

Minutes - Board Meeting 07/09/08

Minutes of the meeting of the Board of Trustees of the Incorporated Village of Mineola held Wednesday, July 9, 2008 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
Superintendent of Buildings Daniel B. Whalen
Superintendent of Public Works Thomas J. Rini
Water Department Supervisor Frederick Booher

Sunshine Observers: Approximately 14 Observers

Mayor Martins opened the Public Hearing at 6:50 pm.

Resolution No. 187-08

Resolved to approve a six-month extension to the special permit for 228 Harrison Avenue previously approved by the Board of Trustees.

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

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. 188-08

Resolved to apply an amendment to a previously approved decision of the Board of Trustees for 1st Korean Church [see June 4, 2008], as follows: Condition number 2 is amended to read: "The Applicant will not use the property for religious services during that period when the School District utilizes the parking lot. However, the Applicant may utilize the premises for Administrative Church Business provided that the occupancy does not exceed ten (10) persons."

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

Village Clerk Joseph R. Scalero polled the Board:

Vote:

Yes

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

No

Abstain

Trustee Paul A. Pereira

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

APPLICATION OF 131 JERICHO ASSOC. LLC FOR A SPECIAL USE PERMIT, PURSUANT TO CHAPTER 30 OF THE CODE OF THE INCORPORATED VILLAGE OF MINEOLA, ENTITLED "ZONING", SECTION 30.31(B)(5), FOR THE INSTALLATION OF A TAEKWONDO SCHOOL UPON THE PROPERTY KNOWN AS 131 JERICHO TURNPIKE, MINEOLA, NEW YORK, KNOWN AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 9, BLOCK 450, LOTS 271-276.

Resolution No. 189-08

Resolved to declare the application for a special permit by 131 Associates, LLC. an unlisted action with a negative declaration under the State Environmental Quality Review Act.

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

Vote:

Yes

No

Abstain

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

Village Attorney John M. Spellman stated that the application would be forwarded to the Nassau County Planning Commission for further review.

Resolution No. 190-08

Resolved to preliminarily approve the application by 131 Associates, LLC for the installation of a Taekwondo school upon the property known as 131 Jericho Turnpike, conditioned on the approval of the Nassau County Planning Commission.

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 Martins called for a brief recess at 7:10 pm.

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

APPLICATION 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 "APPLICATION OF REGULATIONS", SUB-SECTION A ENTITLED "DEVELOPMENT INCENTIVE BONUSES", FOR A THREE (3) STORY ADDITION TO THE EXISTING PARKING FACILITY LOCATED UPON 268 OLD COUNTRY ROAD, MINEOLA, NEW YORK, KNOWN AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 9, BLOCK 433, LOT (S) 28A, 35A, 28B, 35B, 35-61.

Resolution No. 191-08

Resolved to approve the applicant's request for waiver of preliminary site review under Incentive Bonus Zoning relative to the proposed expansion of the parking garage on Old Country Road.

Motioned by Trustee Lawrence A. Werther

Seconded by Trustee Paul A. Pereira

Vote:

Yes

No

Abstain

Trustee Paul A. Pereira

Trustee Thomas F. Kennedy

Trustee Lawrence A. Werther

Trustee Paul S. Cusato

Mayor Jack M. Martins

Resolution No. 192-08

Resolved to allow the village Board of Trustees to conduct any architectural review necessary under the application of Winthrop University Hospital for expansion of the parking garage on Old Country Road.

Motioned by Trustee Paul S. Cusato

Seconded by Trustee Thomas F. Kennedy

Vote:

Yes

No

Abstain

Trustee Paul A. Pereira

Trustee Thomas F. Kennedy

Trustee Lawrence A. Werther

Trustee Paul S. Cusato

Mayor Jack M. Martins

Resolution No. 193-08

Resolved to declare lead agency status in the matter of the application of Winthrop University Hospital.

Motioned by Trustee Lawrence A. Werther

Seconded by Trustee Paul A. Pereira

Vote:

Yes

No

Abstain

Trustee Paul A. Pereira

Trustee Thomas F. Kennedy

Trustee Lawrence A. Werther

Trustee Paul S. Cusato

Mayor Jack M. Martins

Resolution No. 194-08

Resolved to continue the Public Hearing to August 13, 2008 pending the completion of a traffic study to be conducted by the applicant, Winthrop University Hospital.

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

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 Martins requested a motion to close the public hearing at 8:20 pm.

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

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 Martins opened the Work Session at 9:00 pm.

Resolution No. 195-08

Resolved to approve bills and payroll.

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

Vote:

Yes

No

Abstain

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

Tabled Action

Resolved to implement modifications to parking regulations on Skelly Place Department of Public Works review and recommendations.

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

Vote:

Yes

No

Abstain

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

Resolution No. 196-08

Resolved to commemorate the Village of Rockville Centre's 115th anniversary of incorporation, July 12, 2008.

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

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 Martins reported that he had received correspondence from the New York State Department of Transportation regarding the zoning application by CVS Pharmacy and the NYSDOT request to re-consider allowing curb cuts on Royal Avenue and Washington Avenue East as a permitted condition of the application. The Board directed the Village Attorney to contact the NYSDOT and advise that the prohibition against curb cuts on Royal Avenue and Washington Avenue shall remain in effect. Additionally, the Board passed the following resolution:

Resolution No. 197-08

Resolved to re-affirm the decision to not open access to Royal Avenue and Washington Avenue [East] in conjunction with the CVS approval in order to protect residential areas to the east and south.

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

Vote:

Yes

No

Abstain

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

Village Attorney John M. Spellman reported that a resident has inquired into the permit process for the installation of solar power equipment for residential use. Mr. Spellman noted that the Village Code does not address solar power applications.

Mayor Martins instructed Village Attorney John M. Spellman to conduct a survey of Long Island villages with solar technology codes and begin drafting guidelines for implementation in Mineola for the Board's review and discussion August 6, 2008.

Mayor Martins requested a motion to go into Executive Session at 9:25 pm.

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

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 Martins requested a motion come out of Executive Session at 11:30 pm.

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

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 Martins requested a motion to close the meeting at 11:34 pm.

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

Vote:

Yes

No

Abstain

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

Respectfully submitted,

Joseph R. Scalero
Village Clerk