

**Minutes - Board Meeting – 4/8/09**

Minutes of the meeting of the Board of Trustees of the Incorporated Village of Mineola held Wednesday, April 8, 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

**Press:** Joe Rizza, *Mineola American*

**Sunshine Observers:** 14 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 KENNETH B. BERRY D/B/A AAMCO TRANSMISSION 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" TO OPERATE A TRANSMISSION SHOP WITH AN ANCILLARY PARKING LOT UPON THE PROPERTY KNOWN AS 35 ARLINGTON STREET, MINEOLA, NEW YORK, KNOWN AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 9, BLOCK 366, LOTS 170.**

*3 Speakers addressed the Board*

**Resolution No. 83-09**

Resolved to declare the application by Kenneth B. Berry d/b/a AAMCO Transmissions for a Special Use Permit at 35 Arlington Street as an unlisted action and 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**

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

**No**

**Abstain**

**Mayor Jack M. Martins requested a motion to reserve decision and close the Public Hearing at 7:13 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

**Resolution No. 84-09**

Resolved to deny the special use permit application of Mier Moza for conversion of a retail use to an acupuncture clinic at 208 Willis Avenue.

**BOARD OF TRUSTEES  
INCORPORATED VILLAGE OF MINEOLA**

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

MEIR MOZA

For a Special Use Permit pursuant to Chapter 30, Section 30.31(B)(8) of the Code of the Incorporated Village of Mineola, at premises known as 208 Willis Avenue, Mineola, New York, known and designated on the Nassau County Land and Tax Map as Section 9, Block 460, Lot 384.

**DECISION**

-----X

NAME OF APPLICANT: Meir Moza

SUBJECT PROPERTY: Section 9, Block 460, Lot 384

STREET LOCATION: 208 Willis Avenue  
Mineola, New York 11501

ZONING DISTRICT: Business "B-3" District

RELIEF REQUESTED: Application For a Special Use Permit pursuant to Chapter 30, Section 30.31(B)(8)

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

DATE OF HEARING: November 12, 2008 and December 10, 2008

APPEARANCES: Meir Moza, Esq., attorney and building owner;  
Edward D. Dowling, IV, Esq.

IN SUPPORT: Carl Q. Hu; Qing Wei Quan

**DECISION:**

Meir Moza (hereinafter, "Applicant") is before this Board pursuant to Chapter 30, Section 30.31(B)(8) of the Municipal Code of the Incorporated Village of Mineola for a special use permit to convert retail space into an acupuncture clinic at the property known as 208 Willis Avenue, Mineola, New York (known and designated on the Nassau County Land and Tax Map as Section 9, Block 460, Lot 384) (hereinafter, the "Property").

By Notice of Disapproval, dated August 26, 2008, Applicant's building permit was denied. The Building Inspector determined that the proposed application is contrary to Chapter 30, Article III, Section 30.31(B)(8) in that the installation of a clinic requires a Special Use Permit in the B-3 Business District.

Applicant made an application to the Board of Trustees for a special use permit and presented its application on November 12, 2008 and December 10, 2008.

During the public hearing, the following representations were made by Applicant:

This special use application permit is for an application to convert retail space at 208 Willis Avenue to an acupuncture clinic.

\* \* \* \*

Mr. Carl Q. Hu will be the acupuncturist that will be on the premises. Mr. Hu has been certified by New York State since with an acupuncturist's certificate.

\* \* \* \*

Mr. Hu currently has an office at 142-12 41<sup>st</sup> Street, Flushing, New York. He currently is working on an appointment basis only. He is going to be working under the auspices of Qing Wei Quan, who is the owner of the business.

\* \* \* \*

Since the business is a relatively small business, just starting out, it would be only Mr. Hu working at the property. In the near future, hopefully, if the business grows and generates more clientele, then he will have some assistants who are certified by New York State working under the auspices of Carl Q. Hu.

\* \* \* \*

Mr. Hu is not the owner of the business. Qing Wei Quan is the owner, but is not licensed to perform acupuncture. If Mr. Hu decides to leave the premises, Mr. Quan would have to hire a substitute acupuncturist.

\* \* \* \*

At the Queens location, the hours of operation are five to six hours a day/six days a week.

However, as the public hearing progressed, Applicant made statements which were in stark contrast to the application as submitted for this Board's consideration and to the above-referenced representations. Specifically, when questioned what type of activities would be conducted on the premises, they were expanded to include acupuncture, acupressure, herbology, foot rubs and body works. Also, Applicant provided contradictory responses as to why the licensed acupuncturist was not a named party on the application or named in the lease.

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) The application is for the conversion of a retail store into an acupuncture clinic;
- 2) The business owner, Qing Wei Quan, is not a licensed acupuncturist;
- 3) Carl Q. Hu is licensed by the State of New York for acupuncture, but is not the applicant nor is he a named party to the lease;
- 4) The Applicant is seeking a special use permit from the Board of Trustee for a use. However, the person who will be performing the use is not the Applicant, but rather is an employee who can be replaced in the future;
- 5) In contrast to the application, Applicant now seeks to establish a business that incorporates acupressure, herbology, foot rubs and body works upon the Property;
- 6) Applicant has asserted inconsistent positions concerning the proposed use of the Property; and
- 7) The tenant of the property, Mr. Qing Wei Quan, is not licensed to operate a clinic or to practice medicine. Yet he will be operating the business and hiring acupuncturists. When asked about his current employment, he indicated that he did cleaning and driving.

Based upon the entire record, the Board finds several inconsistencies with this application. The Board is particularly concerned about the many contradictory statements made by and on behalf of the Applicant on the record. Furthermore, the Board is doubtful about the legitimacy of the proposed operation in light of the evasive and contradictory testimony given at the hearing.

The approval of this application would not be in the best interest of the health, safety and welfare of the community. The Board concludes that the Applicant has failed to meet its burden with regard to the legality and propriety of the proposed application.

**IT IS THEREFORE RESOLVED**, that the special use permit is **DENIED**.

Dated: Mineola, New York  
May 6, 2009

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

Village Clerk Joseph R. Scalero polled the Board:

**Vote:**

**Yes**

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

**No**

**Abstain**

**Resolution No. 85-09**

Resolved to deny the special use permit application of Metro PCS New York, LLC for a wireless communication facility at 266 Maple Place.

BOARD OF TRUSTEES  
INCORPORATED VILLAGE OF MINEOLA

-----X

In the Matter of the Application of

METROPCS NEW YORK, LLC

**DECISION**

For a Special Permit pursuant to Chapter 31 of the Code of the Incorporated Village of Mineola, at premises known as 266 Maple Place, Mineola, New York 11501, known and designated on the Nassau County Land and Tax Map as Section 9, Block 451 Lots 255

-----X

NAME OF APPLICANT: MetroPCS New York

SUBJECT PROPERTY: Section 9, Block 451, Lots 225

STREET LOCATION: 266 Maple Place  
Mineola, New York 11501

RELIEF REQUESTED: Application For a Special Permit to install additional telecommunications panels on an existing tower

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

DATE OF HEARINGS: November 12, 2008 and December 10, 2008

**APPEARANCES:**

IN SUPPORT: Alfred L. Amato, Esq., Counsel  
Paul K. Gartelman of William F. Collins Architects  
Donna-Marie Stipo of DMS Consulting Services, Inc.  
Peter Papay of Papay Engineering, Structural Engineer  
Dave Collins of Pinnacle Telecom Group  
Michael Lynch, Appraiser  
Atif Zia, Radio Frequency Engineer

**DECISION:**

The applicant, MetroPCS New York, LLC (hereinafter, "Applicant"), seeks a special use permit from the Board of Trustees of the Incorporated Village of Mineola pursuant to Chapter 31 of the Code of the Incorporated Village of Mineola, entitled "Review Authority", subsection (A), to install six (6) antennas on three mounts on an

existing 255 foot tower at a height of 157 feet, 5 inches and to install "base equipment" which the Applicant described as "equipment cabinets located at the base of the tower, on a 16-foot by seven-inch by ten-foot equipment compound pad, basically on a concrete slab". The location of the aforementioned installation is identified as 266 Maple Place, Mineola, New York 11501 (the "Property").

Pursuant to Chapter 31, the Village's local law governing wireless telecommunications towers and facilities, no antenna or tower may be used, changed or altered unless an applicant shall have obtained a Special Use Permit from the Board of Trustees.

The existing tower at the Property constitutes both a nonconforming use and a nonconforming structure in the underlying B-1 zoning district in which it is located. The tower is also nonconforming with respect to height, setbacks, separation distance from residentially zoned properties and stealth design pursuant to the Village's laws regulating wireless telecommunications towers and facilities. The existing tower location borders residentially zoned and residentially used properties to the south and residentially used properties to the west.

Nonconforming uses and structures in the underlying B-1 zoning district are governed by Chapter IX ("Nonconforming Buildings and Uses") of the Village's Zoning Law. Pursuant to Mineola Municipal Code §30.94, entitled "Enlargement or extension", "[n]o legal nonconforming use may be enlarged or extended unless the use therein is changed to a conforming use". Furthermore, with respect to nonconforming structures, §30.95 provides that structural alterations require the "approval and consent" of the Board of Trustees.

Under the Village's local law regulating wireless telecommunications towers and facilities, while towers are "exempt from the maximum height restrictions of the districts where located", the maximum permitted height of any tower is 150 feet. See §31.6 (A). The tower upon which the Applicant proposes to install its facilities is 255 feet in height.

In reviewing the instant application, the Board of Trustees has taken into consideration the purpose and intent of its regulations affecting nonconforming uses and structures as well as the purpose and intent of its regulations affecting wireless telecommunications towers and facilities.

With respect to nonconforming uses, the Board notes that the purpose and intent of its Municipal Code with respect thereto is the eventual elimination of such uses. Such is evidenced by those provisions of the Municipal Code which prohibit a change from one form of nonconforming use to another (§30.92), which provide for the extinguishment of nonconforming uses on the grounds of abandonment and casualty (§30.93), which prohibit the expansion and enlargement of the facility housing a nonconforming use unless the use is changed to a conforming use (§30.94) and which limit the structural alteration of buildings or structures housing a nonconforming use (§30.95).

With respect to the purpose and intent of the Village's regulation of wireless telecommunications towers and facilities, it is noted that the protection of "residential areas and land uses from potential adverse impacts of towers and telecommunications facilities" (§31.2[B]) and the minimizing of "adverse visual impacts of towers and telecommunications facilities through careful design, siting, landscaping, and innovative camouflaging techniques" (§31.2[C]) are among those enumerated.

Applicant made presentations before the Board of Trustees at a public hearing on November 12, 2008 and December 10, 2008.

This Board finds that the Applicant's proposed installation would be the expansion of a non-conforming use and of a nonconforming structure, both in violation of Mineola Municipal Code §30.94.

Further, Applicant's own engineering report indicates that structural alterations to the existing tower are required before any installation pursuant to the instant application can occur. Such report demonstrates that the existing tower, as currently composed, is not capable of maintaining the Applicant's proposed antennas. Accordingly, while the existing population of telecommunications panels on the tower at the Property may be safely maintained, an increase in panel population requires a structural alteration.

This Board does not lightly consider the proposal before it to expand a nonconforming use, to enlarge a nonconforming structure and to structurally alter the existing tower at the property. Nor does it lightly consider the esthetic impact such would have on the adjoining residential community.

The Property has a history. Formerly, a large, mature maple tree shielded the tower from the view of neighboring residences. The tree provided a buffer between the commercial use of the Property and the residential uses of neighboring parcels. It provided an acceptable esthetic transition from commercial to residential uses. But the owner of the Property saw fit to remove the tree and to expose the stark tower structure to his neighbors. No application has been made by the owner of the Property to develop a stealth design for the existing panels on the tower. They remain as hovering structures above people's homes, negatively impacting the quality of their lives.

There is a finite limit to the number of telecommunication panels which may be placed upon the existing tower. That limit has been reached. The addition of any further panels to the existing tower will compromise its structural integrity and will result in a safety hazard to the community. While, theoretically, the addition of structural supports to the existing tower might serve as a predicate for the expansion of its panel population, one must ask how many more panels can be added without the concurrent structural alterations constituting a rebuilding of the tower itself.

The existing tower is a nonconforming structure. This Board is unwilling to permit the alteration of the structure. The existing use of the tower is a nonconforming use. This Board is unwilling to permit the expansion of the nonconforming use. The existing tower is currently at its maximum panel population with respect to its structural integrity. This Board is unwilling to permit the overpopulation of panels on the tower.

The esthetic and safety protections of the residents and taxpayers of the Village are vital to the promotion and protection of the health, safety and welfare of the community. These protections require that the instant application be denied.

Accordingly, for the reasons stated above, the application is **DENIED**.

It should be noted that since the denial of the application is based upon the provisions of Chapter 30 of the Village's Municipal Code ("Zoning"), this Board need not and does not pass upon the application with respect to the provisions of Chapter 31 ("Wireless Telecommunications Towers and Facilities") thereof.

**IT IS THEREFORE RESOLVED**, that the special use permit is **DENIED**.

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

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 called the Budget Hearing to order at 7:35 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  
Village Treasurer Giacomo A. Ciccone  
Superintendent of Public Works Thomas J. Rini  
Superintendent of Buildings Daniel B. Whalen  
Water Department Supervisor Frederick Booher

**Press:**

Joe Rizza, *Mineola American*

**Sunshine Observers:**

20 Observers

*A Public Hearing was held at 7:35 PM at the Village Hall, 155 Washington Avenue, Mineola, New York, 11501 in order to receive public comment upon the following:*

**NOTICE**, is hereby given that the Tentative BUDGET for the Year 2009/2010 has been completed by the Budget Officer and filed in the Office of the Village Clerk in the Village Hall, 155 Washington Avenue, Mineola, New York wherein same will remain open for the inspection by the general public, between the hours of 8:30 a.m. and 4:30 a.m. until April 8, 2009 when a Public Hearing will be held in the Village Hall of the Incorporated Village of Mineola, 155 Washington Avenue, Mineola, New York 11501 at 7:30 p.m. to consider said BUDGET for final adoption.

The maximum compensation proposed to be paid to each member of the Board of Trustees, all sources, shall not exceed for:

	General Fund	Water Fund
MAYOR	\$24,000	\$5,000
TRUSTEES (each)	\$12,000	\$2,500

**BUDGET SUMMARY**

Category	Expenditure Budget
General Government	\$4,256,652
Public Safety	\$1,820,289
Health	\$ 77,000
Transportation	\$1,701,754
Culture/Recreation	\$ 614,779
Home/Community Services	\$2,708,322
Employee Benefits	\$2,826,000
Debit Service	\$1,644,585
Water Fund	\$2,561,392
Swimming Pool Fund	\$ 700,060
Library Fund	<u>\$1,936,788</u>
Total	\$20,847,621

*6 Speakers addressed the Board*

**Resolution No. 86-09**

Resolved to approve the 2009/2010 fiscal year budget.

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

**Mayor Jack M. Martins closed the Budget Hearing at 8:35 PM.**

**Mayor Jack M. Martins called the Work Session to order at 8:40 PM.**

**Resolution No. 87-09**

Resolved to approve bills and payroll

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 invited resident Bill Urianek to report on the status of his bottle and can fundraising drive in support of Christopher Levy, a returning Iraq War Veteran from Riverhead.

**Resolution No. 88-09**

Resolved to approve minutes from meetings of the Board of Trustees held February 11, 2009, February 25, 2009, March 4, 2009, March 11, 2009, March 18, 2009, March 25, 2009, March 26, 2009 and April 6, 2009.

Motioned by Trustee Paul S. Cusato

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. 89-09**

Resolved to approve a request from The Birchwood Court Owners, Inc. for use of the Community Center auditorium for their Annual Shareholder Meeting Tuesday, May 19, 2009 from 7:00 PM to 9:00 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

**Resolution No. 90-09**

Resolved to approve a request by the Mineola Athletic Association (MAA) for use of the Community Center auditorium and a general purpose room for their Annual MAA Sports Picture Day Thursday April 30, 2009 from 4:00 PM -9:00 PM.

Motioned by Trustee Paul S. Cusato  
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. 91-09**

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 Breakfast Sunday, June 14, 2009 from 9:15 AM to 11:30 AM.

Motioned by Trustee Thomas F. Kennedy  
Seconded by Trustee Mayor Jack M. Martins

**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. 92-09**

Resolved to approve the request by the Cross Street School for the use of Wilson Park for their annual 5<sup>th</sup> Grade Picnic Friday, June 12, 2009 (Rain Date: Tuesday June 16, 2009) from approximately 9:00 AM to 2:00 PM.

Motioned by Trustee Paul S. Cusato  
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. 93-09**

Resolved to approve the request by the Meadow Drive Parent Teacher Association for the use of Wilson Park for the 5<sup>th</sup> graders' Graduation picnic Tuesday June 9, 2009 (Rain Date: Wednesday June 10, 2009) from 8:30 AM to 2:00 PM.

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. 94-09**

Resolved to authorize a public bid for the operation of the Refreshment Concession Stand at Wilson Park for the 2009 Pool Season.

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. 95-09**

Resolved to authorize a public bid for the operation of the Community Pool Shuttle Van Service for the 2009 Pool Season.

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. 96-09**

Resolved to ratify the re-appointment of Leonard M. Palumbo as Deputy Superintendent of Public Works.

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 Martins requested a motion to go into Executive Session at 8:55 PM.**

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 Martins requested a motion to come out of Executive Session at 8:57 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

**Resolution No. 97-09**

Resolved to approve the hiring of Tiberio "Timothy" Balos as Mechanic in the Central Garage at a starting salary of \$38,000.00.

Motioned by Trustee Paul S. Cusato  
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. 98-09**

Resolved to approve the transfer of Richard Zbikowski to Parking Enforcement Officer at his current salary rate with a corresponding pay differential.

Motioned by Trustee Paul S. Cusato  
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. 99-09**

Resolved to approve the transfer of Anibal Gonzalez as a laborer in the Water Department at his current salary rate with a corresponding pay differential.

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. 100-09**

Resolved to authorize the Superintendent of Public Works to post for the following open positions:

Laborer in the Parking Meter Department  
Laborer in the Water Department  
Laborer in the Parks Department  
Two (2) Laborers in the Highway Department

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

Superintendent of Public Works Thomas J. Rini gave an update on parking lot re-paving at the parking lot at 1<sup>st</sup> & 3<sup>rd</sup> streets and on the National Grid's gas line repairs on Horton Highway.

Mayor Martins reported that New York State Senator Craig Johnson will be hosting a "Mineola/Carle Place Day" to discuss local issues. Mayor Martins stated that while the Village Board had been invited to attend in advance, the Senator did not include the Village of Mineola in planning or in participating, nor was the Village of Mineola consulted on what local issues might be addressed. Mayor Martins also noted that the public portion of this event was being held in Carle Place, preventing many Mineola residents, especially seniors, from attending.

**Mayor Jack M. Martins requested a motion to close the Work Session at 9:10 PM.**

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

Respectfully submitted,

\_\_\_\_\_  
Joseph R. Scalero  
Village Clerk