

Minutes - Board Meeting 6/18/08

Minutes of the meeting of the Board of Trustees of the Incorporated Village of Mineola held Wednesday, June 18, 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

Sunshine Observers: Approximately 32 Observers

A Public Hearing was held at 6:45 PM at the Village Hall, 155 Washington Avenue, Mineola, NY 11501, in order to receive public comment upon the following:

APPLICATION OF J.R.S. ARCHITECT, P.C. 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) ENTITLED "SPECIAL USES", TO ERECT A TWO (2) STORY COMMERCIAL BANK BUILDING WITH A DRIVE-UP WINDOW UPON THE PROPERTY KNOWN AS 285 JERICHO TURNPIKE, MINEOLA, NEW YORK, KNOWN AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 9, BLOCK 391, LOT (S) 120, 122.

Resolution No. 125B-08

Resolved to declare the application of J.R.S. Architect, P.C. an unlisted action with a negative declaration under the State Environmental Quality Review Act.

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

Absent

Resolution No. 125C-08

Resolved to approve the request of J.R.S. Architect, P.C. to waive the applicant's appearance before the Planning and Architectural Review Boards for preliminary site plan review.

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

Vote:

Yes

No

Absent

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

Resolution No. 125D-08

Resolved to require the applicant, J.R.S. Architect, P.C., to submit Phase I and Phase II environmental reports to the Village of Mineola Department of Buildings and to reserve decision pending further review.

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

Vote:

Yes

No

Absent

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 hearing without decision.

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

Vote:

Yes

No

Absent

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

Mayor Martins opened the Public Meeting at 8:35 PM.

Mayor Martins announced that, due to the time at which the Public Hearing ended, the Public Meeting would begin to be followed by a Work Session to allow those members of the public wishing to be heard the ability to speak early rather than waiting through the Work Session. Mayor Martins requested that Trustees dispense with their statements in order to allow the public more time to speak.

Eight speakers addressed the Board

Mayor Martins requested a motion to close the Public Meeting at 9:20 PM.

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

Vote:

<u>Yes</u>	<u>No</u>	<u>Absent</u>
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 9:40 PM.

Resolution No. 126A-08

Resolved to approve of bills and payroll.

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

Vote:

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

Resolution No. 126B-08

Resolved to accept the Minutes of the Board of Trustees for May 2008, as amended.

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

Vote:

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

Resolution No. 127-08

Resolved to approve the request by Mineola High School is for permission to hold their Homecoming Parade on Saturday, September 27, 2008, at 4:30 PM 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 Paul S. Cusato

Vote:

Yes

No

Absent

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

Resolution No. 128-08

Resolved to approve the request by the Golden Age Club for the use of the Mineola Community Center on Thursdays from September 4, 2008 - June 25, 2009 from 9:00 a.m. – 4:00 p.m. and the use of the West classroom Mondays from 10:00 a.m. – 1:00 p.m. for their Arts and Crafts Committee.

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

Vote:

Yes

No

Absent

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

Resolution No. 129-08

Resolved to approve the request by the Evening Star Quilters for the use of the East classroom on Friday, October 3, 2008 from 9:00 a.m. - 3:00 p.m. for a quilting workshop.

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

Vote:

Yes

No

Absent

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

Resolution No. 130-08

Resolved to approve the request by The Golden Showstoppers for the use of the Community Center gymnasium for baton twirling practice Mondays and Wednesdays from 6:00 p.m. – 9:00 p.m. during the weeks of June 30, July 7, and July 14.

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

Vote:

Yes

No

Absent

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

Resolution No. 131-08

Resolved to approve the renewal of a Range Permit for Michael Britt Firearms.

Motioned by Trustee Lawrence A. Werther

Seconded by Trustee Thomas F. Kennedy

Vote:

Yes

No

Absent

Trustee Paul A. Pereira

Trustee Thomas F. Kennedy

Trustee Lawrence A. Werther

Trustee Paul S. Cusato

Mayor Jack M. Martins

Resolution No. 132-08

Resolved to authorize the installation of a "Handicap Reserved" parking space in front of 85 Liberty Avenue.

Motioned by Trustee Paul S. Cusato

Seconded by Trustee Lawrence A. Werther

Vote:

Yes

No

Absent

Trustee Paul A. Pereira

Trustee Thomas F. Kennedy

Trustee Lawrence A. Werther

Trustee Paul S. Cusato

Mayor Jack M. Martins

Resolution No. 133-08

Resolved to implement "90-Minute Parking 10:00AM – 3:00 PM except Saturdays, Sundays, & Holidays" restrictions on Krug Place, with a 90-day sunset provision.

Motioned by Trustee Lawrence A. Werther

Seconded by Trustee Paul S. Cusato

Vote:

Yes

No

Absent

Trustee Paul A. Pereira

Trustee Thomas F. Kennedy

Trustee Lawrence A. Werther

Trustee Paul S. Cusato

Mayor Jack M. Martins

Resolution No. 134-08

Resolved to authorize a \$1.00 per hour salary increase for Certified Pool Operators Michael Palumbo and Sean McCrave effective June 1, 2008 – September 15, 2008.

Motioned by Trustee Lawrence A. Werther

Seconded by Trustee Paul A. Pereira

Vote:

Yes

No

Absent

Trustee Paul A. Pereira

Trustee Thomas F. Kennedy

Trustee Lawrence A. Werther

Trustee Paul S. Cusato

Mayor Jack M. Martins

Resolution No. 135A-08

Resolved to accept the resignation of employee Edward Dougherty and authorize the payment of unused accumulated benefit time in accordance with the collective bargaining agreement.

Motioned by Trustee Lawrence A. Werther

Seconded by Trustee Paul S. Cusato

Vote:

Yes

No

Absent

Trustee Paul A. Pereira

Trustee Thomas F. Kennedy

Trustee Lawrence A. Werther

Trustee Paul S. Cusato

Mayor Jack M. Martins

Resolution No. 135B-08

Resolved to approve the posting for the position of Labor in the Sanitation Division of the Department of Public Works.

Motioned by Trustee Lawrence A. Werther

Seconded by Trustee Thomas F. Kennedy

Vote:

Yes

No

Absent

Trustee Paul A. Pereira

Trustee Thomas F. Kennedy

Trustee Lawrence A. Werther

Trustee Paul S. Cusato

Mayor Jack M. Martins

Resolution No. 136-08

Resolved to approve the request for a 90-day extension to residential building permit number 0251 at 229 McKinley Parkway.

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

Vote:

Yes

No

Absent

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

Resolution No. 137-08

Be it resolved that the Board of Trustees confirms that the following appointive positions are Public Officers in the Village of Mineola:

Acting Village Justice
Village Clerk
Village Treasurer
Village Attorney
Village Superintendent of Public Works
Village Superintendent of the Building Department
Village Supervisor of the Water Department
Village Assessor
Deputies to any such officer;

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

Vote:

Yes

No

Absent

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

Resolution No. 138-08

Be it resolved that Board of Trustees confirms that any person who shall hold any of the enumerated appointive public offices shall be required to reside within the County of Nassau or in any adjacent county, except that with respect to the position of Acting Village Justice, Nassau County residency is required.

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

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. 139-08

Be it resolved that the Board of Trustees confirms that, in addition to the elected officials of the Village, the following persons are public officers and employees (and not independent contractors) of the Incorporated Village of Mineola and that their service time is reportable to the New York State Employees' Retirement System:

Richard M. O'Callaghan, Acting Village Justice
John M. Spellman, Village Attorney
John P. Gibbons, Jr., Deputy Village Attorney
Peter A. Bee, Deputy Village Attorney
Richard T. Maher, Assessor
Eugene J. Martonik, Assessor
Paul Wotzak, Assessor

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

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. 140-08

Be it further resolved that, based upon tests conducted by the Village, the Board of Trustees determines that the following hours of work per week shall be reported to the New York State Employees' Retirement System for the persons listed:

Mayor Jack M. Martins	33.10
Deputy Mayor Lawrence A. Werther	20.89
Trustee Paul S. Cusato	9.76
Trustee Thomas F. Kennedy	15.95
Trustee Paul A. Pereira	15.71
Village Attorney John M. Spellman	24.50
Deputy Village Attorney John P. Gibbons, Jr.	8.33
Deputy Village Attorney Peter A. Bee	2.92
Village Assessor Richard T. Maher	5.24
Village Assessor Eugene J. Martonik	4.76
Village Assessor Paul Wotzak	5.48

Motioned by Trustee Lawrence A. Werther
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. 141-08

Be it resolved that the Board of Trustees confirms that thirty (30) hours shall constitute the minimum full-time work week for purposes of reporting credit service to the New York State Employees' Retirement System.

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

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		

Mayor Martins requested a motion to close the meeting at 10:00 pm.

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

Vote:

<u>Yes</u>	<u>No</u>	<u>Absent</u>
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