teaching clinic. We  
15 rent a space in Manhattan, 37th Street in Manhattan. And  
16 we also have two facility can use for student practice,  
17 one is SUNY Farmingdale health care center, and another  
18 one is in lower Manhattan, Gouverneur Hospital.

19 MR. PEREIRA: OK. Outstanding.

20 I realize that most of your students will be  
21 taking public transportation. It makes sense. And as  
22 the Mayor has mentioned, most people probably are finding  
23 out for the first time tonight that this college even  
24 existed in the Village because you have been outstanding  
25 neighbors.

1 Has the management company -- are there a  
2 number of parking spots in that garage that are.

3 DR. CHEN: Assigned.

4 MR. PEREIRA: -- that are assigned to you? Do  
5 you know how many those are?

6 DR. CHEN: Sixty.

7 MR. PEREIRA: Sixty? Six-zero?

8 MR. ZEPPA: I believe it's 100.

9 MR. PEREIRA: One hundred. OK.

10 And you're not likely to exceed that number on  
11 any given time.

12 DR. CHEN: No.

13 MR. PEREIRA: OK.

14 DR. CHEN: No. We're happy with it, but  
15 because common parking lot with the law firm, our current  
16 landlord is a little bit tight.

17 MR. PEREIRA: I have a couple of questions for  
18 the gentlemen from the management company, if you don't  
19 mind. Thank you.

20 MR. ZEPPA: Thank you, Mr. Mayor, Trustees. My  
21 name is James Zeppa. I'm the senior property manager for  
22 SNH Properties Trust at 200 Old Country Road. My home  
23 address is 7 Burnett Terrace, West Orange, New Jersey  
24 07052.

25 MR. PEREIRA: Oh, so you have an easy commute

1 to work. Very nice. Perfect.

2 MR. ZEPPA: I manage assets in New Jersey,  
3 Manhattan and Long Island, too.

4 MR. PEREIRA: So reverse commutes are --

5 MR. ZEPPA: Yes. Yes.

6 MR. PEREIRA: I mean, this doesn't have  
7 anything necessarily to do with this applicant per se,  
8 but just as a matter of interest, what are they replacing  
9 on the fourth, fifth and sixth floor?

10 MR. ZEPPA: They're replacing office space. It  
11 was just attorneys space that's vacant.

12 MR. PEREIRA: What would you say is the  
13 percentage of vacancy now in terms of -- obviously this  
14 is going to take up a big chunk of that.

15 MR. ZEPPA: We're going to be in the 90's right  
16 now.

17 MR. PEREIRA: So you would be close to max  
18 occupancy, which is good. We want to hear that.

19 MR. ZEPPA: Yes.

20 MR. PEREIRA: And then you have access,  
21 obviously, through that bridge that crosses over, right?

22 MR. ZEPPA: Yes, sir.

23 MR. PEREIRA: So that's where their parking  
24 spots are?

25 MR. ZEPPA: That's correct.

1 MR. PEREIRA: For the most part.

2 OK. That's all I wanted, questions for you.

3 And then just one more question for Mr. White.

4 How does this space compare to the previous space in  
5 terms of is this larger, did they outgrow their space,  
6 did the lease end?

7 MR. WHITE: Yes. It's the same amount of --  
8 strangely enough I think it's the same amount of seats,  
9 classroom seats, just a larger space. So essentially  
10 they outgrew the space. They will have modernized with a  
11 larger space and, you know, better serve the students.

12 MR. PEREIRA: Excellent. Very good.

13 That's all, Mayor.

14 MAYOR STRAUSS: Great. Thank you.

15 Mr. Cusato.

16 MR. CUSATO: Thank you, Mayor.

17 Just one question: As part of your learning  
18 and teaching process, are there actual people that come  
19 and get work done -- if that's the proper -- or is it  
20 just strictly classroom?

21 MR. WHITE: Yes. The middle core has about  
22 seven or eight clinical rooms where there's practical  
23 clinical work done on patients.

24 MR. PEREIRA: Mr. Cusato's volunteering.

25 MR. CUSATO: You know, I just may do that.

1 All right. Thank you.

2 MR. WHITE: As part of the learning experience.

3 MR. CUSATO: Thank you. That's my only  
4 question.

5 MAYOR STRAUSS: Thank you, Mr. Cusato.

6 MR. PEREIRA: Put the first-year students on  
7 him.

8 MAYOR STRAUSS: I should have mentioned earlier  
9 that Trustee Durham is running late. He had a family  
10 obligation and he may take care of. Hopefully he will  
11 join us this evening at some point.

12 Mr. Walsh.

13 MR. WALSH: Yes. Thank you.

14 Thank you. How are you this evening?

15 Just a few questions. Is there a cafeteria in  
16 this new area that you're going to fill?

17 MR. FERRARA: Yes. There is a student lounge  
18 and there is a faculty lounge also. So those are on the  
19 sixth floor. So there is a student lounge up here and  
20 there is a faculty lounge. So it's not really cooking  
21 but it would be, you know, some vending machines and  
22 coffee and so on.

23 MR. WALSH: So vending machines, refrigerator,  
24 coffee, things like that.

25 MR. FERRARA: Right.

1 MR. WALSH: OK. And you're not going to sell  
2 food there.

3 MR. FERRARA: No.

4 MR. WALSH: OK.

5 Just to be curious, is the dentist clinic going  
6 to remain up there on the same floor?

7 MR. FERRARA: Yes. That's Winthrop's dental  
8 clinic. That is an Article 28 facility. It's a teaching  
9 facility as well.

10 MR. WALSH: Right. It's a teaching. And  
11 that's also going to remain. It's not being replaced.

12 MR. FERRARA: Not at all.

13 MR. WALSH: I just was curious. OK.

14 About the clinic, I wonder if I could talk to  
15 Dr. Chen just for a second.

16 How are you? Good evening.

17 DR. CHEN: Good. How are you?

18 MR. WALSH: And you're actually in the Village  
19 since 1996; is that right?

20 DR. CHEN: Yes.

21 MR. WALSH: OK. So you're here quite some  
22 time.

23 DR. CHEN: Yes.

24 MR. WALSH: You, in the current location, take  
25 patients on; is that correct?

1 DR. CHEN: Yes. There's the teaching clinic,  
2 most purpose to train the interns and supervised by  
3 licensed acupuncturists.

4 MR. WALSH: So the students are supervised by  
5 licensed acupuncturists. And just what is the price for  
6 that?

7 DR. CHEN: The first visit is \$40 and following  
8 visits 30, three-zero.

9 MR. WALSH: And the following is 30 you said,  
10 right?

11 DR. CHEN: Following up, 30.

12 MR. WALSH: OK. And how many years does it  
13 take, when someone goes to your school, to become a  
14 qualified acupuncture person?

15 DR. CHEN: So there's a national standard entry  
16 level would be the three-year program for the master of  
17 science of acupuncture, and if you want to study some  
18 Chinese herbs will be additional one more year. Four  
19 years.

20 MR. WALSH: And how many teachers do you have?

21 DR. CHEN: Part-time and full-time people,  
22 around 25.

23 MR. WALSH: Five?

24 DR. CHEN: Twenty-five. Part-time --

25 MR. WALSH: OK. Thank you very much. I know



1       you run a good location over there. My wife has been one  
2       of your patients.

3               DR. CHEN: Oh. Thank you.

4               MR. WALSH: So she was very satisfied with your  
5       work.

6               DR. CHEN: Thank you.

7               MR. WALSH: Thank you very much.

8               MAYOR STRAUSS: Thank you, Mr. Walsh.

9               Welcome, Mr. Durham. Glad you could make it.

10              Any other comments from the Board, questions?

11              Anything else, Mr. White?

12              MR. WHITE: Nothing, Mr. Mayor.

13              MAYOR STRAUSS: All right. I'll open it up at  
14       this point to public comment. I'll ask anybody that  
15       needs to make anything known to the public, please  
16       approach the podium and speak clearly.

17              Anybody in the third row? Fourth row? Fifth  
18       row? Sixth row? Seventh row?

19              Excellent.

20              Mr. Durham, anything?

21              MR. DURHAM: No.

22              MAYOR STRAUSS: Great. I'll entertain a motion  
23       to approve.

24              MR. WALSH: Motion.

25              MAYOR STRAUSS: Motion by Trustee Walsh.

1                   Seconded by.

2                   MR. PEREIRA:   Second.

3                   MAYOR STRAUSS:  Trustee Pereira.

4                   Mr. Scalero?

5                   MR. SCALERO:  Yes, sir.

6                   Trustee Durham?

7                   MR. DURHAM:  Abstain.

8                   MR. SCALERO:  Trustee Pereira?

9                   MR. PEREIRA:  Yes.

10                  MR. SCALERO:  Trustee Cusato?

11                  MR. CUSATO:  Yes.

12                  MR. SCALERO:  Trustee Walsh?

13                  MR. WALSH:  Yes.

14                  MR. SCALERO:  Mayor Strauss?

15                  MAYOR STRAUSS:  Yes.

16                  Congratulations, gentlemen.

17                  MR. GIBBONS:  Mr. Mayor?

18                  MAYOR STRAUSS:  Yes.

19                  MR. GIBBONS:  I'm a little late with this, but

20                  I want the record to reflect this is a type II action.

21                  No resolution is necessary.

22                  MAYOR STRAUSS:  OK.

23                  MR. GIBBONS:  And we have heard from Nassau

24                  County Planning Commission, and they have given us local

25                  determination.

1 MAYOR STRAUSS: OK. Great. Thank you.

2 MR. PEREIRA: Congratulations.

3 MAYOR STRAUSS: Congratulations, gentlemen.

4 MR. WHITE: Thank you.

5 MAYOR STRAUSS: I'll entertain a motion to  
6 close this hearing.

7 MR. PEREIRA: Motion.

8 MAYOR STRAUSS: Motion by Trustee Pereira.  
9 Seconded by?

10 MR. CUSATO: Second.

11 MAYOR STRAUSS: Mr. Cusato.  
12 All in favor?

13 MR. DURHAM: Aye.

14 MR. PEREIRA: Aye.

15 MR. CUSATO: Aye.

16 MR. WALSH: Aye.

17 MAYOR STRAUSS: Aye.

18 Any opposed?

19 Carried.

20 \* \* \*

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1 MAYOR STRAUSS: We're going to go on to -- if  
2 anybody has the hearing notice in front of them, we're  
3 going to hit number 4 because we have residents in the  
4 audience here that certainly want to participate in this  
5 one.

6 Mr. Scalero, the floor is yours.

7 MR. SCALERO: Thank you, sir.

8 "Legal notice, Public Hearing, Incorporated  
9 Village of Mineola.

10 "Please take notice that the Board of Trustees  
11 of the Incorporated Village of Mineola will hold a Public  
12 Hearing on Wednesday, May 13, 2015 at 6:30 p.m., at the  
13 Village Hall, 155 Washington Avenue, Mineola, New York  
14 11501, or at some other location to be hereafter  
15 designated by the Board of Trustees, in order to receive  
16 public comment upon the following:

17 "Proposed Local Law amending the Municipal Code  
18 of the Incorporated Village of Mineola to create Chapter  
19 400, entitled 'Invasive Plant Species.'

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

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

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

6 "By Order of the Board of Trustees of the  
7 Incorporated Village of Mineola. Joseph R. Scalero,  
8 Village Clerk.

9 "Dated April 23, 2015."

10 MAYOR STRAUSS: Thank you, Mr. Scalero.

11 Gentlemen, this proposal came about over the  
12 course of a couple of years. We've had some residents  
13 that have some issues with invasive species of plants and  
14 it's been causing a hardship on many of our residents.  
15 It's not a rampant thing throughout the Village, but  
16 certainly it needs to be addressed. So we worked with  
17 the Village attorney to come up with a law and that's why  
18 we're here tonight and we have a law in front of us and  
19 if there's any questions from the Board, we'll certainly  
20 entertain them and I'll open it up to public comment, or  
21 we can open it up to public comment first if you want to  
22 hear what any residents might have to say.

23 MR. GIBBONS: Mr. Mayor?

24 MAYOR STRAUSS: Yes?

25 MR. GIBBONS: May I make one point of

1 clarification?

2 MAYOR STRAUSS: Sure.

3 MR. GIBBONS: We have the proposed Local Law  
4 that was read into the record by Mr. Scalero. We also  
5 have an ancillary Local Law amending Section 1-6 of the  
6 Municipal Code of the Incorporated Village of Mineola,  
7 entitled "Penalties for Offenses" to make Section 1-6  
8 applicable to violations of Chapter 400 of the Code.

9 If there is a violation of the Invasive Plant  
10 Species Local Law, they would be subject to the penalties  
11 in Section 1-6, and therefore I think we should hear the  
12 two local laws together.

13 MAYOR STRAUSS: OK. Great.

14 We're not banning the invasive plants, the  
15 species of plants that are listed. All we're looking to  
16 do is say you have to contain them on your property.  
17 They can't infiltrate anybody else's yard and, if you do,  
18 then there's an avenue that those neighbors can seek to  
19 get relief.

20 So I'll open it up to public comment at this  
21 time. Anybody needing to speak?

22 Please.

23 MS. BLAKE McDONNELL: Good evening.

24 MAYOR STRAUSS: Good evening.

25 MS. BLAKE McDONNELL: My name is Diane Blake

1 McDonnell and I live at 399 Mineola Boulevard.

2 Good evening, Mr. Mayor and Members of the  
3 Board of Trustees. I'd like to thank you for holding  
4 this hearing on invasive plants. It's an issue that I  
5 feel strongly about and I appreciate you're responding to  
6 my concern and to that of other Mineola residents  
7 affected by this problem.

8 A little history. I've lived in my home on  
9 Mineola Boulevard since 1980 and during all these 35  
10 years I've had to deal with bamboo. When first moving in  
11 my former husband and I could not even see our back  
12 property line, the bamboo was so dense. Naive as we  
13 were, we thought we just had to cut it down and it would  
14 be problem solved. We learned, however, that the  
15 solution was not so simple. It took an entire summer --  
16 with my former husband working hours after work and long  
17 days on the weekends -- to dig out every trace of the  
18 bamboo. That was no easy task. The stalks were up to 20  
19 feet high and so tough that they could only be cut with  
20 the sharpest of clippers. The root clumps were two or  
21 more feet in diameter and very heavy. Every week we put  
22 out as much yard waste at a time as permitted by the  
23 Department of Sanitation.

24 Once cleared, we thought the task was over. We  
25 found, however, that the fight against bamboo is an

1 ongoing one and it required vigilance. Bamboo, like  
2 grass, grows and spreads from underground roots and  
3 rhizomes. It is, however, much tougher than grass and it  
4 will grow right through blacktop and cement driveways,  
5 patios, and even through foundations. Since neighboring  
6 properties also had bamboo, it continued to reappear in  
7 my backyard.

8 While my sons were growing up and still living  
9 at home they would dig out the bamboo, which not only  
10 appeared at the property line but also five to ten feet  
11 into the yard itself. In recent years I've had to pay  
12 landscapers hundreds of dollars at a time to remove the  
13 new bamboo.

14 A few years ago I noticed an article or two in  
15 Newsday about communities on Long Island which passed  
16 regulations. I started saving these articles and began  
17 to feel hopeful that Mineola might one day do the same.  
18 As I'm sure you noted in the packet I sent to each of  
19 you, many municipalities now have some form of  
20 regulation. The towns of Hempstead, Huntington,  
21 Brookhaven and Smithtown have passed laws, as have the  
22 cities of Long Beach and Glen Cove. In addition,  
23 villages including Malverne, Lindenhurst, Babylon,  
24 Northport, Amityville, Hempstead, Westbury and East  
25 Williston have also enacted regulations.



1 I've done a lot of research and spoken to a  
2 local horticultural specialist and owner of a nearby  
3 gardening business and found there's only three ways to  
4 deal with it: Ignore it and let it spread, install  
5 impenetrable barriers and trenches about three feet deep  
6 so that it can be contained, or completely remove every  
7 trace, stalk, root, rhizome, and then sift the soil for  
8 remaining traces, or replace the soil with new uninfected  
9 soil.

10 My backyard should be my oasis, my escape, my  
11 own little slice of heaven, but I've never been able to  
12 really landscape as I would like, nor put up attractive  
13 fencing to block the view of rusting chain link fences.

14 As you probably saw in the photos I enclosed  
15 with the packet I sent you, in addition to being so  
16 invasive, the bamboo looms high over the fence and is  
17 ugly. It seems to me that if the height of a backyard  
18 fence is capped at six feet, a bamboo fence of 15 to 20  
19 feet is definitely out of place.

20 I don't know when or how this plant was first  
21 introduced into my area. It is found in backyards on  
22 Mineola Boulevard, as well as Burkhard Road. I know this  
23 also is not the only location in Mineola where bamboo  
24 growth is a problem. Having spoken with other homeowners  
25 who tried to remove it from their yards, only to see it

1 reoccur because adjacent properties did little or nothing  
2 to clean out their bamboo jungles, I've come to the  
3 conclusion that a Village ordinance requiring proper  
4 removal or complete containment is the only permanent  
5 solution to a problem which affects not only quality of  
6 life but also, very possibly, property value.

7 Thank you very much for your interest in and  
8 consideration of this issue.

9 MAYOR STRAUSS: Thank you. Thank you for your  
10 report and your diligence and your patience.

11 MS. BLAKE McDONNELL: Thank you.

12 MAYOR STRAUSS: Anybody have questions?  
13 Anybody else in the fifth row? Sixth row? Seventh row?  
14 Anybody else wishing to speak?

15 All right. Yes.

16 MS. HARNETT: I'll try to get the mic right.

17 Hi. I'm Catherine Harnett, 394 Burkhard  
18 Avenue, Mineola.

19 I've been at that residence 23 years and we've  
20 always also had bamboo, not in -- you know, we don't have  
21 it on our property, but it's on the property behind us  
22 and we're constantly dealing with the shoots. And if my  
23 husband wasn't there to, you know, eradicate them right  
24 away, they would take over the place.

25 I'm also concerned because I just think that

1 they could be dangerous as far as if it gets far enough  
2 where there might be electrical lines underneath or gas  
3 lines underneath because, you know, we have structures,  
4 you know, garage that have those things. So I'm not sure  
5 about that, but it's been a concern because the roots  
6 just all of a sudden, ten feet into the yard, will start  
7 coming up and that type of thing.

8 I guess I have a question as far as you were  
9 saying about a possible law not banning it but  
10 restricting it, and I guess I'd like to know more about  
11 that.

12 MAYOR STRAUSS: Yes. We're looking to create a  
13 law to contain it, not totally ban it. If somebody wants  
14 to have it on their property at this point they can, but  
15 as long as it doesn't invade the neighbors' properties  
16 around it.

17 MS. HARNETT: Would there be any restrictions  
18 as to how close it can be to the borderline?

19 MAYOR STRAUSS: I don't think it has -- any of  
20 our restrictions -- I don't think there's any  
21 restrictions on any plants now in anybody's backyard. So  
22 I would say no on that.

23 MS. HARNETT: So as long as they can make sure  
24 it's contained and not --

25 MAYOR STRAUSS: On their property.

1 MS. HARNETT: -- and shoots wouldn't --

2 MAYOR STRAUSS: That's what the intent of the  
3 law is, yes, to keep you safe, keep bamboo, if you don't  
4 want it, out, or any of the other invasive species out,  
5 and gives you an avenue to go down should it happen.

6 MS. HARNETT: OK. All right. Thank you very  
7 much.

8 MAYOR STRAUSS: Thank you for your  
9 participation.

10 Anybody else wishing to make a comment this  
11 evening?

12 Yes, ma'am.

13 MS. WONG: Hi. Good evening, Mayor and Board  
14 of Trustees, and thank you so much for leaving the voice  
15 mail on my cell phone.

16 MAYOR STRAUSS: You're very welcome, ma'am.

17 MS. WONG: Actually, I came here -- Oh. I'm  
18 sorry.

19 My name is Jennifer Wong, 400 Burkhard Avenue,  
20 and I've been living in Mineola for at least ten years  
21 and I love it here. So I really don't want to move, but  
22 there is --

23 MAYOR STRAUSS: We don't want you to move  
24 either.

25 MS. WONG: But there is a problem with bamboo.

1 And I believe that they are my neighbor, right, our yards  
2 are connected, adjacent to each other, and then the other  
3 neighbor is right next to me.

4 And we realized that there was a bamboo problem  
5 several years ago when we were mowing the lawn and  
6 something was coming out from the soil and I tried to  
7 pull it and I couldn't pull it. And we finally did some  
8 research and we realized that it was bamboo.

9 And throughout all these years the bamboo  
10 adjacent to my yard -- I think it's your next door  
11 neighbor -- it's coming, it's invading my garage. It's  
12 coming into the garage. So what we did was I -- naively,  
13 we chopped it off, but it grew back even faster and  
14 taller. And I tried everything that I could. One of my  
15 next door neighbors said maybe you can use hot water, but  
16 ultimately it didn't work. So at this point, I mean, I  
17 just don't know what to do. And to be honest, I don't  
18 want to have to sell the house and move out of Mineola.  
19 But it's like -- I think all of us get to the point that  
20 we love our neighborhood and we just want to maintain it.  
21 And, I mean, unless you guys are willing to let me adopt  
22 a panda and live in the backyard, then I don't mind about  
23 bamboo issue. But right now --

24 MAYOR STRAUSS: That might cause a traffic  
25 problem. I have enough of those.

1 MS. WONG: I can contain the panda, I think,  
2 better than bamboo.

3 So I really, really hope and pray that you guys  
4 can come up with a solution that can really help us.

5 MAYOR STRAUSS: Well we think we have, and  
6 we'll see what we can do for you.

7 MS. WONG: Thank you.

8 MR. WALSH: Excuse me, Mayor. Can I ask  
9 Ms. Wong a question?

10 This bamboo, it seems to be coming from the  
11 same area. Is it coming from one house?

12 MS. WONG: No. I think two houses, right, or  
13 more than two houses.

14 MR. WALSH: I mean, was it intentionally  
15 planted by the one or two homeowners?

16 MS. WONG: When I first moved in, it's already  
17 there. So it's in the property for more than ten years.  
18 And they have been living here for so long.

19 MAYOR STRAUSS: Yes, please.

20 MS. WONG: Thank you.

21 MR. PEREIRA: Thank you.

22 MS. BLAKE McDONNELL: I've been in my home for  
23 35 years, and the bamboo preceded me by many years. It  
24 was already 15 or 20 feet tall in my backyard and in the  
25 yards on either side of me. I couldn't see the house

1 behind me because it was so thick with bamboo. And  
2 although I've cut mine back and tried to maintain my  
3 property without bamboo, it still keeps coming from  
4 either side and it's infiltrated into the property behind  
5 on Burkhard.

6 I don't know where it started. Maybe somebody  
7 thought it would be a natural fence at one point and put  
8 it in 50 years ago or something, but it precedes me by a  
9 long time and, like I said, I've been there 35 years.

10 MR. PEREIRA: So the house is north -- to the  
11 north and south you have it?

12 MS. BLAKE McDONNELL: North and south.

13 MR. PEREIRA: And then behind you.

14 MS. BLAKE McDONNELL: North has it all along  
15 its back. That's Jennifer's backyard. The house south  
16 of me has it along its back, and adjacent to me.

17 MR. PEREIRA: Right.

18 MS. BLAKE McDONNELL: That's another family's  
19 house. And then I don't know if it spread beyond that.

20 MR. PEREIRA: Beyond that. But at least five  
21 or six houses that you know of.

22 MS. BLAKE McDONNELL: Yes. Yes. In my area.

23 MR. PEREIRA: In that area.

24 MS. BLAKE McDONNELL: And I know that there's  
25 at least another place in Mineola that has a problem too.

1 MR. WALSH: Just, if you can just stay there  
2 for a second.

3 The point I was trying to get at is: Do one or  
4 two residents want this bamboo on their property, or is  
5 it just something that's growing wild all over the place?  
6 I mean, do the people on each side of you want to have  
7 bamboo?

8 MS. BLAKE McDONNELL: The person to the north  
9 of me, when he moved in, did try to remove it, but  
10 unfortunately he just tried cutting it down and it grew  
11 back. I mean, he's not been a problem when I wanted to  
12 go over and dig from his side to remove mine.

13 The person to the south of me seems to be very  
14 happy with bamboo and has watched me try to cut it back  
15 and control it and has just watched me and not shown any  
16 interest.

17 MR. WALSH: OK. Thank you.

18 MAYOR STRAUSS: All right. Thank you.

19 MR. GIBBONS: Mr. Mayor.

20 MAYOR STRAUSS: Yes.

21 MR. GIBBONS: Just one point that's come up.  
22 This law not only requires containment by the property  
23 owner, but does require the property owner to take all  
24 reasonable action necessary to prevent such plant from  
25 invading any other property in the Village.



1                   So to the point of: Can we restrict a  
2 homeowner from planting on the property line? I believe  
3 that could be read by the Building Department as not a  
4 reasonable action and an action likely to lead to the  
5 plant invading an adjacent property.

6                   MAYOR STRAUSS: Thank you.

7                   Any other comments from the public?

8                   Any comments from the Board?

9                   MR. DURHAM: Mayor, my question is do we know  
10 the other residents, whether the bamboo was there before  
11 they took ownership of those homes, whether the bamboo  
12 has been there before?

13                   MAYOR STRAUSS: We don't know.

14                   MR. DURHAM: We don't know.

15                   MAYOR STRAUSS: We don't know.

16                   MR. DURHAM: So -- because everybody has said  
17 that the bamboo was there before they moved in. So I'm  
18 just --

19                   MAYOR STRAUSS: Well if the homeowner at one of  
20 these homes removes it and then it comes back from the  
21 other property, then that's where we'll have the issue.

22                   Did I say that right?

23                   MR. GIBBONS: You did.

24                   This is one of those issues where you'd say,  
25 "It takes a Village." It's going to take a number of the

1 property owners.

2 MAYOR STRAUSS: Yes.

3 MR. GIBBONS: But if you have a property owner  
4 who is not doing his or her part for containment, you're  
5 not going to be able to accomplish the ultimate goal  
6 here.

7 MAYOR STRAUSS: OK. Well we'll certainly do  
8 our best.

9 Any other comments from the Board?

10 MR. PEREIRA: The only comment I have, Mayor, I  
11 think this is a step in the right direction and this is  
12 not to say that we can't revisit this --

13 MAYOR STRAUSS: Correct.

14 MR. PEREIRA: -- in the future if this,  
15 obviously, doesn't work out.

16 You know, we're trying to respect the rights as  
17 property owners on both sides of the fence, if you will.  
18 If someone likes bamboo and they want to keep it,  
19 certainly it's within their right, we're saying --

20 MAYOR STRAUSS: Yes.

21 MR. PEREIRA: -- as long as it's contained to  
22 their property. And on the other hand, if somebody  
23 doesn't want bamboo they shouldn't have to have their  
24 backyard infested with it.

25 So I'm comfortable with starting here, and I

1 think this is a step in the right direction, and we'll  
2 see where this goes and perhaps we'll revisit it.  
3 Hopefully we won't have to. This will be enough.

4 MAYOR STRAUSS: Great. Any other comments?

5 MR. DURHAM: Are we going to -- you know, I'm  
6 just saying, would the people that have it on their  
7 property at the border now, are they going to have to --  
8 they're going to have to take and find a way to take and  
9 prevent from --

10 MAYOR STRAUSS: Correct.

11 MR. DURHAM: So -- and I believe Ms. McDonnell  
12 said the only way to take and do that is install, like, a  
13 three-foot barrier below ground? So they'd have to take  
14 and go through the property line?

15 MAYOR STRAUSS: Well they'll have to go along  
16 the property line down -- on their property line, I would  
17 think, on their side of the fence and go down and take  
18 whatever preventive measures.

19 It's incumbent, I think, on the people who have  
20 the bamboo, rather than the people who don't want it to  
21 spend hundreds of dollars and go through the aggravation  
22 that we've heard here tonight to try to keep something  
23 out that shouldn't be coming in.

24 Any other comments?

25 MR. WALSH: You know, Mayor, I'd just like to

1 say that I know somebody who grew bamboo, and the way  
2 that they can contain it is to grow it into a cement  
3 container. In other words, they dug a three-foot trench  
4 by two-foot wide. They poured a cement container. And  
5 the bamboo stayed inside that container. Otherwise it  
6 spreads widely.

7 And the only other thing I want to say is I'm  
8 glad that they also included poison ivy, poison oak in  
9 this law because sometimes people don't take care of  
10 their poison ivy and it grows over on their neighbor's  
11 property, and that's something that needs to be contained  
12 also.

13 Thank you, Mayor.

14 MAYOR STRAUSS: Thank you, Mr. Walsh.

15 No other comments?

16 I'll entertain a motion to adopt Local Law re  
17 the Invasive Plant Species and the corollary law relating  
18 to the penalty provision of our laws.

19 MR. WALSH: Motion.

20 MAYOR STRAUSS: Motion by Trustee Walsh.

21 Do I have a second?

22 MR. PEREIRA: Second.

23 MAYOR STRAUSS: Second by Trustee Pereira.

24 Mr. Scalero?

25 MR. SCALERO: Yes, sir.

1 Trustee Durham?

2 MR. DURHAM: Yes.

3 MR. SCALERO: Trustee Pereira?

4 MR. PEREIRA: Yes.

5 MR. SCALERO: Trustee Cusato?

6 MR. CUSATO: Yes.

7 MR. SCALERO: Trustee Walsh?

8 MR. WALSH: Yes.

9 MR. SCALERO: Mayor Strauss?

10 MAYOR STRAUSS: Yes.

11 Thank you, folks. We'll take a few minutes, if  
12 you want to leave or stay for the next hearing.

13 Can I have a motion to close the hearing?

14 MR. PEREIRA: Motion.

15 MAYOR STRAUSS: Motion by Trustee Pereira.

16 Do I have a second?

17 MR. WALSH: Second.

18 MAYOR STRAUSS: Second by Trustee Walsh.

19 All in favor?

20 MR. DURHAM: Aye.

21 MR. PEREIRA: Aye.

22 MR. CUSATO: Aye.

23 MR. WALSH: Aye.

24 MAYOR STRAUSS: Aye.

25 Any opposed?

Carried.

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1 MAYOR STRAUSS: OK, Mr. Scalero.

2 MR. SCALERO: Yes, sir.

3 "Legal Notice, Public Hearing, Incorporated  
4 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, May 13, 2015, at 6:30 p.m., at the  
8 Village Hall, 155 Washington Avenue, Mineola, New York  
9 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 "A proposed Local Law amending Chapter 510 of  
13 the Municipal Code of the Incorporated Village of Mineola  
14 entitled, 'Traffic and Vehicles,' Section 510-8, entitled  
15 'Penalties for Offenses.'

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 April 20, 2015."

6 MAYOR STRAUSS: Thank you, Mr. Scalero.

7 We've been kicking around this for a while,  
8 about looking at our fees and some of our fines, and this  
9 is what we've come up with. We've interacted with the  
10 Judge, the department heads, and this is their  
11 recommendations, some of their recommendations.

12 And any comments from the Board? Mr. Pereira?

13 MR. PEREIRA: Well, Mayor, the only comment I  
14 think, obviously when people hear, you know, fines and  
15 fees and things of that nature -- they need to understand  
16 that most of this is for repeat offenses. It's not  
17 across the board. And as we've said for a number of  
18 years, our job is to achieve compliance and not  
19 necessarily punish.

20 So this is frankly really to get people to do  
21 what they're supposed to do in the first place, and if  
22 they do that then it doesn't matter what the fines are.

23 MAYOR STRAUSS: We're not increasing expired  
24 parking meters. We're looking to increase on the parking  
25 in handicapped spots, parking in fire zones. You know,



1 the safety issues and the ones we really should take care  
2 of. So it's not like we're raising the fees and the  
3 fines to increase revenue. We're looking to get  
4 compliance, as Trustee Pereira mentioned. So it's not a  
5 whole list of them. There's just a few specific ones,  
6 and I think it's prudent that we do so.

7 Mr. Cusato, anything?

8 MR. CUSATO: Yes, Mayor, as you said, you know,  
9 there's no need to be parking in handicapped spots.  
10 There's no need to be parking in fire zones. I mean, you  
11 need to be nailed for that. There's no excuse.

12 MAYOR STRAUSS: Thank you.

13 Mr. Durham?

14 MR. DURHAM: I have no comment.

15 MAYOR STRAUSS: Mr. Walsh?

16 MR. WALSH: No.

17 MAYOR STRAUSS: I'll entertain a motion to --  
18 anybody wishing publically to make any comments? First  
19 row? Second row? Third row? Fourth row? Fifth row?  
20 Sixth row? Seventh row?

21 Great. I'll entertain a motion to adopt.

22 MR. CUSATO: Motion.

23 MAYOR STRAUSS: Motion made by Trustee Cusato.  
24 Seconded by?

25 MR. DURHAM: Second.

1 MAYOR STRAUSS: By Trustee Durham.

2 Mr. Scalero, please poll the Board.

3 MR. SCALERO: Yes, sir.

4 Trustee Durham?

5 MR. DURHAM: Yes.

6 MR. SCALERO: Trustee Pereira?

7 MR. PEREIRA: Yes.

8 MR. SCALERO: Trustee Cusato?

9 MR. CUSATO: Yes.

10 MR. SCALERO: Trustee Walsh?

11 MR. WALSH: Yes.

12 MR. SCALERO: Mayor Strauss?

13 MAYOR STRAUSS: Yes.

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

15 MR. WALSH: Motion.

16 MAYOR STRAUSS: Motion by Trustee Walsh.

17 Seconded by?

18 MR. DURHAM: Second.

19 MAYOR STRAUSS: Seconded by Trustee Durham.

20 All in favor?

21 MR. DURHAM: Aye.

22 MR. PEREIRA: Aye.

23 MR. CUSATO: Aye.

24 MR. WALSH: Aye.

25 MAYOR STRAUSS: Aye.

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Any opposed?

Carried.


I think that's it for the hearings. We'll take  
a very brief recess. Thank you very much for your time.

\* \* \*

This is to certify that the within and foregoing is a  
true and accurate transcript of the stenographic notes as  
recorded by the undersigned Official Court Reporter.

\* \* \*

ORIGINAL

  
PATRICIA A. TAUBER, RPR  
OFFICIAL COURT REPORTER

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