

**Minutes - Board Meeting – 1/13/10**

Minutes of the meeting of the Board of Trustees of the Incorporated Village of Mineola held Wednesday, January 13, 2010 at Village Hall, 155 Washington Avenue, Mineola, New York 11501.

**PRESENT:** Mayor Jack M. Martins  
Trustee Lawrence A. Werther  
Trustee Paul S. Cusato  
Trustee Thomas F. Kennedy  
Trustee Paul A. Pereira

**ALSO PRESENT:** Deputy Village Attorney John Gibbons, Esq. for  
Village Attorney  
Village Clerk Joseph R. Scalero  
Deputy Village Clerk Cora T. Kelly  
Superintendent of Buildings Daniel B. Whalen

**Sunshine Observers:** 40 Observers

**Mayor Jack M. Martins called the Public Hearing to order at 6:40 PM**

*A Public Hearing was held at 6:40 PM at the Village Hall, 155 Washington Avenue, Mineola, New York, 11501 in order to receive public comment upon the following:*

**APPLICATION OF ALBERTO MARTINS FOR A SPECIAL USE PERMIT, PURSUANT TO CHAPTER 30 OF THE CODE OF THE INCORPORATED VILLAGE OF MINEOLA, ENTITLED “ZONING”, SECTION 30.31 ENTITLED “B-1 DISTRICTS”, SUBSECTION (B) ENTITLED “SPECIAL USES” FOR THE CONVERSION OF A BAR/NIGHTCLUB TO A BAR/RESTAURANT UPON THE PROPERTY KNOWN AS 267 MINEOLA BOULEVARD, MINEOLA, NEW YORK, KNOWN AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 9, BLOCK 397, LOTS 83-84.**

*No Speakers addressed the Board*

**Resolution No. 8-10**

Resolved to declare the application of Alberto Martins for a Special Use Permit at 267 Mineola Boulevard as an unlisted action and with a negative declaration under the State Environmental Quality Review Act.

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

**Vote:**

**Yes**

Mayor Jack M. Martins  
Trustee Lawrence A. Werther  
Trustee Paul S. Cusato  
Trustee Thomas F. Kennedy  
Trustee Paul A. Pereira

**No**

**Abstain**

**Resolution No. 9-10**

Resolved to approve the application of Alberto Martins for a Special Use Permit at 267 Mineola Boulevard subject to all representations and conditions spread upon the stenographic record at the public hearing. The stenographic record and this resolution shall constitute the decision of the Board of Trustees which is deemed filed with the Village Clerk this date.

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

Village Clerk Joseph R. Scalero polled the Board:

**Vote:**

**Yes**

**No**

**Abstain**

Trustee Paul A. Pereira  
Trustee Thomas F. Kennedy  
Trustee Lawrence A. Werther  
Trustee Paul S. Cusato  
Mayor Jack M. Martins

*A Public Hearing was held at 7:30 PM at the Village Hall, 155 Washington Avenue, Mineola, New York, 11501 in order to receive public comment upon the following*

**APPLICATION OF MANNY FERREIRA AND AVELINO PINTO FOR A SPECIAL USE PERMIT, PURSUANT TO CHAPTER 30 OF THE CODE OF THE INCORPORATED VILLAGE OF MINEOLA, ENTITLED “ZONING”, SECTION 30.31 ENTITLED “B-1 DISTRICTS”, SUBSECTION (B) ENTITLED “SPECIAL USES” FOR THE RE-ESTABLISHMENT OF A PRE-EXISTING BAR/RESTAURANT UPON THE PROPERTY KNOWN AS 68-70 EAST OLD COUNTRY ROAD, MINEOLA, NEW YORK KNOWN AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 9, BLOCK 298, LOTS 48 AND 49.**

*[Mayor Jack M. Martins announced that his family members had recently purchased the property where the applicant is seeking the Special Use Permit and recused himself from all deliberations to avoid any potential conflict of interest.]*

*14 Speakers addressed the Board*

**Resolution No. 10-10**

Resolved to declare the application of Manny Ferreira for a Special Use Permit at 68-70 East Old Country Road as an unlisted action and with a negative declaration under the State Environmental Quality Review Act.

Motioned by Trustee Paul A. Pereira  
Seconded by Trustee Thomas F. Kennedy

Village Clerk Joseph R. Scalero polled the Board:

**Vote:**

**Yes**

**No**

**Abstain**

Trustee Paul A. Pereira  
Trustee Thomas F. Kennedy  
Trustee Paul S. Cusato  
Deputy Mayor Lawrence A. Werther

**Deputy Mayor Lawrence A. Werther requested a motion to reserve decision and close the Public Hearing at 8:55 PM.**

Motioned by Trustee Paul S. Cusato  
Seconded by Trustee Thomas F. Kennedy

Village Clerk Joseph R. Scalero polled the Board:

**Vote:**  
**Yes** **No** **Abstain**  
Trustee Paul A. Pereira  
Trustee Thomas F. Kennedy  
Trustee Paul S. Cusato  
Deputy Mayor Lawrence A. Werther

**Mayor Jack M. Martins called the Work Session to order at 9:20 PM.**

**PRESENT:** Mayor Jack M. Martins  
Trustee Lawrence A. Werther  
Trustee Paul S. Cusato  
Trustee Thomas F. Kennedy  
Trustee Paul A. Pereira

**ALSO PRESENT:** John Gibbons, Esq. for Village Attorney  
Village Clerk Joseph R. Scalero  
Deputy Village Clerk Cora T. Kelly

**Sunshine Observers:** 6 Observers

**Resolution No. 11-10**

Resolved to approve bills and payroll.

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

**Vote:**  
**Yes** **No** **Abstain**  
Mayor Jack M. Martins  
Trustee Lawrence A. Werther  
Trustee Paul S. Cusato  
Trustee Thomas F. Kennedy  
Trustee Paul A. Pereira

**Resolution No 12-10**

Resolved to approve the minutes from the meetings of the Board of Trustees of December 16, 2009.

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

**Vote:**  
**Yes** **No** **Abstain**  
Mayor Jack M. Martins  
Trustee Lawrence A. Werther  
Trustee Paul S. Cusato  
Trustee Thomas F. Kennedy  
Trustee Paul A. Pereira

**Resolution No. 13-10**

Resolved to approve a request by the Mineola Fire Department for a budget transfer in the amount of \$4,000.00 from the Medical line to the Turn-Out Gear line.

Motioned by Trustee Thomas F. Kennedy  
Seconded by Trustee Lawrence A. Werther

**Vote:**

**Yes**

**No**

**Abstain**

Mayor Jack M. Martins  
Trustee Lawrence A. Werther  
Trustee Paul S. Cusato  
Trustee Thomas F. Kennedy  
Trustee Paul A. Pereira

**Resolution No. 14-10**

Resolved to approve a request by the Evening Star Quilters for use of the Village Hall Community Center gymnasium and two (2) classrooms for Friday, November 5, 2010 and Saturday, November 6, 2010 from 9:00 AM – 5:00 PM and Sunday, November 7, 2010 from 9:30 AM – 6:00 PM for their annual quilt show.

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

**Vote:**

**Yes**

**No**

**Abstain**

Mayor Jack M. Martins  
Trustee Lawrence A. Werther  
Trustee Paul S. Cusato  
Trustee Thomas F. Kennedy  
Trustee Paul A. Pereira

**Resolution No. 15-10**

Resolved to approve a 90-day extension of Permit No.1239 at 460 Jackson Avenue.

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

**Vote:**

**Yes**

**No**

**Abstain**

Mayor Jack M. Martins  
Trustee Lawrence A. Werther  
Trustee Paul S. Cusato  
Trustee Thomas F. Kennedy  
Trustee Paul A. Pereira

Village Clerk Joseph R. Scalero reported that on Monday January 18, 2010 Village Hall will be closed for Martin Luther King Jr. birthday and announced the holiday sanitation collection schedule for that week.

**Resolution No. 16-10**

Resolved to place “15 mph School Zone Speed Limit” sign at the Mineola Middle School, Chaminade High School and Jackson Avenue School.

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

**Vote:**

**Yes**

**No**

**Abstain**

Mayor Jack M. Martins  
Trustee Lawrence A. Werther  
Trustee Paul S. Cusato  
Trustee Thomas F. Kennedy  
Trustee Paul A. Pereira

**Resolution No. 17-10**

Resolved to approve a \$1.00 per hour increase for Parking Meter Department employee Helio Favas effective retroactively from his start date of June 6, 2009, upon successful completion of a six month probationary period, pursuant to the Collective Bargaining Agreement.

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

**Vote:**

|                             |                  |                       |
|-----------------------------|------------------|-----------------------|
| <u><b>Yes</b></u>           | <u><b>No</b></u> | <u><b>Abstain</b></u> |
| Mayor Jack M. Martins       |                  |                       |
| Trustee Lawrence A. Werther |                  |                       |
| Trustee Paul S. Cusato      |                  |                       |
| Trustee Thomas F. Kennedy   |                  |                       |
| Trustee Paul A. Pereira     |                  |                       |

**Mayor Martins requested a motion to close the Work Session at 9:30 PM.**

Motioned by Trustee Lawrence A. Werther  
Seconded by Trustee Thomas F. Kennedy

**Vote:**

|                             |                  |                       |
|-----------------------------|------------------|-----------------------|
| <u><b>Yes</b></u>           | <u><b>No</b></u> | <u><b>Abstain</b></u> |
| Mayor Jack M. Martins       |                  |                       |
| Trustee Lawrence A. Werther |                  |                       |
| Trustee Paul S. Cusato      |                  |                       |
| Trustee Thomas F. Kennedy   |                  |                       |
| Trustee Paul A. Pereira     |                  |                       |