

Minutes - Board Meeting – 6/10/09

Minutes of the meeting of the Board of Trustees of the Incorporated Village of Mineola held Wednesday, June 10, 2009 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: Village Attorney John Spellman
Village Clerk Joseph R. Scalero
Deputy Village Clerk Cora T. Kelly
Superintendent of Buildings Daniel B. Whalen

Sunshine Observers: 23 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 GURPREET SING 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 PREPARATION AND SALE OF FOOD (RESTAURANT USE) UPON THE PROPERTY KNOWN AS 106 OLD COUNTRY ROAD, MINEOLA, NEW YORK, KNOWN AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 9, BLOCK 350, LOTS 9 & 10.

7 Speakers addressed the Board

Resolution No. 156-09

Resolved to declare the application by Gurpreet Sing for a Special Use Permit at 106 Old Country Road as an unlisted action with a negative declaration under the State Environmental Quality Review Act.

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

Vote:

Yes

No

Abstain

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

Mayor Jack M. Martins requested a motion to reserve decision and adjourn hearing at 7:50 PM

A Public Hearing was held at 7:50 PM at the Village Hall, 155 Washington Avenue, Mineola, New York, 11501 in order to receive public comment upon the following:

APPLICATION OF DAVID LAWRENCE MAMMINA 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 "APPLICATION OF REGULATIONS", SUB-SECTION A. ENTITLED "DEVELOPMENT INCENTIVE BONUSES", FOR THE CONVERSION OF TWO (2) EXISTING OFFICE/RETAIL BUILDINGS TO APARTMENT BUILDINGS, RETAIL

**SPACE AND PARKING GARAGE UPON THE PROPERTY KNOW AS 210
OLD COUNTRY ROAD, MINEOLA, NEW YORK KNOWN AND DESIGNATED
ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 9, BLOCK
428, LOT (S) 208, 102 AND 202.**

2 Speakers addressed the Board

Resolution No. 157-09

Resolved to declare the application by David Lawrence Mammina for a Special Permit /Development Incentive Bonus at 210 Old Country Road as an unlisted action 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

No

Abstain

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

Mayor Jack M. Martins requested a motion to adjourn to July 8, 2009 and closed the Public Hearing at 9:03 PM.

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

Vote:

Yes

No

Abstain

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

A Public Hearing was held at 9:05 PM at the Village Hall, 155 Washington Avenue, Mineola, New York, 11501 in order to receive public comment upon the following:

**A PROPOSED LOCAL LAW AMENDING SECTION 30.86 OF THE
VILLAGE'S MUNICIPAL ZONING CODE ENTITLED "PROHIBITED
SIGNS", TO CREATE A SUBSECTION "O" PROHIBITING THE STANDING
OR PARKING OF VEHICLES WITH MOUNTED, PAINTED OR AFFIXED
SIGNS UPON PUBLIC ROADS OR UPON PRIVATE PROPERTY WITHIN
TEN FEET OF A PROPERTY LINE.**

2 Speakers addressed the Board

Village Attorney, John M. Spellman reported that the Nassau County Planning Commission has no objection or modification to this application, and determined that this is an unlisted action with a negative declaration pursuant to the State Environmental Quality Review Act.

Resolution No. 158-09

Resolved to approve Local Law amending section 30.86 of the Village's municipal zoning code entitled "Prohibited Signs", to create a subsection "O" prohibiting the standing or parking of vehicles with mounted, painted or affixed signs upon public roads or upon private property within ten feet of a property line.

Motioned by Trustee Lawrence A. Werther
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 Lawrence A. Werther
Trustee Paul S. Cusato
Mayor Jack M. Martins

Mayor Jack M. Martins requested a motion to close the Public Hearing at 9:10PM.

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

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 attorney, John M. Spellman noted that the Nassau County Planning Commission recommends the Board vote whatever action deemed appropriate on Conformance of Residential Uses within B-1 District Local Law, previously heard on May 13, 2009.

Resolution No. 159-09

Resolved to approve the proposed local law amending Section 30.31 of the Municipal Code of the Incorporated Village of Mineola, entitled "B-1 Districts" to create a subsection (D), entitled "Residential Use" to provide for Residential use with the B-1 District consistent with adjacent residential districts.

Motioned by Trustee Lawrence A. Werther
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 Lawrence A. Werther
Trustee Paul S. Cusato
Mayor Jack M. Martins

Mayor Jack M. Martins requested a motion to close the Public Hearing at 9:16 PM.

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

Vote:

Yes

No

Abstain

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

Mayor Jack M. Martins called the Work Session to order at 9:40 PM.

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

ALSO PRESENT: Village Attorney John Spellman
Village Clerk Joseph R. Scalero
Deputy Village Clerk Cora T. Kelly
Superintendent of Buildings Daniel B. Whalen

Sunshine Observers: 9 Observers

Resolution No. 160-09

Resolved to approve bills and payroll.

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

Vote:

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

Resolution No. 161-09

Resolved to approve minutes from meetings of the Board of Trustees of May 13, 2009 and May 20, 2009.

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

Vote:

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

Resolution No. 162-09

Resolved to approve a request by Robert Hinck, Community Development Coordinator to authorize the following line transfers to complete various pending Residential Rehabilitation applications:

| | |
|--|-------------|
| From 33 rd Year Commercial Rehabilitation | \$15,000.00 |
| To 33 rd Year Residential Rehabilitation | \$15,000.00 |

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

Vote:

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

Resolution No. 163-09

Resolved to authorize a 16 foot curb cut at 51 Crandall Drive.

Motioned by Trustee Lawrence A. Werther

Seconded by Trustee Thomas F. Kennedy

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. 164-09

Resolved to authorize the installation of a "Handicap Reserved" parking space at 149 Emory Road.

Motioned by Trustee Lawrence A. Werther

Seconded by Trustee Paul A. Pereira

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. 165-09

Resolved to accept the proposal by Global Security Services to provide park security services for the Mineola Community Pool from June 21, 2009 through September 7, 2009 and be it further resolved to authorize a line transfer of an additional \$20,000.00 from Liability Insurance to Security to cover the balance of the cost of this program.

Motioned by Trustee Lawrence A. Werther

Seconded by Trustee Thomas F. Kennedy

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. 166-09

Resolved to affirm the Mineola Fire Department Fire Council's position regarding elections on July 16, 2009 for 2nd Assistant Chief.

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

Mayor Martins requested a motion to close the Work Session at 9:55 PM

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

Vote:

Yes

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

No

Abstain

Respectfully submitted,

Joseph R. Scalero
Village Clerk