

**Minutes - Board Meeting 11/18/2020**

Minutes of the meeting of the Board of Trustees of the Incorporated Village of Mineola held Wednesday, November 18, 2020 at Village Hall, 155 Washington Avenue, Mineola, New York 11501.

**PRESENT:** Mayor Scott P. Strauss  
Trustee Paul S. Cusato  
Trustee Paul A. Pereira  
Trustee George R. Durham  
Trustee Dennis J. Walsh

**ALSO PRESENT:** Village Clerk Joseph R. Scalero  
Peter S. Trentacoste, for Village Attorney John P. Gibbons, Jr.  
Deputy Village Clerk Linda Pardo  
Village Treasurer Giacomo Ciccone  
Superintendent of Public Works Thomas J. Rini  
Superintendent of Buildings Daniel B. Whalen

**Press Observer:** None

**Sunshine Observers:** 4 Observers

**Mayor Scott P. Strauss called the Work Session to order at 6:45 PM.**

*Presentation on the proposed construction of a new Fire Department Headquarters by Patrick Stone of H2M.*

**Resolution No. 242-20**

Resolved to approve bills and payroll.

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

<b>Vote:</b>		
<b><u>Yes</u></b>	<b><u>No</u></b>	<b><u>Abstain</u></b>
Mayor Scott P. Strauss		
Trustee Paul S. Cusato		
Trustee Paul A. Pereira		
Trustee George R. Durham		
Trustee Dennis J. Walsh		

**Resolution No. 243-20**

Resolution authorizing the Village of Mineola to accept a \$300,000 capital program funding grant number 0761.88.301 from the New York State Department of Transportation for the Main Street Sewer Project and authorizing the Mayor to execute this agreement.

Motioned by Trustee Paul A. Pereira  
Seconded by Trustee Dennis J. Walsh

**Vote:**

**Yes**

**No**

**Abstain**

Mayor Scott P. Strauss  
Trustee Paul S. Cusato  
Trustee Paul A. Pereira  
Trustee George R. Durham  
Trustee Dennis J. Walsh

*Deputy Village Attorney Peter S. Trentacoste introduced the following resolution:*

**Resolution No. 244-20**

WHEREAS, the Incorporated Village of Mineola has undertaken to design and construct a new fire headquarters facility for use by the Mineola Fire Department located at 171 Jericho Turnpike (hereinafter referred to as, “the Proposed Action”); and

WHEREAS, the Board of Trustees has completed a Short Environmental Assessment Form (Parts 1 and 2) to assist it in evaluating the environmental impact of the Proposed Action.

NOW, THEREFORE, BE IT RESOLVED, that the design and construction of a new fire headquarters facility for use by the Mineola Fire Department is an Unlisted Action under the State Environmental Quality Review Act and the Board finds that it poses no significant environmental impact as that term is defined under SEQRA.

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

**Vote:**

**Yes**

**No**

**Abstain**

Mayor Scott P. Strauss  
Trustee Paul S. Cusato  
Trustee Paul A. Pereira  
Trustee George R. Durham  
Trustee Dennis J. Walsh

**Resolution No. 245-20**

Bond resolution of the Village of Mineola, New York, adopted November 18, 2020, authorizing the construction of a new fire department headquarters facility for use by the Mineola Fire Department located at 171 Jericho Turnpike, stating the estimated maximum cost thereof is \$19,000,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$19,000,000 to finance said appropriation.

BOND RESOLUTION OF THE VILLAGE OF MINEOLA, NEW  
YORK, ADOPTED NOVEMBER 18, 2020, AUTHORIZING THE

CONSTRUCTION OF A NEW FIRE HEADQUARTERS FACILITY  
FOR USE BY THE MINEOLA FIRE DEPARTMENT LOCATED AT  
171 JERICHO TURNPIKE, STATING THE ESTIMATED MAXIMUM  
COST THEREOF IS \$19,000,000, APPROPRIATING SAID AMOUNT  
FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF  
BONDS IN THE PRINCIPAL AMOUNT OF \$19,000,000 TO FINANCE  
SAID APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF MINEOLA, IN THE  
COUNTY OF NASSAU, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less  
than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Mineola, in the County of Nassau, New York (herein  
called the “Village”), is hereby authorized to construct a new fire headquarters facility for use by  
the Mineola Fire Department located at 171 Jericho Turnpike. The estimated maximum cost  
thereof, including preliminary costs and costs incidental thereto and the financing thereof, is  
\$19,000,000 and said amount is hereby appropriated for such purpose. The plan of financing  
includes the issuance of \$19,000,000 bonds of the Village to finance said appropriation, and the  
levy and collection of taxes on all the taxable real property in the Village to pay the principal of  
said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Village in the principal amount of \$19,000,000 are hereby  
authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter  
33-a of the Consolidated Laws of the State of New York (herein called the “Law”), to finance said  
appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which  
said bonds are authorized to be issued, within the limitations of Section 11.00 a. 11(a) of the Law,  
is thirty (30) years.

(b) The proceeds of the bonds herein authorized, and any bond anticipation notes  
issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures  
made after the effective date of this resolution for the purpose for which said bonds are authorized.

The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and Section 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of credit enhancement agreements, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to publish or cause to be published, in full, in the “*Mineola American*,” a newspaper having a general circulation within said Village and hereby designated the official newspaper of the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the following form:

VILLAGE OF MINEOLA, NEW YORK

PLEASE TAKE NOTICE that on November 18, 2020, the Board of Trustees of the Village of Mineola, in the County of Nassau, New York, adopted a bond resolution entitled:

“Bond Resolution of the Village of Mineola, New York, adopted November 18, 2020, authorizing the construction of a new fire headquarters facility for use by the Mineola Fire Department located at 171 Jericho Turnpike, stating the estimated maximum cost thereof is \$19,000,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$19,000,000 to finance said appropriation,”

an abstract of such bond resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Village to construct a new fire headquarters facility for use by the Mineola Fire Department located at 171 Jericho Turnpike; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$19,000,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of bonds of the Village in the principal amount of \$19,000,000 to finance said appropriation, and the levy of a tax upon all the taxable real property within the Village to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$19,000,000 bonds of the Village pursuant to the Local Finance Law of the State of New York (the “Law”) to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued is thirty (30) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Village for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Village; and PLEDGING to their payment the faith and credit of the Village;

FIFTH: DELEGATING to the Village Treasurer the powers and duties as to the issuance of said bonds, and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: November 18, 2020

Joseph R. Scalero  
Village Clerk

Section 8. The Village Clerk is hereby directed, after said bond resolution shall take effect, to cause said bond resolution to be published, in summary, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Motioned by Trustee Paul S. Cusato

Seconded by Trustee Paul A. Pereira

Village Clerk Joseph R. Scalero polled the Board:

**Vote:**

**Yes**

**No**

**Abstain**

Mayor Scott P. Strauss

Trustee Paul S. Cusato

Trustee Paul A. Pereira

Trustee George R. Durham

Trustee Dennis J. Walsh

**Resolution No. 246-20**

Resolved to ratify Mayor Strauss' prior authorization of an engineering services agreement for the Elm Place Road for a portion of roadway on Elm Place, between Clinton Avenue and Lincoln Avenue related to the Well #1 Packed Tower Aeration System Project.

Engineers: D&B Engineers and Architects, P.C.

Cost: \$4,625.00

Funding Source: 2020/2021 Water Fund Budget, the Water Fund Unreserved Fund Balance, the 2020/2021 General Fund Budget or General Fund Unreserved Fund Balance

Motioned by Trustee Paul A. Pereira

Seconded by Trustee Dennis J. Walsh

**Vote:**

**Yes**

**No**

**Abstain**

Mayor Scott P. Strauss  
Trustee Paul S. Cusato  
Trustee Paul A. Pereira  
Trustee George R. Durham  
Trustee Dennis J. Walsh

**Resolution No. 247-20**

Resolved to authorize the Change Order No. 1 to the Emergency Relocation of Long Island Rail Road Electric Feeder Cables.

Cost: \$81,527.21

Contractor: Grace Industries

Funding Source: 2020/2021 General Fund Budget and/or the General Fund  
Unreserved Fund Balance

Motioned by Trustee Dennis J. Walsh  
Seconded by Trustee Paul S. Cusato

**Vote:**

**Yes**

**No**

**Abstain**

Mayor Scott P. Strauss  
Trustee Paul S. Cusato  
Trustee Paul A. Pereira  
Trustee George R. Durham  
Trustee Dennis J. Walsh

**Resolution No. 248-20**

Resolved to authorize the repair of a 2012 Komatsu WA250-6 Front End Loader by the manufacturer.

Engineers: Komatsu America Corp.

Cost: \$78,073.06

Funding Source: 2020/2021 General Fund Budget or General Fund  
Unreserved Fund Balance

Motioned by Trustee Paul A. Pereira  
Seconded by Trustee George R. Durham

**Vote:**

**Yes**

**No**

**Abstain**

Mayor Scott P. Strauss  
Trustee Paul S. Cusato  
Trustee Paul A. Pereira  
Trustee George R. Durham  
Trustee Dennis J. Walsh

**Resolution No. 249-20**

Resolved to authorize the rental of two (2) Komatsu WA320-8 Front End Loaders from Komatsu America. Also request authorization to have the Superintendent of Public Works to sign the rental contracts once received.

Cost: \$4,800.00/month/machine  
Rental Pricing from Suffolk County Equipment Rental Contract  
Funding Source: 2020/2021 General Fund Budget or General Fund  
Unreserved Fund Balance

Motioned by Trustee Dennis J. Walsh  
Seconded by Trustee Paul A. Pereira

**Vote:**  

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Scott P. Strauss		
Trustee Paul S. Cusato		
Trustee Paul A. Pereira		
Trustee George R. Durham		
Trustee Dennis J. Walsh		

**Resolution No. 250-20**

Resolved to amend or supersede Resolution No. 139-20 from July 1, 2020, awarding Contract No. 4 of the Administration Building Project to Xtraire. There was a typographic error in the amount of the bid award as \$317,000.00. The resolution and minutes should reflect the correct amount as \$318,000.00.

Motioned by Trustee Paul A. Pereira  
Seconded by Trustee George R. Durham

**Vote:**  

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Scott P. Strauss		
Trustee Paul S. Cusato		
Trustee Paul A. Pereira		
Trustee George R. Durham		
Trustee Dennis J. Walsh		

**Resolution No. 251-20**

Resolved to authorize the posting of two (2) Tree Trimmer positions in the Highway Division.

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





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

DATE OF HEARING: September 16, 2020

APPEARANCES: John Farrell, Esq., Applicant's Attorney  
Chris Tartaglia, Engineer

**DECISION:**

High Point Engineering (hereinafter, "Applicant") is before this Board pursuant to Chapter 550, Sections 550.12 of the Municipal Code of the Incorporated Village of Mineola for a special use permit to establish a gasoline dispensing station with a convenience store at the property located at 91 Jericho Turnpike, Mineola, New York (known and designated on the Nassau County Land and Tax Map as Section 9, Block 451, Lots 244-247) (hereinafter, the "Property").

By Notice of Disapproval, dated March 10, 2020, Applicant's building permit was denied. The Building Inspector determined that the proposed application is contrary to the Village's zoning regulations in that the establishment of a gasoline dispensing station with a convenience store on the Property requires a special use permit. Applicant was thus required to seek relief before the Board of Trustees for a special use permit.

Applicant made an application to the Board of Trustees for the required special use permit. The application was previously referred to the Nassau County Planning Commission. The Nassau County Planning Commission has recommended that this Board take whatever action it deems appropriate.

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) Applicant is seeking a special use permit to operate a gasoline dispensing station with a convenience store upon the property known as 91 Jericho Turnpike, Mineola, New York;
- 2) Applicant is proposing to construct the 1,364 sq.ft. convenience store to the south of the Property;
- 3) Applicant has offered to limit the operation of both the gasoline station and the convenience store to operate between the hours of 5:00 a.m. and 11:00 p.m. seven days per week.
- 4) Applicant currently has four (4) dispensing pumps and will not be adding any additional dispensing pumps. Applicant is keeping the existing pump island located nearest to Jericho Turnpike and relocating the pumps currently on the kiosk;
- 5) There will be no cooking/food preparation upon the Property;

- 6) Applicant will be providing three (3) on-site parking spaces;
- 7) Applicant is proposing an on-site dumpster that will be enclosed at all times;
- 8) Applicant will be installing new underground fuel storage tanks;
- 9) The Applicant will own and operate the business on the Property; and
- 10) The proposed use, subject to full compliance with the below-listed conditions imposed by this Board, will provide a desirable service and convenience to the Village.

Based upon the above findings, it is hereby determined that the granting of the Application requesting a special use permit pursuant to Sections 550.12 of the Village Code for a gasoline dispensing station with a convenience store with limited hours of operation as stated below, will conform to the general character of the neighborhood and that the public health, morals, safety and general welfare of such neighborhood will be secured by the granting of the requested Special Use Permit. Further, it is hereby determined that the Special Use Permit will provide a desirable facility to the area and will not be incongruous to the neighborhood by reason of excessive traffic.

**IT IS THEREFORE RESOLVED**, that the Special Permit is **GRANTED** subject to the following conditions:

- 1) Pursuant to its offer on the record, Applicant's hours of operation shall be 5:00 a.m. to 11:00 p.m. for both the gasoline service station and the convenience store;
- 2) Applicant shall install and maintain landscaping along the perimeter of the Property;
- 3) The Applicant will not prepare or cook food upon the Property;
- 4) The site shall be served by a private sanitation carter at the expense of the Applicant and all pick-ups shall take place between the hours of 7:00 a.m. and 9:00 p.m. only;
- 5) Fuel deliveries will not be conducted during the peak hours of traffic activity;
- 6) All equipment/fire suppression systems shall be in compliance with the New York State Fire Prevention and Building Code, Nassau County Fire Marshal and the Rules of all agencies having jurisdiction;
- 7) Deliveries will not be conducted during the peak hours of traffic activity and will not take place when the business is closed;
- 8) All roof mechanicals will be properly screened;
- 9) All lighting shall be designed such that it shall shine upon the premises only and shall not be directed towards any neighboring residences;
- 10) No audio/video messages, signals or announcements emanating from a gasoline pump shall be audible from a point beyond ten (10') foot radius from the pump;
- 11) Each of these conditions is material to the approval granted by the Board of Trustees. Violations of any of them shall subject the applicant or its successors to

enforcement pursuant to the Village’s Municipal Code, including possible revocation of this special use permit;

- 12) The representations made by Applicant on the record in this proceeding and correspondence thereafter have been deemed material to this application and have been relied upon by the Board of Trustees in its deliberations and decisions. Said representations are deemed to be part of the conditions of this special use permit; and
- 13) Violation of a condition set forth in this decision shall be deemed a violation of the Village Zoning Law and shall subject the owner or occupant of the premises to all penalties set forth in the Zoning Law.

This constitutes the Decision of the Board of Trustees. Applicant shall, within ten (10) days of the date of filing of this Decision, consent in writing to the conditions contained herein. Failure to so consent shall render this Decision null and void.

Dated: Mineola, New York  
November 18, 2020

Motioned by Trustee Dennis J. Walsh  
Seconded by Trustee Paul A. Pereira

<b>Vote:</b>			
<u>Yes</u>	<u>No</u>	<u>Abstain</u>	
Mayor Scott P. Strauss			
Trustee Paul S. Cusato			
Trustee Paul A. Pereira			
Trustee George R. Durham			
Trustee Dennis J. Walsh			

**Resolution No. 254-20**

BOARD OF TRUSTEES  
INCORPORATED VILLAGE OF MINEOLA  
-----X  
In the Matter of the Application of

ALESSANDRO L. ANTONACCI, P.C.

**DECISION**

For a Special Use Permit pursuant to Chapter 550, Section 550-5(I) of the Code of the Incorporated Village of Mineola, to construct a two-story 12 unit (one-bedrooms) building above ground level parking upon the property known as 119 Clinton Avenue, Mineola, New York, known and designated on the Nassau County Land and Tax Map as Section 9, Block 456, Lot 44.  
-----X

NAME OF APPLICANT:	Alessandro L. Antonacci, P.C.
SUBJECT PROPERTY:	Section 9, Block 456, Lot 44

STREET LOCATION:	119 Clinton Avenue, Mineola, New York
ZONING DISTRICT:	“R-5” District
RELIEF REQUESTED:	Application For a Special Use Permit pursuant to Chapter 550, Section 550-5(I)
PUBLICATION & POSTING:	All in accordance with applicable laws, rules and regulations
DATE OF HEARING:	September 16, 2020
APPEARANCE:	Alessandro L. Antonacci, Esq.

Alessandro L. Antonacci, P.C. (hereinafter, “Applicant”) appeared before this Board pursuant to Chapter 550, Section 550-5(I) of the Municipal Code of the Incorporated Village of Mineola for a special use permit to construct a two-story (12 one-bedroom apartments) above ground level parking upon the property located at 119 Clinton Avenue, Mineola, New York (known and designated on the Nassau County Land and Tax Map as Section 9, Block 456, Lot 44) (hereinafter, the “Property”).

Applicant seeks relaxation of the Village’s Zoning regulations with respect to building height, front yard setback, side yard setback, lot coverage percentage, minimum unit size and parking. Daniel B. Whalen, as Superintendent of the Building Department, issued a zoning code compliance letter to the Applicant, dated July 20, 2020. Applicant was entitled to seek relief before the Zoning Board of Appeals for area variances. In the alternative, Applicant was able to seek the same relief from the Board of Trustees pursuant to Chapter 550, Section 550-5(I) under the Village’s development incentive bonus law. This latter course was elected by Applicant.

Applicant made an Application to the Board of Trustees for the required relief pursuant to the Village’s development incentive bonus law and presented its Application on September 16, 2020. The Board of Trustees declared itself lead agency pursuant to SEQRA.

A referral of the Application was made to the Nassau County Planning Commission. The Nassau County Planning Commission, by Resolution No. 10389-20, recommended modification and requested the following:

- Consideration should be given to reduce the building’s footprint thereby reducing the lot coverage which is about 80% under the current plan. This would allow for the provision of front, side and rear yard setbacks and would provide for a more aesthetically pleasing development. Also, providing a front yard setback would be more in keeping with the Clinton Ave. streetscape. Providing a side yard setback, particularly the

easterly side yard, would benefit residents of the new building as well as enhancing the redevelopment potential of the property to the east by not having a building wall along the subject property's easterly boundary. Redevelopment of the property to the east in a similar manner as the subject property will probably occur in the foreseeable future as it is the last remaining detached single-family dwelling on Clinton Ave.

The Board of Trustees, after careful review of all relevant documents and testimony, issued a Negative Declaration under SEQRA. This Board also assumed jurisdiction over site plan and architectural review.

Thus, now before this Board is a proposal to construct a two-story building above ground level parking with 12 residential apartments (11 market rental units and 1 next-generation, workforce, first responder unit).

In this application, the Applicant seeks, under the Village's Development Incentive Bonus Law, the relaxation of the Village's zoning laws in several ways:

1. Building height;
2. Building setbacks;
3. Lot coverage percentage;
4. Minimum unit size; and
5. Parking.

Applicant also seeks site plan approval for the revised site layout of the building and architectural approval for the building design. In consideration of the Board's approval of this special use permit, the Applicant has offered the following public amenities:

1. Streetscape improvements along Clinton Avenue – Applicant proposes to remove the existing curb cut and sidewalk cement pad and replace with brick pavers matching the Village's Downtown aesthetics.
2. Ten percent (10%) of the number of apartments constructed (1 unit) of affordable housing units with interior finishes to match market units.
3. Commuter parking – Applicant will restrict all tenants from obtaining commuter parking passes.
4. A monetary contribution to the Village in lieu of further public amenities in the amount of \$40,000.00.

## **FINDINGS**

The Project as is proposed was contemplated by the Village's draft Master Plan. It will contribute to the vibrancy and the economic stability of the Village's Downtown and, as a transit-oriented development, it qualifies as a smart growth component of Mineola's Downtown Revitalization.

Implementation of the proposed action will not create a material conflict with the community's current plans or goals. In fact, the overall theme of the Village of Mineola's Comprehensive Master Plan is to build upon Mineola's strong sense of community among its residents and envisions the Village as an even more desirable, safe and attractive place to live and work.

The recommendations in the Comprehensive Master Plan seek to realize the Village's full potential, and the proposed residential rental building has been designed to help to achieve these goals. The proposed project incorporates a use that will contribute to and strengthen the Village in its Downtown area.

## **DECISION**

Based upon the above findings, it is hereby determined that the granting of the Application requesting a special use permit pursuant to Section 550-5(I) of the Village Code for development incentive bonuses according to which the Applicant offers certain community benefits and amenities and payment in lieu thereof in exchange for the Board of Trustees granting relief from certain zoning code regulations shall advance the Village's specific physical, cultural and social policies in accordance with the Village's Comprehensive Master Plan and in coordination with community planning mechanisms and land use techniques. Further, it is hereby determined that the special use permit will provide a desirable facility to the area, will promote the revitalization of the Village's Downtown and will not be incongruous to the neighborhood by reason of excessive traffic.

**IT IS THEREFORE RESOLVED**, as follows:

- 1) The Application for a special use permit to construct and maintain a two-story building with 12 residential one-bedroom apartments above ground level parking (11 market rental

units and 1 next-generation, workforce, first responder unit) upon the Property is **GRANTED**.

- 2) The offer made by the Applicant to restrict tenants from obtaining commuter parking passes is **ACCEPTED**.
- 3) The offer made by Applicant to provide streetscape improvements in and around Clinton Avenue is **ACCEPTED**.
- 4) The offer made to screen the rooftop terrace is **ACCEPTED**.
- 5) The offer made to include one (1) on-site parking space with each rental unit in accordance with the Village Code is **ACCEPTED**.
- 6) The offer made by the Applicant to provide development incentive payments in the amount of Forty Thousand (\$40,000.00) Dollars to the Village in lieu of further public amenities is **ACCEPTED**.
- 7) Final site plan approval for the Project is hereby **GRANTED**.
- 8) Architectural approval for the Project is hereby **GRANTED**.

**ALL OF THESE ENUMERATED GRANTS AND APPROVALS ARE CONDITIONED UPON THE FOLLOWING:**

- 1) The payment by the Applicant to the Village for development incentive bonuses awarded in the amount of Forty Thousand (\$40,000.00) Dollars to be paid upon the issuance of a building permit.
- 2) The provision of 1 unit of next-generation, workforce, first responder housing of a quality equal to that of the market rate units in compliance with General Municipal Law Section 699-b.
- 3) Applicant shall perform streetscape improvements along Clinton Avenue, but not limited to, removal of the existing curb cut and sidewalk cement pad and replace with brick pavers matching the Village's Downtown aesthetics.
- 4) Applicant shall provide a total of 18 on-site parking spaces.
- 5) Applicant shall properly screen the rooftop terrace from surrounding buildings.
- 6) Applicant has represented to the Board of Trustees that he will not obtain financing through the Industrial Development Agency. In the event that Applicant seeks such financing, Applicant shall be required to appear before the Board of Trustees and enter into a Host



Community Benefit Agreement acceptable to the Board of Trustees prior to the issuance of a building permit.

- 7) Applicant shall utilize a private sanitation service for all garbage pick-up at the Property;
- 8) The representations made by Applicant on the record in this proceeding have been deemed material to this Application and have been relied upon by the Board of Trustees in its deliberations and decisions. Said representations are deemed to be part of the conditions of this special use permit.
- 9) Violation of a condition set forth in this Decision shall be deemed a violation of the Village Zoning Law and shall subject the owner or occupant of the premises to all penalties set forth in the Zoning Law.

All of the terms, conditions and obligations contained in this Decision shall be binding upon the Applicant, its heirs, successors and assigns.

This constitutes the Decision of the Board of Trustees. Applicant shall, within ten (10) days of the date of filing of this Decision, consent in writing to the conditions contained herein. Failure to so consent shall render this Decision null and void.

Dated: Mineola, New York  
November 18, 2020

Motioned by Trustee Paul A. Pereira  
Seconded by Trustee George R. Durham

<b>Vote:</b>		
<b><u>Yes</u></b>	<b><u>No</u></b>	<b><u>Abstain</u></b>
Mayor Scott P. Strauss		
Trustee Paul S. Cusato		
Trustee Paul A. Pereira		
Trustee George R. Durham		
Trustee Dennis J. Walsh		

**Mayor Scott P. Strauss requested a motion to close the Work Session at 8:30 PM.**

Motioned by Trustee Paul A. Pereira  
Seconded by Trustee Dennis J. Walsh

<b>Vote:</b>		
<b><u>Yes</u></b>	<b><u>No</u></b>	<b><u>Abstain</u></b>
Mayor Scott P. Strauss		
Trustee Paul S. Cusato		
Trustee Paul A. Pereira		
Trustee George R. Durham		
Trustee Dennis J. Walsh		

**Mayor Scott P. Strauss called the Public Meeting to order at 8:35 PM.**

**PRESENT:** Mayor Scott P. Strauss  
Trustee Paul S. Cusato  
Trustee George R. Durham  
Trustee Dennis J. Walsh

**ALSO PRESENT:** Village Clerk Joseph R. Scalero  
Peter S. Trentacoste, for Village Attorney John P. Gibbons, Jr.  
Deputy Village Clerk Linda Pardo  
Superintendent of Public Works Thomas J. Rini

**Press Observer:** None

**Sunshine Observers:** None

Mayor Scott P. Strauss stated that Trustee Pereira is unable to be present for the Public Meeting; discussed the challenges of the ongoing pandemic, and encouraged residents to follow all CDC guidelines; reported that the Third Track Project will be starting major work in the Willis Avenue/2<sup>nd</sup> Avenue area; encouraged residents to support downtown businesses, adding that parking meter enforcement will be suspended November 28 through January 2 in certain areas to help out our local businesses; reviewed the Village snow ordinance and encouraged residents to sign up for email notices and text messages on the Village website; stated that the annual Village Tree Lighting ceremony cannot happen, but the tree and menorah will be lit; stated that the Mineola Fire Department's Operation Santa visits cannot take place in residents homes, there will be a modified Operation Santa this year, and wished residents a happy Thanksgiving.

Trustee Paul S. Cusato wished residents a happy Thanksgiving; discussed the annual Toys for Tots program which will run through December 16, but will only have a collection box at the library this year, and reported that the library also has a food collection box for The Harry Chapin Food Bank.

Trustee George R. Durham announced that the Mineola Athletic Association is offering an early registration discount which is now open, and wished residents a happy Thanksgiving.

Trustee Dennis J. Walsh stated that he met with Nassau County Clerk Maureen O'Connell, New York State Assemblyman Edward Ra, and several Mineola High School students to discuss the school's Flag Field of Honor display; discussed the November 22 assassination anniversary of John F. Kennedy, and wished residents a happy Thanksgiving.

*No speakers addressed the Board*

**Mayor Scott P. Strauss requested a motion to close the Public Meeting at 8:45 PM.**

Motioned by Trustee Dennis J. Walsh  
Seconded by Trustee Paul S. Cusato

<b>Vote:</b>		
<b><u>Yes</u></b>	<b><u>No</u></b>	<b><u>Abstain</u></b>
Mayor Scott P. Strauss		
Trustee Paul S. Cusato		
Trustee Paul A. Pereira		
Trustee George R. Durham		
Trustee Dennis J. Walsh		