

Minutes - Board Meeting – 07/13/2011

Minutes of the meeting of the Board of Trustees of the Incorporated Village of Mineola held Wednesday, July 13, 2011 at Village Hall, 155 Washington Avenue, Mineola, New York 11501.

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

ALSO PRESENT: Village Clerk Joseph R. Scalero
Village Attorney John M. Spellman

Press Observer: Rich Forestano, *Mineola American*
Geoffrey Walter, *Patch .com*

Sunshine Observers: 40 Observers

Mayor Scott P. Strauss called the Public Hearing to order at 6:50 PM.

A Public Hearing was held at 6:50 PM at the Village Hall, 155 Washington Avenue, Mineola, New York, 11501 in order to receive public comment upon the following:

APPLICATION OF MEERA ARORA (D/B/A TRUCKS N’ TIARAS) FOR A SPECIAL PERMIT, PURSUANT TO CHAPTER 30 OF THE CODE OF THE INCORPORATED VILLAGE OF MINEOLA ENTITLED “ZONING”, SECTION 30-31, FOR THE ALLOWANCE CHILDREN’S BIRTHDAY PARTIES IN CONJUNCTION WITH RETAIL SALES AT PROPERTY WITH A STREET ADDRESS OF 464 JERICHO TURNPIKE, MINEOLA, NEW YORK, KNOWN AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 9, BLOCK 5, LOTS 30-32, 64-68 AND 130.

Resolution No. 153-11

Resolved to adjourn the Public Hearing on application of Meera Arora (d/b/a Trucks N’ Tiaras) for a special permit to August 3, 2011 at 6:30 PM.

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

Vote:

Yes

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

No

Abstain

A Public Hearing was held at 7:00 PM at the Village Hall, 155 Washington Avenue, Mineola, New York, 11501 in order to receive public comment upon the following:

APPLICATON OF WINTHROP UNIVERSITY HOSPITAL FOR A SPECIAL PERMIT/DEVELOPMENT INCENTIVE BONUS, PURSUANT TO CHAPTER 30 OF THE CODE OF THE INCORPORATED VILLAGE OF MINEOLA ENTITLED “ZONING”, SECTION 30.5 ENTITLED “APPLCIATION OF REGULATIONS”, SUBSECTION A ENTITLED “DEVELOPMENT INCENTIVE BONUES”, FOR THE CONSTRUCTION OF A FOUR (4) STORY RESEARCH CENTER OFFICE BUILDING WITH A TOTAL BUILDING HEIGHT OF 78 FEET (WITH AN ADDITIONAL 10.6 FEET ON A PORTIONOF THE ROOF FOR UTILITY AND CIRCULATION TOWERS), FOR THE ALLOWANCE OF FOOD SERVICE AT THE SITE, FOR THE LOCATION OF REQUIRED PARKING AT AN OFF-SITE LOCATION BEYOND 300 FEET FROM THE PREMISES, FOR SITE PLAN APPROVAL

AND FOR ARCHITECTURAL APPROVAL AT PROPERTY LOCATION AT THE NORTHWEST QUADRANT OF THE INTERSECTION OF MINEOLA BOULEVARD AND SECOND STREET, WITH STREET ADDRESSES OF 101, 107 AND 109 MINEOLA BOULEVARD, MINEOLA, NEW YORK KNOWN AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 9, BLOCK 418, LOTS 71, 73, 128, 129, 130, 156 AND 160.

Mayor Scott P. Strauss announced that Trustee George R. Durham is not present at this meeting because he is upstate with 52 scouts from Boy Scout Troop 45, but commented that Trustee Durham has received and read the package and has left questions for him to ask on the application of Winthrop University Hospital.

10 Speakers addressed the Board

Resolution No. 154-11

Resolved to declare the application of Winthrop University Hospital for a special permit/development incentive bonus at the northwest quadrant of the intersection of Mineola Boulevard and Second Avenue as an unlisted action with a negative declaration under the New York State Environment Quality Review Act (SEQRA).

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

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

[A recess was taken from 8:50 PM – 9:00 PM]

Mayor Scott P. Strauss requested a motion to reserve decision and keep the hearing record open for three (3) weeks for additional public comments at 9:10 PM.

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

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

Mayor Scott P. Strauss called the Work Session to order at 9:20 PM.

PRESENT:	Mayor Scott P. Strauss Trustee Lawrence A. Werther Trustee Paul S. Cusato Trustee Paul A. Pereira
ALSO PRESENT:	Village Attorney John M. Spellman Village Clerk Joseph R. Scalero
Press Observer:	Rich Forestano, <i>Mineola American</i> Geoffrey Walter, <i>Patch .com</i> Rich Tedesco, <i>Williston Times</i>
Sunshine Observers:	13 Observers

Resolution No. 155-11

Resolved to approve bills and payroll.

Motioned by Trustee Paul S. Cusato

Seconded by Trustee Lawrence A. Werther

Vote:

Yes

No

Abstain

Mayor Scott P. Strauss

Trustee Lawrence A. Werther

Trustee Paul S. Cusato

Trustee Paul A. Pereira

Resolution No. 156-11

Resolved to approve a request of Mineola High School to schedule its annual Homecoming Parade for Saturday September 24, 2011 at 12:00 PM (assembly at 11:30 AM) along the following route:

East along Jericho Turnpike to Roslyn Road

South along Roslyn Road to Westbury Avenue

East along Westbury Avenue to Union Avenue

South along Union Avenue to Hampton Stadium

Motioned by Trustee Paul A. Pereira

Seconded by Trustee Lawrence A. Werther

Vote:

Yes

No

Abstain

Mayor Scott P. Strauss

Trustee Lawrence A. Werther

Trustee Paul S. Cusato

Trustee Paul A. Pereira

Resolution No. 157-11

Resolved to approve the request by the WARM Association of Girl Scouts for the use of the Community Center auditorium for their annual Bronze, Silver and Gold Award celebration Friday, October 14, 2011 from 6:00 PM to 9:00 PM.

Motioned by Trustee Lawrence A. Werther

Seconded by Trustee Paul S. Cusato

Vote:

Yes

No

Abstain

Mayor Scott P. Strauss

Trustee Lawrence A. Werther

Trustee Paul S. Cusato

Trustee Paul A. Pereira

Trustee George R. Durham

Resolution No. 158-11

Resolved to approve a request by the Mineola AARP Chapter 4202 for the use of the Community Center for their 2011/2012 general membership meetings and a general purpose room for their Board of Directors' meeting on the following dates from 8:30 AM – 3:00 PM:

Wednesday, September 21, 2011	Wednesday, February 22, 2012
Wednesday, October 26, 2011	Wednesday, March 28, 2012
Wednesday, November 16, 2011	Wednesday, April 25, 2012
Wednesday, January 25, 2012	Wednesday, May 23, 2012
	Wednesday, June 27, 2012

and the use of a general purpose room from 8:30 AM – 1:00 PM on Wednesday January 18, 2012.

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

Vote:

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

Resolution No. 159-11

Resolved to approve the request by the Mineola AARP Chapter 4202 for the use of a general purpose room for their Arts and Crafts Committee on the following Tuesdays from 9:30 AM to 12:00 PM:

September 6 & 20, 2011	February 7 & 21, 2012
October 4 & 18, 2011	March 6 & 20 2012
November 1 &15, 2011	April 3 & 17, 2012
December 6 & 20, 2011	May 1 & 15, 2012
January 3 & 17, 2012	June 5 & 19, 2012

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

Vote:

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

Resolution No. 160-11

Resolved to approve the request by Boy Scout Troop 45 for the use of a section of the John S. DaVanzo Community Pool for Merit Badge Programs on five consecutive Monday nights: July 25, August 1, August 8, August 15, and August 22, 2011.

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

Vote:

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

Village Clerk Joseph R. Scalero reported that residents wishing to vote in the Nassau County Coliseum bond referendum August 1 should do so where they would normally vote in November General Elections. Village Clerk Scalero added that the Nassau County Board of Elections will not be using the Village Hall Community Center as a polling place because the

Summer Recreation Program uses the Community Center during the first week of August and the Community Center roof replacement project is scheduled to begin immediately following the Program’s conclusion. Village Clerk Scalero added that these needs were not considered by the County until after the referendum vote was scheduled for August 1 and similar problems were encountered countywide. He cited examples of school districts scheduling their construction projects during summer months when school is out precluding their use as polling places. Village Clerk Scalero also reported that the Board of Elections would be mailing postcards to affected residents informing them where their temporary poll location will be on August 1, and stated that the Village of Mineola would also post reminders on the village website and TV channels.

Resolution No. 161-11

Resolved to approve 2010-11 year-end intra-fund budget transfers in the following funds:

Library Fund	\$12,650.33
Water Fund	\$78,140.45
Pool Fund	\$24,257.70

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

Vote:

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

Village Attorney John M. Spellman reported on the 2010/2011 Tax Certiorari cases which were settled during the 2011/2012 Tax Year with the total settlement amounting to \$695,783.00 for which funds fall within the 2011/2012 annual budget appropriation.

Resolution No. 162-11

Address: 99 East Jericho Turnpike
Petitioner: 99 East Jericho Turnpike Realty Corp.
Petitioner's Attorney: Forchelli

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding 99 East Jericho Turnpike Realty Corp., Section 9, Block 268, Lots 1-5 is approved.

Further resolved, that the Petitioner will receive a refund of \$5,000.00 for the tax years 2004/2005 through 2010/2011. The refund shall be payable on July 31, 2011 following the submission of a voucher along with a Judgment and Stipulation.

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

Vote:

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

Resolution No. 163-11

Address: 202 Jericho Turnpike

Petitioner: Altmark Properties, Inc.

Petitioner's Attorney: Forchelli

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding Altmark Properties, Inc., Section 9, Block 322, Lot 78 is approved.

Further resolved, that the Petitioner will receive a refund of \$3,000.00 for the tax years 2004/2005 through 2010/2011. The refund shall be payable on July 31, 2011 following the submission of a voucher along with a Judgment and Stipulation.

Motioned by Trustee Paul S. Cusato

Seconded by Trustee Paul A. Pereira

Vote:

Yes

No

Abstain

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

Resolution No. 164-11

Address: 353 Hillside Avenue

Petitioner: R. Scott Costa

Petitioner's Attorney: Cronin

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding R. Scott Costa, Section 9, Block 271, Lots 101-105 is approved.

Further resolved, that the Petitioner will receive a refund of \$1,200.00 for the tax years 2004/2005 through 2010/2011. The refund shall be payable on July 31, 2011 following the submission of a voucher along with a Judgment and Stipulation.

Motioned by Trustee Paul S. Cusato

Seconded by Trustee Paul A. Pereira

Vote:

Yes

No

Abstain

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

Resolution No. 165-11

Address: 155 First Street

Petitioner: First Mineola Associates, LLC

Petitioner's Attorney: Koeppel

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding First Mineola Associates, LLC, Section 9, Block 420, Lots 26-29, 122, 124-125 is approved.

Further resolved, that the Petitioner will receive a refund of \$20,000.00 for the tax years 2005/2006 through 2010/2011. The refund shall be payable in two (2) equal installments of \$10,000.00 on July 31, 2011 and July 31, 2012 following the submission of a voucher along with a Judgment and Stipulation.

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

Vote:

Yes

No

Abstain

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

Resolution No. 166-11

Address: 88-94 Union Street
Petitioner: HSP Associates, Inc.
Petitioner's Attorney: Koeppel

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding HSP Associates, Inc., Section 9, Block 527, Lots 137-139, 140-143 is approved.

Further resolved, that the Petitioner will receive a refund of \$4,700.00 for the tax years 2005/2006 through 2010/2011. The refund shall be payable on July 31, 2011 following the submission of a voucher along with a Judgment and Stipulation.

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

Vote:

Yes

No

Abstain

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

Resolution No. 167-11

Address: 154 Washington Avenue
Petitioner: Maia Realty Corp.
Petitioner's Attorney: Murphy & Lynch

Resolved, that the certiorari settlement recommended by Spellman Rice Schure

Gibbons McDonough & Polizzi, LLP, regarding Maia Realty Corp., Section 9, Block 405, Lot 159 is approved.

Further resolved, that the Petitioner will receive a refund of \$2,900.00 for the tax years 2005/2006 through 2010/2011. The refund shall be payable on July 31, 2011 following the submission of a voucher along with a Judgment and Stipulation.

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

Vote:

Yes

No

Abstain

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

Resolution No. 168-11

Address: 27 Jericho Turnpike

Petitioner: Carole Pusey

Petitioner's Attorney: Forchelli

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding Carole Pusey, Section 9, Block 453, Lots 429, 430 is approved.

Further resolved, that the Petitioner will receive a refund of \$6,000.00 for the tax years 2004/2005 through 2010/2011. The refund shall be payable on July 31, 2011 following the submission of a voucher along with a Judgment and Stipulation.

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

Vote:

Yes

No

Abstain

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

Resolution No. 169-11

Address: 127-129 Mineola Boulevard

Petitioner: Robco Realty, LLC

Petitioner's Attorney: Murphy & Lynch

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding Robco Realty, LLC, Section 9, Block 414, Lot 5 is approved.

Further resolved, that the Petitioner will receive a refund of \$8,000.00 for the

tax years 2005/2006 through 2010/2011. The refund shall be payable on July 31, 2011 following the submission of a voucher along with a Judgment and Stipulation.

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

Vote:

Yes

No

Abstain

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

Resolution No. 170-11

Address: 260 E. Second Street
Petitioner: Universal Broadcasting Corp.
Petitioner's Attorney: Murphy & Lynch

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding Universal Broadcasting Corp., Section 9, Block 663, Lots 31, 32A, 32B is approved.

Further resolved, that the Petitioner will receive a refund of \$6,500.00 for the tax years 2006/2007 through 2010/2011. The refund shall be payable on July 31, 2011 following the submission of a voucher along with a Judgment and Stipulation.

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

Vote:

Yes

No

Abstain

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

Resolution No. 171-11

Address: 101 Lincoln Avenue
Petitioner: 101 Lincoln Avenue Owners, Inc.
Petitioner's Attorney: Koeppel

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding 101 Lincoln Avenue Owners, Inc., Section 9, Block 460, Lots 89-92, 193 is approved.

Further resolved, that the Petitioner will receive a refund of \$22,000.00 for the tax years 2005/2006 through 2010/2011. The refund shall be payable in two (2) equal installments of \$11,000.00 on July 31, 2011 and July 31, 2012 following the submission of a voucher along with a Judgment and Stipulation.

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

Vote:

Yes

No

Abstain

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

Resolution No. 172-11

Address: Front Street

Petitioner: Arbit Properties, Inc.

Petitioner's Attorney: Certilman

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding Arbit Properties, Inc., Section 9, Block 419, Lot 49, 53-55 is approved.

Further resolved, that the Petitioner will receive a refund of \$6,000.00 for the tax years 2007/2008 through 2010/2011. The refund shall be payable on July 31, 2011 following the submission of a voucher along with a Judgment and Stipulation.

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

Vote:

Yes

No

Abstain

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

Resolution No. 173-11

Address: 83 Westbury Avenue

Petitioner: Daglo Realty Corp.

Petitioner's Attorney: Forchelli

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding Daglo Realty Corp., Section 9, Block 43, Lots 638-639, 640-641 is approved.

Further resolved, that the Petitioner will receive a refund of \$12,000.00 for the tax years 2005/2006 through 2010/2011. The refund shall be payable on July 31, 2011 following the submission of a voucher along with a Judgment and Stipulation.

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

Vote:

Yes

No

Abstain

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

Resolution No. 174-11

Address: 450 Jericho Turnpike

Petitioner: Harry Katz Floor Covering, Inc.

Petitioner's Attorney: Schroder & Strom

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding Harry Katz Floor Covering, Inc., Section 9, Block 5, Lots 25-29, 63, 129 is approved.

Further resolved, that the Petitioner will receive a refund of \$28,000.00 for the tax years 2000/2001 through 2010/2011. The refund shall be payable on July 31, 2011 following the submission of a voucher along with a Judgment and Stipulation.

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

Vote:

Yes

No

Abstain

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

Resolution No. 175-11

Address: 155 Mineola Boulevard

Petitioner: Interboro Steel, LLC

Petitioner's Attorney: Forchelli

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding Interboro Steel, LLC, Section 9, Block 404, Lots 746-749, 799, 802 is approved.

Further resolved, that the Petitioner will receive a refund of \$15,500.00 for the tax years 2004/2005 through 2010/2011. The refund shall be payable on July 31, 2011 following the submission of a voucher along with a Judgment and Stipulation.

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

Vote:

Yes

No

Abstain

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

Resolution No. 176-11

Address: 59-65 East Second Street

Petitioner: MNT Properties, LLC

Petitioner's Attorney: Koepfel & Strom

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding MNT Properties, LLC, Section 9, Block 437, Lots 454, 471 is approved.

Further resolved, that the Petitioner will receive a refund of \$70,000.00 for the tax years 2003/2004 through 2010/2011. The refund shall be payable in two (2) equal installments of \$35,000.00 on July 31, 2011 and July 31, 2012 following the submission of a voucher along with a Judgment and Stipulation.

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

Vote:

Yes

No

Abstain

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

Resolution No. 177-11

Address: 348 Willis Avenue

Petitioner: Raffa

Petitioner's Attorney: Cronin

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding Raffa, Section 9, Block 330, Lot 729 is approved.

Further resolved, that the Petitioner will receive a refund of \$2,500.00 for the tax years 2003/2004 through 2007/2008. The refund shall be payable on July 31, 2011 following the submission of a voucher along with a Judgment and Stipulation.

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

Vote:

Yes

No

Abstain

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

Resolution No. 178-11

Address: 160 Jericho Turnpike

Petitioner: Scarapicchia

Petitioner's Attorney: Forchelli

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding Scarapicchia, Section 9, Block 322, Lot 20 is approved.

Further resolved, that the Petitioner will receive a refund of \$2,500.00 for the tax years 2004/2005 through 2010/2011. The refund shall be payable on July 31, 2011 following the submission of a voucher along with a Judgment and Stipulation.

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

Vote:

Yes

No

Abstain

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

Resolution No. 179-11

Address: 225 East Second Street

Petitioner: A.K. Allen

Petitioner's Attorney: Certilman

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding A.K. Allen, Section 9, Block 663, Lot 4 is approved.

Further resolved, that the Petitioner will receive a refund of \$12,500.00 for the tax years 2008/2009 through 2010/2011. The refund shall be payable on July 31, 2011 following the submission of a voucher along with a Judgment and Stipulation.

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

Vote:

Yes

No

Abstain

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

Resolution No. 180-11

Address: 58-70 Roselle Street

Petitioner: BEA Properties, LLC

Petitioner's Attorney: Schroder & Strom

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding BEA Properties, LLC, Section 9, Block 348, Lots 21-49 and Section 9, Block 349, Lots 1021-1022 is approved.

Further resolved, that the Petitioner will receive a refund of \$24,000.00 for the tax years 2005/2006 through 2010/2011. The refund shall be payable on July 31, 2011 following the submission of a voucher along with a Judgment and Stipulation.

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

Vote:

Yes

No

Abstain

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

Resolution No. 181-11

Address: 366 Jericho Turnpike

Petitioner: FAM Associates

Petitioner's Attorney: Forchelli

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding FAM Associates, Section 9, Block 1, Lots 169-172 is approved.

Further resolved, that the Petitioner will receive a refund of \$7,700.00 for the tax years 2004/2005 through 2010/2011. The refund shall be payable on July 31, 2011 following the submission of a voucher along with a Judgment and Stipulation.

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

Vote:

Yes

No

Abstain

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

Resolution No. 182-11

Address: 520 Jericho Turnpike

Petitioner: Herricks-Mineola, LLC

Petitioner's Attorney: Koepfel

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding Herricks-Mineola, LLC, Section 9, Block 19, Lots 45, 46, 51, 52 is approved.

Further resolved, that the Petitioner will receive a refund of \$60,000.00 for the tax years 2004/2005 through 2010/2011. The refund shall be payable in two (2) equal installments of \$30,000.00 on July 31, 2011 and July 31, 2012 following the submission of a voucher along with a Judgment and Stipulation.

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

Vote:

Yes

No

Abstain

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

Resolution No. 183-11

Address: 22 Jericho Turnpike

Petitioner: Jericho West

Petitioner's Attorney: Murphy Bartol

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding Jericho West, Section 9, Block 662, Lot 20 is approved.

Further resolved, that the Petitioner will receive a refund of \$85,000.00 for the tax years 1999/2000 through 2004/2005. The refund shall be payable in three (3) equal installments of \$28,333.00 on July 31, 2011, July 31, 2012 and July 31, 2013 following the submission of a voucher along with a Judgment and Stipulation.

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

Vote:

Yes

No

Abstain

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

Resolution No. 184-11

Address: 99 Cottage Street

Petitioner: Penei, LLC

Petitioner's Attorney: Forchelli

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding Penei, LLC, Section 9, Block 452, Lot 620 is approved.

Further resolved, that the Petitioner will receive a refund of \$7,800.00 for the tax years 2005/2006 through 2010/2011. The refund shall be payable on July 31, 2011 following the submission of a voucher along with a Judgment and Stipulation.

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

Vote:

Yes

No

Abstain

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

Resolution No. 185-11

Address: 49 Windsor Avenue

Petitioner: Reis

Petitioner's Attorney: Farrell Fritz

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding Reis, Section 9, Block 662, Lot 10 is approved.

Further resolved, that the Petitioner will receive a refund of \$9,000.00 for the tax years 2004/2005 through 2010/2011. The refund shall be payable on July 31, 2011 following the submission of a voucher along with a Judgment and Stipulation.

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

Vote:

Yes

No

Abstain

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

Resolution No. 186-11

Address: 144 Second Street

Petitioner: Scime

Petitioner's Attorney: Koeppel

Resolved, that the certiorari settlement recommended by Spellman Rice Schure Gibbons McDonough & Polizzi, LLP, regarding Scime, Section 9, Block 420, Lot 107 is approved.

Further resolved, that the Petitioner will receive a refund of \$5,000.00 for the tax years 2004/2005 through 2010/2011. The refund shall be payable on July 31, 2011 following the submission of a voucher along with a Judgment and Stipulation.

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

Vote:

Yes

No

Abstain

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

Resolution No. 187-11

Resolved to approve an agreement with National Grid LLC d/b/a LIPA for the temporary storage of utility poles on village property at the east end of 2nd Street for \$1008.00 per month totaling \$9,072.00 for nine (9) months.

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

Vote:

Yes

No

Abstain

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

Mayor Scott P. Strauss requested a motion to close the Work Session at 9:40 PM.

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

Vote:

Yes

No

Abstain

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