

Minutes - Board Meeting 02/05/2020

Minutes of the meeting of the Board of Trustees of the Incorporated Village of Mineola held Wednesday, February 5, 2020 at Village Hall, 155 Washington Avenue, Mineola, New York 11501.

PRESENT: Mayor Scott P. Strauss
Trustee Paul S. Cusato
Trustee Paul A. Pereira
Trustee George R. Durham
Trustee Dennis J. Walsh

ALSO PRESENT: Village Attorney John P. Gibbons, Jr.
Village Clerk Joseph R. Scalero
Deputy Village Clerk Linda Pardo
Village Treasurer Giacomo Ciccone
Superintendent of Public Works Thomas J. Rini
Superintendent of Buildings Daniel B. Whalen

Press Observer: *None*

Sunshine Observers: 1 Observer

Mayor Scott P. Strauss called the Work Session to order at 6:35 PM.

Resolution No. 25-20

Resolved to approve bills and payroll.

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

Vote:

Yes

Mayor Scott P. Strauss
Trustee Paul S. Cusato
Trustee Paul A. Pereira
Trustee George R. Durham
Trustee Dennis J. Walsh

No

Abstain

Resolution No. 26-20

Resolved to approve the minutes of the meetings of the Board of Trustees from January 8, and January 22, 2020.

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

Vote:

Yes

No

Abstain

Mayor Scott P. Strauss
Trustee Paul S. Cusato
Trustee Paul A. Pereira
Trustee George R. Durham
Trustee Dennis J. Walsh

Resolution No. 27-20

Resolved to approve election inspectors and poll workers for the Village Election Wednesday March 18, 2020.

Election Inspectors

Richard Ayers	325 Wilson Boulevard, Mineola, NY 11501
Mary Anne J. Chin	16 Juniper Avenue, Merrick, NY 11566
Marta M. DeSousa	254 Royal Avenue, Mineola, NY 11501
Joanne DiGiorgio	116 Jerome Avenue, Mineola, NY 11501
Shirley Florio	190 Roselle Street, Mineola, NY 11501
Susan Hopkins	145 Arlington Street, Mineola, NY 11501
Patricia Joaquin	26 Meadow Lane, Levittown, NY 11753
Carol J. Johnson	93 Bradley Place, Apt. 3S, Mineola, NY 11501
Brenda Kennedy	109 Ellsworth Avenue, Mineola, NY 11501
Charles Kohl	120 Horton Hwy Apt D4, Mineola, NY 11501
Veronica L. Maggi	415 First Street, Apt. 4S, Mineola, NY 11501
George Maracheril	561 Latham Avenue, Mineola, NY 11501
Francine Mathis	53 Linden Court, Roslyn Heights, NY 11577
Nancy Mesloh	101 Lincoln Avenue, Mineola, NY 11501
Gary Nelson	470 Herricks Road, Mineola, NY 11501
Josephine A. Noto	110 Jefferson Avenue, Mineola, NY 11501
Carlo Nunziata	256 Marcellus Road, Mineola, NY 11501
Rita Patel	232 McKinley Parkway, Mineola, NY 11501
Michael Ricca	152 Garfield Avenue, Mineola, NY 11501
Gerod Roganish	80 Dow Avenue, Mineola, NY 11501
Kelen J. Rosier	250 Wardwell Road, Mineola, NY 11501
Flore Rowe	305 Pennsylvania Avenue, Mineola, NY 11501
Joshua J. Rubinfeld	140 Old Country Road W., Apt. 521, Mineola, NY 11501
Patricia E. Santosus	157 Elderberry Road, Mineola, NY 11501
Jacob Shipman	116 Jerome Avenue, Mineola, NY 11501
Margaret Stith	101 Dikeman Street, Hempstead, NY 11550
Russell C. Sutherland	3 Birchwood Court, Apt. 2H, Mineola, NY 11501
Aimee N. Traina	188 Pomander Road, Mineola, NY 11501

Alternates

Christina Bellicose Stoffel	322 Latham Road, Mineola, NY 11501
Missy Bergman	133 Lincoln Ave, Apt E, Mineola, NY 11501
Saleh A. Bhuiyan	317 Walter Avenue, 2nd floor, Mineola, NY 11501
Concepcion C. Buesaquillo	11 Holly Avenue, Mineola, NY 11501
Adalisa Buitrago	481 Emory Road, Mineola, NY 11501
Gladys Gaines	43 Dow Avenue, Mineola, NY 11501
Roswitha C. Graser	244 Horton Highway, Mineola, NY 11501
Maureen C. Healy	59 Shortridge Drive, Mineola, NY 11501
Perry L. Llanes	256 Garfield Avenue, Mineola, NY 11501
Daniel P. Nigra	301 Andrews Road, Mineola, NY 11501
Patricia E. Pargament	101 Jackson Avenue, Apt. 3S, Mineola, NY 11501
Eugene Pinkney	106 Laurel Street, Apt. B, Roslyn Height, NY 11577
Angelo Santoli	375 White Road, Mineola, NY 11501
Daniel P. Stagnari	172 Brown Street, Mineola, NY 11501
Robert E. Thursland	39 Mineola Boulevard, Apt. 2A, Mineola, NY 11501
Peggie J. Woody	59 Roselle Street, Apt. 2G, Mineola, NY 11501

Motioned by Trustee George R. Durham
Seconded by Trustee Dennis J. Walsh

Vote:

Yes

No

Abstain

Mayor Scott P. Strauss
Trustee Paul S. Cusato
Trustee Paul A. Pereira
Trustee George R. Durham
Trustee Dennis J. Walsh

Resolution No. 28-20

Resolved to authorize the Village Clerk to attend the NYCOM Winter Legislative Meeting in Albany, New York February 9-11, 2020.

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

Vote:

Yes

No

Abstain

Mayor Scott P. Strauss
Trustee Paul S. Cusato
Trustee Paul A. Pereira
Trustee George R. Durham
Trustee Dennis J. Walsh

Resolution No. 29-20

Resolved to approve a request from the Birchwood Court Owners, Inc. for the use of the Village Hall Community Center auditorium to hold their Annual Shareholder Meeting Thursday May 14, 2020 from 7:00 PM to 9:00 PM.

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

Vote:

Yes

No

Abstain

Mayor Scott P. Strauss
Trustee Paul S. Cusato
Trustee Paul A. Pereira
Trustee George R. Durham
Trustee Dennis J. Walsh

Resolution No. 30-20

Resolved to approve a contract with Santore's World Famous Fireworks, LLC for outdoor concert services Friday July 10 (Raindate: July 24).

Motioned by Trustee Dennis J. Walsh
Seconded by Trustee Paul A. Pereira

Abstain

Mayor Scott P. Strauss
Trustee Paul S. Cusato
Trustee Paul A. Pereira
Trustee George R. Durham
Trustee Dennis J. Walsh

Resolution No. 31-20

Resolved to approve the following payment in the amount of \$30,262.88 from the Water Reserve Fund in FY 2019-2020:

VENDOR	AMOUNT	PROJECT
Philip Ross Industries, Inc.	\$30,262.88	Well #1

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

Vote:

Abstain

Mayor Scott P. Strauss
Trustee Paul S. Cusato
Trustee Paul A. Pereira
Trustee George R. Durham
Trustee Dennis J. Walsh

Resolution No. 32-20

Resolved to award Alternate Bid Item 1 for the Pre-Purchase of Granular Activated Carbon Adsorption System for Well #7 public bid to the lowest responsible bidder.

Lowest Responsible Bidder: Philip Ross Industries
Cost: \$399,000.00
Funding Sources: 2019/2020 Water Fund Budget and/or the Water Fund
Unreserved Fund Balance
Engineers: D&B Engineers & Architects, P.C.

Motioned by Trustee Dennis J. Walsh
Seconded by Trustee Paul A. Pereira

Vote:

Abstain

Mayor Scott P. Strauss
Trustee Paul S. Cusato
Trustee Paul A. Pereira
Trustee George R. Durham
Trustee Dennis J. Walsh

Resolution No. 33-20

Resolved to authorize the engineering services agreement for the Wilson Park Improvements Project.

Engineers: D&B Engineers & Architects, P.C.
Project Cost: \$33,875.00
Funding Sources: DASNY Grant, General Fund Budget and/or General Fund
Unreserved Fund Balance

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

Vote:

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

Resolution No. 34-20

Resolved to authorize the purchase of 2 – Poligon Hex28MR Hexagonal Structures with 6 inch columns (color: Surrey Beige) with Multi-Rib Roof (Color: Evergreen) with Poli5000 Finish from the Sourcewell National Purchasing Cooperative Contract No. 030117-PPC.

Vendor: Poligon by Porter Corp.
Cost: \$38,557.00
Funding Source: DASNY Grant, General Fund Budget and/or General Fund
Unreserved Fund Balance

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

Vote:

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

Superintendent of Buildings Daniel B. Whalen announced that there will be a crane near Winthrop University Hospital February 6, and presented department financial reports for December 2019 and January 2020.

Resolution No. 35-20

Resolved to authorize the Superintendant of Buildings to attend the 2020 Codes Conference at Stony Brook University, March 17-19, 2020.

Motioned by Trustee Paul S. Cusato
Seconded by Trustee Dennis J. Walsh

Vote:

Yes

No

Abstain

Mayor Scott P. Strauss
Trustee Paul S. Cusato
Trustee Paul A. Pereira
Trustee George R. Durham
Trustee Dennis J. Walsh

Village Attorney John P. Gibbons, Jr. introduced the following resolution:

Resolution No. 36-20

BOARD OF TRUSTEES
INCORPORATED VILLAGE OF MINEOLA

-----X
In the Matter of the Application of

JOSE FERNANDO GARCIA

DECISION

For a Special Use Permit pursuant to Chapter 550,
Section 550 of the Code of the Incorporated Village
of Mineola, at premises known as 362 Willis
Avenue, Mineola, New York, known and
designated on the Nassau County Land and Tax
Map as Section 9, Block 329, Lots 760-762.

-----X

NAME OF APPLICANT: Jose Fernando Garcia

SUBJECT PROPERTY: Section 9, Block 329, Lots 760-762

STREET LOCATION: 362 Willis Avenue
Mineola, New York 11501

ZONING DISTRICT: "B-1" District

RELIEF REQUESTED: Application For a Special Use Permit pursuant to Chapter
550, Section 550-27.C. to maintain a metal storage
container upon Property

PUBLICATION & POSTING: All in accordance with applicable laws, rules and
regulations.

DATE OF HEARING: September 18, 2019

APPEARANCE: Jose Fernando Garcia

DECISION:

Jose Fernando Garcia (hereinafter, "Applicant") is before this Board, pursuant to Chapter
550, Section 550.27 of the Municipal Code of the Incorporated Village of Mineola, for a special

use permit to maintain the existing (20' x 8') metal storage container upon the property known as 263 Horton Highway, Mineola, New York (known and designated on the Nassau County Land and Tax Map as Section 9, Block 329, Lots 760-762) (hereinafter, the "Property").

By Notice of Disapproval, dated May 2, 2019, Applicant's building permit was denied. The Building Inspector determined that the proposed application is contrary to the Village's zoning regulations. Applicant was thus required to seek relief before the Board of Trustees for a special use permit to maintain a metal storage container upon the Property.

A referral of the application was made to the Nassau County Planning Commission. The Nassau County Planning Commission has recommended that this Board take whatever action it deems appropriate. Based upon the evidence adduced at the public hearing, and the documentation submitted to the Board in support of the application, the Board makes the following findings of fact:

- 1) Applicant is seeking a special use permit to maintain a metal storage container upon the property known as 362 Willis Avenue, Mineola, New York;
- 2) Applicant operates a construction business from the Property;
- 3) Since the Property does not have a garage, Applicant is utilizing the storage container for the storage of construction tools; and
- 4) The storage container is 20' (long) x 6' (wide) x 8'10'' (high).

Based upon the above findings, it is hereby determined that the proposed use, subject to the conditions stated below, is harmonious to the "B-1" District, will conform to the general character of the neighborhood, and that the public health, morals, safety and general welfare of such neighborhood will be secured by the granting of the requested Special Use Permit.

IT IS THEREFORE RESOLVED, that the Special Use Permit is **GRANTED** subject to the following conditions:

- 1) The storage container shall not be used for the storage of any combustible materials and/or liquids;
- 2) The Property shall be kept in a clean condition and no outside storage of equipment shall be permitted;
- 3) Applicant shall construct and maintain a covered flat roof around the entirety of the storage container with roof shingles matching 362 Willis Avenue, Mineola, New York;
- 4) Applicant shall install and maintain vinyl siding on all neighboring visible sides of the storage container;

- 5) This approval shall be for a period not to exceed three (3) years, ending February 5, 2023. At that time, Applicant may apply for an extension or remove the container.
- 6) Each of these conditions is material to the approval granted by the Board of Trustees. Violations of any of the conditions of this Special Use Permit shall subject the applicant or its successors to enforcement pursuant to the Village's Municipal Code, including possible revocation of this Special Use Permit;
- 7) The representations made by Applicant on the record in this proceeding have been deemed material to this application and have been relied upon by the Board of Trustees in its deliberations and decision. Applicant's representations are deemed to be part of the conditions of this Special Use Permit; and
- 8) Violation of a condition set forth in this Special Use Permit shall be deemed a violation of the Village Zoning Law and shall subject the owner or occupant of the premises to all penalties set forth in the Zoning Law.

Dated: Mineola, New York
February 5, 2020

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

Village Clerk Joseph R. Scalero polled the Board:

Vote:

Yes

No

Abstain

Mayor Scott P. Strauss
Trustee Paul S. Cusato
Trustee Paul A. Pereira
Trustee George R. Durham
Trustee Dennis J. Walsh

Mayor Scott P. Strauss requested a motion to close the Work Session at 6:55 PM.

Motioned by Trustee Paul A. Pereira
Seconded by Trustee Dennis J. Walsh

Vote:

Yes

No

Abstain

Mayor Scott P. Strauss
Trustee Paul S. Cusato
Trustee Paul A. Pereira
Trustee George R. Durham
Trustee Dennis J. Walsh

Mayor Scott P. Strauss called the Public Meeting to order at 7:30 PM.

PRESENT:

Mayor Scott P. Strauss
Trustee Paul S. Cusato
Trustee Paul A. Pereira
Trustee George R. Durham
Trustee Dennis J. Walsh

ALSO PRESENT: Village Attorney John P. Gibbons, Jr.
Village Clerk Joseph R. Scalero
Deputy Village Clerk Linda Pardo

Press Observer: *None*

Sunshine Observers: 3 Observers

Mayor Scott P. Strauss congratulated Mineola Fire Department member Mark Swenson of Company 2 and Ex-Captain Sandy Sonera of Company 3 who were named Firefighters of the Year; stated that he attended a Girl Scout Gold, Silver, and Bronze Award Ceremony, and congratulated Yvonne Kalpakis, Cecilia Jozef, Caroline McGrath, Samantha DiMilia, and Jamie Ryan on receiving their Gold Awards; reported that major work on the LIRR Third Track Project will cause road closures in the very near future; announced that village offices will be closed February 12 for Lincoln’s Birthday and February 17 for Presidents’ Day, and to follow the sanitation holiday changes, and reviewed snow regulations.

Trustee Paul A. Pereira stated that he attended the Kiwanis Super Bowl Pancake Breakfast held at Mineola High School this year, and announced several events, including the Mineola Junior Fire Department Pasta Dinner on March 8, the Boy Scouts’ Pancake Breakfast on Father’s Day, the Portuguese Lions Club Annual Fundraiser Breakfast, and the St. Patrick’s Day Parade on March 1.

Trustee Paul S. Cusato congratulated the undefeated 10U Mineola Hurricanes baseball champions, adding that all the coaches had played little league baseball in Mineola.

Trustee George R. Durham stated that he attended the Kiwanis Super Bowl Pancake Breakfast where he saw Paul May who is on the road to recovery after a serious car accident; congratulated Troop 45 Eagle Scouts Robert Siemann, Robert Garcia and Chris Scott; announced that Troop 45 will have an Eagle Ceremony June 6 at Mineola High School where up to nine boys could become Eagle Scouts, and Pack 246 will hold its Arrow of Light Award Dinner February 8.

Trustee Dennis J. Walsh discussed the *MINNeola* Macaroni Night Fundraiser held at Mineola High School which benefits the Mary Brennan INN (Interfaith Nutritional Network), and discussed the Nassau County Village Officials Association meeting which he attended where the speaker discussed the new bail reform law and discovery law.

Mayor Scott P. Strauss repeated that Village Offices are closed February 12 and February 17 and to follow sanitation changes.

No speakers addressed the Board

Mayor Scott P. Strauss requested a motion to close the Public Meeting at 7:50 PM.

Motioned by Trustee Dennis J. Walsh
Seconded by Trustee Paul A. Pereira

Vote:

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