

Minutes - Board Meeting – 11/17/2021

Minutes of the meeting of the Board of Trustees of the Incorporated Village of Mineola held Wednesday, November 17, 2021 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 Attorney John P. Gibbons, Jr.
Village Clerk Joseph R. Scalero
Deputy Village Clerk Linda Pardo
Superintendent of Public Works Thomas J. Rini

Press Observers: *Williston Times*
Hofstra Radio

Sunshine Observers: 21 Observers

Mayor Scott P. Strauss called the Public Hearing to order at 6:35 PM

A Public Hearing was held at 6:35 PM at the Village Hall, 155 Washington Avenue, Mineola, New York, 11501 in order to receive public comment upon the following:

APPLICATION OF JUNGHO PARK A SPECIAL USE PERMIT PURSUANT TO CHAPTER 550 OF THE CODE OF THE INCORPORATED VILLAGE OF MINEOLA, ENTITLED “ZONING”, SECTION 550-12 ENTITLED “B-1 DISTRICTS”, SUBSECTION (B) ENTITLED “SPECIAL USES” TO ESTABLISH A CHURCH UPON THE PROPERTY KNOWN AS 167 WILLIS AVENUE, MINEOLA, NEW YORK, KNOWN AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 9, BLOCK 411, LOTS 664-667.

4 speakers addressed the Board

Resolution 290-21

Resolved to declare the Special Use Application of Jungho Park for a Special Use Permit pursuant to Chapter 550 of the Code of the Incorporated Village of Mineola, entitled “Zoning”, Section 550-12 entitled “B-1 Districts”, Subsection (B) entitled “Special Uses” for the purpose of establishing a church upon the property known as 167 Willis Avenue, Mineola, New York, known and designated on the Nassau County Land and Tax Map as Section 9, Block 411, Lots 664-667, as a Type II action pursuant to S.E.Q.R.A.

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

Vote:

Yes

No

Abstain

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 hearing and reserve decision at 7:05 PM.

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

Vote:

Yes

No

Abstain

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 Hearing to order at 7:05 PM

A Public Hearing was held at 7:05 PM at the Village Hall, 155 Washington Avenue, Mineola, New York, 11501 in order to receive public comment upon the following:

APPLICATION OF VINCENT VESCOVA FOR A SPECIAL USE PERMIT PURSUANT TO CHAPTER 550 OF THE CODE OF THE INCORPORATED VILLAGE OF MINEOLA, ENTITLED “ZONING”, SECTION 550-12 ENTITLED “B-1 DISTRICTS”, SUBSECTION (B) ENTITLED “SPECIAL USES” TO ESTABLISH A LAUNDROMAT UPON THE PROPERTY KNOWN AS 90 HERRICKS ROAD, MINEOLA, NEW YORK, KNOWN AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 9, BLOCK 672, LOT 20.

2 speakers addressed the Board

Resolution 291-21

Resolved to declare the Special Use Application of Vincent Vescova for a Special Use Permit pursuant to Chapter 550 of the Code of the Incorporated Village of Mineola, entitled “Zoning”, Section 550-12 entitled “B-1 Districts”, Subsection (B) entitled “Special Uses” for the purpose of establishing a laundromat upon the property known as 90 Herricks Road, Mineola, New York, known and designated on the Nassau County Land and Tax Map as Section 9, Block 672, Lot 20, as a Type II action pursuant to S.E.Q.R.A.

Motioned by Trustee Paul A. Pereira
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

Mayor Scott P. Strauss requested a motion to close the hearing and reserve decision at 7:44 PM.

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

Mayor Scott P. Strauss called the Work Session to order at 7:50 PM.

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

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

Press Observer: *Williston Times*
Hofstra Radio

Sunshine Observers: 17 Observers

Resolution No. 292-21

Resolved to approve bills and payroll.

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

Abstain

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

Resolution No. 293-21

Resolved to approve the membership of the following candidate as recommended by the Mineola Fire Department:

Jia Han Company 3

Motioned by Trustee Paul S. Cusato
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. 294-21

Resolved to approve a request from the Birchwood Court Owners, Inc. for the use of the Village Hall Community Center auditorium to hold an Informational Meeting Tuesday December 7, 2021 from 6:30 PM to 8:30 PM.

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

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. 295-21

Resolved to approve a request by the Mineola Junior Fire Department for the use of the Village Hall Community Center to conduct its Pasta Dinner Saturday March 12, and Sunday March 13, 2022 beginning at 8:00 am.

Motioned by Trustee Paul S. Cusato
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. 296-21

Resolved to authorize Change Order No. 6 to the Well No. 7 – Contract No. 2 - Installation of Granular Activated Carbon Adsorption System project for the final adjustment in contract pricing to close out the contract. The final adjustment results in a net decrease of \$46,593.68 from the original contract amount of \$1,536,000.00 to the final contract amount of \$1,489,406.32.

Contractor: Philip Ross Industries, Inc.

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

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. 297-21

Resolved to authorize the removal of the existing “No Parking 11 a.m. to 2 p.m., Except Saturdays, Sundays & Holidays” and replacing it with “No Parking Mondays from 9 a.m. to 12 p.m.”, on Brown Street between Roslyn Road and Columbus Parkway.

Motioned by Trustee Paul S. Cusato
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. 298-21

Resolved to authorize the installation of a 12-foot curb cut and driveway apron at 244 Maple Place, on Jefferson Avenue.

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

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. 299-21

Resolved to authorize the installation of a “Handicap Reserved” parking space in front of 145 Arlington Street.

Motioned by Trustee Paul S. Cusato
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

Village Attorney John P. Gibbons, Jr. presented the following resolutions:

Resolution No. 300-21

RESOLVED, that the Incorporated Village of Mineola agrees to extend the Site Access Agreement with 3rd Track Constructors (3TC) for the use of the area off of 8th Avenue for the parking of its vehicles through and including January 31, 2022; and it is further

RESOLVED, that the Mayor is authorized to execute the Site Access Agreement Extension Agreement on behalf of the Village of Mineola.

Motioned by Trustee Paul A. Pereira
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. 301-21

BOARD OF TRUSTEES
INCORPORATED VILLAGE OF MINEOLA
-----X

In the Matter of the Application of

HOOTAN MOEIRZADEH

DECISION

For a Special Use Permit pursuant to Chapter 550, Section 550-12(B) of the Code of the Incorporated Village of Mineola, at premises known as 99 Jericho Turnpike, Mineola, New York, known and designated on the Nassau County Land and Tax Map as Section 9, Block 450, Lots 242-243.

-----X

NAME OF APPLICANT:	Hootan Moeirzadeh
SUBJECT PROPERTY:	Section 9, Block 450, Lots 242-243
STREET LOCATION:	99 Jericho Turnpike Mineola, New York 11501
ZONING DISTRICT:	"B-1" District
RELIEF REQUESTED:	Application For a Special Use Permit pursuant to Chapter 550, Section 550-12(B) to establish a fast food takeout restaurant upon Property
PUBLICATION & POSTING:	All in accordance with applicable laws, rules and regulations.
DATE OF HEARING:	October 20, 2021
APPEARANCE:	Hootan Moeirzadeh, owner

DECISION:

Hootan Moeirzadeh (hereinafter, "Applicant") is before this Board, pursuant to Chapter 550, Section 550-12 of the Municipal Code of the Incorporated Village of Mineola, for a special use permit to establish a fast food take-out restaurant upon the property known as 99 Jericho Turnpike, Mineola, New York (known and designated on the Nassau County Land and Tax Map as Section 9, Block 450, Lots 242-243) (hereinafter, the "Property").

By Notice of Disapproval, dated June 10, 2021, Applicant's building permit was denied. The Building Inspector determined that the proposed application is contrary to the Village's zoning regulations. Applicant was thus required to seek relief before the Board of Trustees for a special use permit for the establishment of a fast food take-out restaurant upon the Property.

A referral of the application was made to the Nassau County Planning Commission. The Nassau County Planning Commission 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 for the establishment of a fast food take-out restaurant upon the Property;

- 2) Applicant anticipates the business will be primarily take-away. The floor plan has 60-70% dedicated cooking space/storage and 12 dining seats total;
- 3) The hours of operation shall be 11:00 am to 8:00 pm, 7 days a week;
- 4) Applicant will utilize a private carter and store all putrescible waste refuse indoors until pick-up; and
- 5) The proposed use, subject to the 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 proposed use, subject to the conditions stated below, is harmonious to the “B-1” District, 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 Use Permit is **GRANTED** subject to the following conditions:

- 1) Applicant shall cause all refuse to be removed from the premises by a private carter at Applicant’s expense. All putrescible waste shall be refrigerated until pick-up. All waste pick-ups shall take place between the hours of 7:00 a.m. and 9:00 p.m. only;
- 2) The garbage dumpster on the premises shall be maintained in a fully-enclosed area and the gates to the dumpster shall be closed at all times except during loading and pick-up. The garbage dumpster and surrounding area shall remain free from debris, odors or litter at all times.
- 3) All deliveries to the Property shall be by box-truck or delivery van during non-peak traffic hours. The Property shall not be serviced by any tractor trailers;
- 4) The premises shall be maintained in a clean condition at all times;
- 5) Each of these conditions is material to the approval granted by the Board of Trustees. Violations of any of the conditions of this Special Use Permit shall subject the applicant or its successors to enforcement pursuant to the Village’s Municipal Code, including possible revocation of this Special Use Permit;
- 6) 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 decision. Applicant’s representations are deemed to be part of the conditions of this Special Use Permit; and
- 7) Violation of a condition set forth in this Special Use Permit 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.

Dated: Mineola, New York
November 17, 2021

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

Village Clerk Joseph R. Scalero polled the Board:

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. 302-21

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

INDRIA SINGH

DECISION

For a Special Use Permit pursuant to Chapter 550,
Section 550-12(B) of the Code of the Incorporated
Village of Mineola, at premises known as 174 Jericho
Turnpike, Mineola, New York, known and designated
on the Nassau County Land and Tax Map as Section 9,
Block 322, Lot 28.
-----X

NAME OF APPLICANT:	Indria Singh
SUBJECT PROPERTY:	Section 9, Block 322, Lot 28
STREET LOCATION:	174 Jericho Turnpike Mineola, New York 11501
ZONING DISTRICT:	"B-1" District
RELIEF REQUESTED:	Application For a Special Use Permit pursuant to Chapter 550, Section 550-12(B) to establish a bar/lounge upon Property
PUBLICATION & POSTING:	All in accordance with applicable laws, rules and regulations.
DATE OF HEARING:	October 20, 2021
APPEARANCE:	Frank Quatela, Owner representative Ryan James, Owner

DECISION:

Indria Singh (hereinafter, "Applicant") is before this Board, pursuant to Chapter 550, Section 550-12 of the Municipal Code of the Incorporated Village of Mineola, for a special use permit to establish a bar/lounge upon the property known as 174 Jericho Turnpike, Mineola, New York

(known and designated on the Nassau County Land and Tax Map as Section 9, Block 322, Lot 28) (hereinafter, the “Property”).

By Notice of Disapproval, dated June 15, 2021, Applicant’s building permit was denied. The Building Inspector determined that the proposed application is contrary to the Village’s zoning regulations. Applicant was thus required to seek relief before the Board of Trustees for a special use permit for the establishment of a bar/lounge upon the Property.

A referral of the application was made to the Nassau County Planning Commission. The Nassau County Planning Commission 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 for the establishment of a bar/lounge upon the Property;
- 2) Applicant will service light hors d’oeuvres prepared by warmers. No cooking upon the Property;
- 3) Applicant anticipates 40 table seats and 10 bar seats;
- 4) Applicant anticipates 4-5 employees’
- 5) Applicant will utilize a private carter and store all putrescible waste refuse indoors until pick-up; and
- 6) The proposed use, subject to the 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 proposed use, subject to the conditions stated below, is harmonious to the “B-1” District, 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 Use Permit is **GRANTED** subject to the following conditions:

- 1) Applicant shall cause all refuse to be removed from the premises by a private carter at Applicant’s expense. All refuse shall be stored indoors until pick-up and all putrescible waste shall be refrigerated until pick-up. No dumpster or compactor shall be permitted at the site; All waste pick-ups shall take place between the hours of 7:00 a.m. and 9:00 p.m. only;

- 2) All deliveries to the Property shall be by box-truck or delivery van during non-peak traffic hours. The Property shall not be serviced by any tractor trailers;
- 3) No cooking upon the Premises. Applicant shall only utilize food warmers/microwaves;
- 4) The premises shall be maintained in a clean condition at all times;
- 5) There shall not be any live music, amplified music or karaoke upon the Property;
- 6) There shall not be any dancing or cabaret space upon the Property;
- 7) There shall be no hooka/vaping permitted/displayed upon the Property;
- 8) Each of these conditions is material to the approval granted by the Board of Trustees. Violations of any of the conditions of this Special Use Permit shall subject the applicant or its successors to enforcement pursuant to the Village's Municipal Code, including possible revocation of this Special Use Permit;
- 9) 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 decision. Applicant's representations are deemed to be part of the conditions of this Special Use Permit; and
- 10) Violation of a condition set forth in this Special Use Permit 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.

Dated: Mineola, New York
November 17, 2021

Motioned by Trustee Dennis J. Walsh
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

Trustee Dennis J. Walsh discussed his many years serving the residents of Mineola, and resigned from his position as Trustee. Mayor Scott P. Strauss thanked Town Councilman-Elect Walsh for his advice, friendship, and commitment to the residents of the Village, and presented him with a token of appreciation, and Mrs. Barbara Walsh with flowers.

Mayor Scott P. Strauss announced that he was appointing Janine Sartori as Trustee to fill Trustee Walsh's unexpired term, and administered the Oath of Office to Trustee Sartori.

Mayor Scott P. Strauss requested a motion to close the Work Session at 8:10 PM.

Motioned by Trustee Paul S. Cusato
Seconded by Trustee Janine Sartori

Vote:

Yes

No

Abstain

Mayor Scott P. Strauss
Trustee Paul S. Cusato
Trustee Paul A. Pereira
Trustee George R. Durham
Trustee Janine Sartori

Mayor Scott P. Strauss called the Public Meeting to order at 8:15 PM.

PRESENT:

Mayor Scott P. Strauss
Trustee Paul S. Cusato
Trustee Paul A. Pereira
Trustee George R. Durham
Trustee Janine Sartori

ALSO PRESENT:

Village Attorney John P. Gibbons, Jr.
Village Clerk Joseph R. Scalero
Deputy Village Clerk Linda Pardo
Superintendent of Public Works Thomas J. Rini

Press Observer:

Williston Times
Hofstra Radio

Sunshine Observers:

17 Observers

Mayor Scott P. Strauss reported that Trustee Dennis J. Walsh resigned, and wished him well; welcomed Trustee Janine Sartori who will be a great asset; stated that the Veterans Day ceremony had a great turnout; congratulated Mineola Fire Department Ex-Chief Richard Kotowski and Honorary Chief Stephen Stolarik on their 50 years of service; encouraged residents to share family stories during the holidays to pass to future generations, and wished residents a Happy Thanksgiving.

Trustee Paul A. Pereira congratulated Town Councilman-Elect Dennis J. Walsh and thanked him for his years of service to the Village; congratulated Trustee Sartori on her appointment to the Board; wished his daughter Sofia a happy 12th birthday, and wished residents a Happy Thanksgiving.

Trustee Paul S. Cusato congratulated Ex-Chief Richard Kotowski and Honorary Chief Stephen Stolarik on their 50 years of service with the Mineola Fire Department, and wished residents a Happy Thanksgiving.

Trustee George R. Durham thanked Town Councilman-Elect Dennis J. Walsh for his many years of service; congratulated Trustee Sartori on her appointment to the Board, and wished residents a Happy Thanksgiving.

Trustee Janine Sartori thanked Mayor Strauss for the vote of confidence; wished Town Councilman-Elect Dennis J. Walsh well; discussed her background and involvement in the community; discussed the value of local government, and stated what an honor it is to be a part of this team.

2 speakers addressed the Board

Mayor Scott P. Strauss requested a motion to close the Public Meeting at 8:32 PM.

Motioned by Trustee Janine Sartori
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 Janine Sartori		