

Minutes - Board Meeting 12/19/07

Minutes of the meeting of the Board of Trustees of the Incorporated Village of Mineola held Wednesday, December 19, 2007 at Village Hall, 155 Washington Avenue, Mineola, New York 11501.

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

ALSO PRESENT: Village Attorney John Spellman
Village Clerk Joseph R. Scalero
Deputy Village Clerk Janet H. Zalkin
Village Treasurer Giacomo A. Ciccone
Superintendent of Buildings Daniel B. Whalen
Assistant Superintendent of Public Works Ronald Ciesinski

Sunshine Observers: Approximately 20 Observers

A Public Hearing was held at 6:30 PM at the Village Hall, 155 Washington Avenue, Mineola, New York 11501, in order to receive public comment upon the following:

APPLICATION OF FIRST KOREAN CHURCH OF NEW YORK FOR A SPECIAL 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) (5) TO ESTABLISH A CHURCH USE UPON THE PROPERTY KNOWN AS 236 WILLIS AVENUE, MINEOLA, NEW YORK, KNOWN AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 9, BLOCK 453, LOTS 327-330, 369-370.

Mayor Martins requested a motion to close the hearing and reserve decision at 8:20 PM.

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

Vote:

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

A Public Hearing was held at 8:20 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 THE MUNICIPAL CODE OF THE INCORPORATED VILLAGE OF MINEOLA, TO CREATE CHAPTER 46-A TO BE ENTITLED “PROHIBITION OF ILLICIT DISCHARGES, ACTIVITIES AND CONNECTIONS TO THE VILLAGE’S MUNICIPAL SEPARATE STORM SEWER SYSTEM”;

A PROPOSED LOCAL LAW AMENDING THE MUNICIPAL CODE OF THE INCORPORATED VILLAGE OF MINEOLA, TO CREATE CHAPTER 46-B TO BE ENTITLED “STROM WATER MANAGEMENT AND EROSION AND SEDIMENT CONTROL REGULATIONS”;

A PROPOSED LOCAL LAW AMENDING THE MUNICIPAL CODE OF THE INCORPORATED VILLAGE OF MINEOLA, CHAPTER 30-A ENTITLED “ARCHITECTURAL AND PRELIMINARY SITE REVIEW”, TO CREATE SECTION 30-A.5 C.1 (ee) TO ESTABLISH THE REQUIREMENT THAT ALL APPLICANTS FOR PRELIMINARY SITE PLAN APPROVAL PROVIDE A STORM WATER POLLUTION PREVENTION PLAN;

A PROPOSED LOCAL LAW AMENDING THE MUNICIPAL CODE OF THE INCORPORATED VILLAGE OF MINEOLA, CHAPTER 30-A ENTITLED “ARCHITECTURAL AND PRELIMINARY SITE REVIEW”, TO CREATE SECTION 30-A.6.C TO ESTABLISH THE REQUIREMENT THAT ALL APPLICANTS FOR SITE PLAN APPROVAL PROVIDE A STORM WATER POLLUTION PREVENTION PLAN;

and

A PROPOSED LOCAL LAW AMENDING THE MUNICIPAL CODE OF THE INCORPORATED VILLAGE OF MINEOLA, CHAPTER 30-A ENTITLED “ARCHITECTURAL AND PRELIMINARY SITE REVIEW”, TO CREATE SECTION 30-A.15 ENTITLED “SUBDIVISION REVIEW” TO ESTABLISH THE REQUIREMENT THAT ALL SUBDIVISION APPLICANTS FOR PRELIMINARY AND/OR FINAL SUBDIVISION APPROVAL SHALL PROVIDE A STORM WATER POLLUTION PREVENTION PLAN.

Resolution No. 295-07

Resolved to approve the proposed Local Laws as presented.

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

Village Clerk Joseph R. Scalero polled the Board:

Vote:		
<u>Yes</u>	<u>No</u>	<u>Absent</u>
Trustee Linda Fairgrieve		
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 at 8:40 PM.

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

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

Mayor Martins opened the Work Session at 9:10 PM.

Resolution No. 296-07

Resolved to amend Condition #3 of Resolution No. 285-07 for the Special Use Permit approved for K & P Realty Holdings to increase the number employee parking spaces from seven (7) to ten (10).

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

Village Clerk Joseph R. Scalero polled the Board:

Vote:

Yes

No

Absent

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

Mayor Martins reported that he had met with members of the Nassau County Village Officials Association regarding a proposed state law that subjects villages to Nassau County rules and regulations for licensing taxi cabs. Mayor Martins reported that the Nassau County Village Officials Association is united in its opposition to this proposed law.

Resolution No. 297-07

Authorizing the implementation, and funding in the first instance of the State Multi-Modal Program-aid [and State administered federal program-aid] eligible costs, of a capital project, and appropriating funds therefore.

WHEREAS, a Project for the installation of new lighting on RT. 25 from N/E corner of Jericho Tpke at Mineola Blvd to the N/W corner of Willis Ave at Jericho Tpke North, P.I.N. OMA027.30A (“the project”) is eligible for funding [under Title 23 U.S. Code, as amended, and] New York State’s Multi-Modal Program administered by the NYS Department of Transportation (“NYSDOT”); and

WHEREAS, the Village of Mineola desires to advance the Project by making a commitment of advance funding of the non-local share and funding of the full local share of the costs of the Project; and

NOW, THEREFORE, the Mineola Board, duly convened does hereby

RESOLVE, that the Mineola Board hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Mineola Board hereby authorizes the Mayor of Mineola to pay in the first instance 100% of the federal and non-federal share of the cost of all work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$10,000 is hereby appropriated from the General Fund and made available to cover the cost of participation in the above phase of the project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Village of Mineola shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Mayor, thereof, and it is further

RESOLVED, that the Mayor of the Village of Mineola be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Multi-Modal Program Funding on behalf of the Village of Mineola with NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the project and the municipality’s first instance funding of project costs and permanent funding of the local share of federal-aid and all Project costs that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project and it is further

RESOLVED, that a Certified Copy of the Resolution be filed with the Commissioner of Transportation of the State of New York by attaching it to any required and/or appropriate Agreements executed in connection with the project between Village of Mineola and the State of New York; and it is further

RESOLVED, that this Resolution shall take effect immediately.

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

Vote:

Yes

No

Abstain

Trustee Linda Fairgrieve

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

Resolution No. 298-07

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>Absent</u>
Trustee Linda Fairgrieve		
Trustee Thomas F. Kennedy		
Trustee Lawrence A. Werther		
Trustee Paul S. Cusato		
Mayor Jack M. Martins		

Resolution No. 299-07

Resolved to approve the following request for “carry over” vacation time to be utilized by March 31, 2007:

John Chilcott	2 days
Duarte Henriques	4 days

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

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

Resolution No. 300-07

Resolved to appoint Keith Gessner to the Civil Service title of Complaint Investigator.

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

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

Resolution No. 301-07

Resolved to approve M & T Bank as an additional depository for monies received by the Village Treasurer of the Incorporated Village of Mineola.

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

Vote:

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

Resolution No. 302-07

Resolved to approve Standard Valuation Services’ fee schedule for 2008 small claims assessment review (SCAR).

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

Vote:

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

Resolution No. 303-07

Resolved to approve a 180-day extension of Building Permit # 0251 issued for 229 McKinley Parkway.

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

Vote:

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

Superintendent of Buildings, Daniel B. Whalen, reported on the Building Department’s revenue and activity for the month of November 2007.

Mayor Jack M. Martins wished everyone a Merry Christmas, Happy Holidays and a Happy NewYear.

Mayor Martins requested a motion to close the Work Session at 9:25 PM.

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

Vote:

<u>Yes</u>	<u>No</u>	<u>Absent</u>
Trustee Linda Fairgrieve		
Trustee Thomas F. Kennedy		
Trustee Lawrence A. Werther		
Trustee Paul S. Cusato		

Mayor Jack M. Martins

Respectfully submitted,

Joseph R. Scalero
Village Clerk