

**Minutes - Board Meeting – 03/09/2022**

Minutes of the meeting of the Board of Trustees of the Incorporated Village of Mineola held Wednesday, March 9, 2022 at Village Hall, 155 Washington Avenue, Mineola, New York 11501.

**PRESENT:** Mayor Scott P. Strauss  
Trustee Paul S. Cusato  
Trustee George R. Durham  
Trustee Janine Sartori

**ALSO PRESENT:** Village Attorney John P. Gibbons, Jr.  
Deputy Village Clerk Linda Pardo  
Village Treasurer Giacomo A. Ciccone

**Press Observers:** *Mineola American*

**Sunshine Observers:** 14 Observers

**Mayor Scott P. Strauss called the Public Hearing to order at 6:42 PM**

*A Public Hearing was held at 6:42 PM at the Village Hall, 155 Washington Avenue, Mineola, New York, 11501 in order to receive public comment upon the following:*

**COMMUNITY DEVELOPMENT FUNDING 48TH YEAR ALLOCATIONS**

**P F & I:**

• Streets & Sidewalks:	
Conversion to LED Street Light Fixtures	<b>\$295,000.00</b>
• Streets & Sidewalks:	
Engineering Specs/Guidance for Curb Line Street-	
Sidewalk Pedestrian Lighting	<b>\$75,000.00</b>
<b>COMMERCIAL REHABILITATION</b>	<b>\$120,000.00</b>
<b>RESIDENTIAL REHABILITATION</b>	<b>\$10,000.00</b>

*No speakers addressed the Board*

**Resolution 053-22**

Resolved to approve the Community Development 48<sup>th</sup> Year allocations as presented:

**P F & I:**

• Streets & Sidewalks:	
Conversion to LED Street Light Fixtures	<b>\$295,000.00</b>
• Streets & Sidewalks:	
Engineering Specs/Guidance for Curb Line Street-	
Sidewalk Pedestrian Lighting	<b>\$75,000.00</b>
<b>COMMERCIAL REHABILITATION</b>	<b>\$120,000.00</b>
<b>RESIDENTIAL REHABILITATION</b>	<b>\$10,000.00</b>

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

Deputy Village Clerk Linda Pardo polled the Board:

**Vote:**

**Yes**

**No**

**Abstain**

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

**Mayor Scott P. Strauss called the Public Hearing to order at 6:53 PM**

**Press Observers:** *Mineola American*

**Sunshine Observers:** 16 Observers

*A Public Hearing was held at 6:53 PM at the Village Hall, 155 Washington Avenue, Mineola, New York, 11501 in order to receive public comment upon the following:*

**APPLICATION OF JASON JIN 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 NEW RESTAURANT UPON THE PROPERTY KNOWN AS 90-18 JERICHO TURNPIKE, MINEOLA, NEW YORK, KNOWN AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 9, BLOCK 336, LOT 418.**

*No speakers addressed the Board*

**Resolution 054-22**

Resolved to declare the Special Use Application of Jason Jin 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 new restaurant upon the property known as 90-18 Jericho Turnpike, Mineola, New York, known and designated on the Nassau County Land and Tax Map as Section 9, Block 336, Lot 418, as a Type II action pursuant to S.E.Q.R.A.

Motioned by Trustee George R. Durham

Seconded by Trustee Paul S. Cusato

**Vote:**

**Yes**

**No**

**Abstain**

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

**Resolution 055-22**

BOARD OF TRUSTEES  
INCORPORATED VILLAGE OF MINEOLA

-----X

In the Matter of the Application of

JASON JIN

**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 90-18  
Jericho Turnpike, Mineola, New York, known and  
designated on the Nassau County Land and Tax Map  
as Section 9, Block 336, Lot 418.

-----X

NAME OF APPLICANT:	JASON JIN
SUBJECT PROPERTY:	Section 9, Block 336, Lot 418
STREET LOCATION:	90-18Jericho 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 sushi and noodles restaurant upon Property
PUBLICATION & POSTING:	All in accordance with applicable laws, rules and regulations.
DATE OF HEARING:	March 9, 2022
APPEARANCE:	John Bracco, Applicant’s Architect Jason Jin, Owner

**DECISION:**

Jason Jin (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 restaurant serving sushi and noodles upon the property known as 90-18 Jericho Turnpike, Mineola, New York (known and designated on the Nassau County Land and Tax Map as Section 9, Block 336, Lot 418) (hereinafter, the “Property”).

By Notice of Disapproval, 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 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 restaurant serving sushi and noodles upon the Property;
- 2) Applicant is proposing a thirty-seven (37) seat restaurant;
- 3) Applicant's hours of operation are 11:30 am to 10:30 pm, Sunday to Thursday and 11:30 am to 11:00 pm Friday and Saturday;
- 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 refuse shall be stored indoors until pick-up and 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) 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) The premises shall be maintained in a clean condition at all times;
- 4) 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;
- 5) 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

- 6) 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  
March 9, 2022

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

Deputy Village Clerk Linda Pardo polled the Board:

**Vote:**

**Yes**

**No**

**Abstain**

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

**Mayor Scott P. Strauss called the Public Hearing to order at 7:00 PM**

**Press Observers:** *Mineola American*

**Sunshine Observers:** 12 Observers

*A Public Hearing was held at 7:00 PM at the Village Hall, 155 Washington Avenue, Mineola, New York, 11501 in order to receive public comment upon the following:*

**APPLICATION OF JOHN E. LIZARDOS, P.E. FOR A SPECIAL PERMIT  
PURSUANT TO CHAPTER 550 OF THE CODE OF THE  
INCORPORATED VILLAGE OF MINEOLA ENTITLED “ZONING”,  
SECTION 550-5.I TO ESTABLISH A NEW RESTAURANT AND BAR  
UPON THE PROPERTY KNOWN AS 133 MINEOLA BOULEVARD,  
MINEOLA, NEW YORK, KNOWN AND DESIGNATED ON THE NASSAU  
COUNTY LAND AND TAX MAP AS SECTION 9, BLOCK 414, LOT 3.**

*No speakers addressed the Board*

**Resolution 056-22**

Resolved to declare the Special Use Application of John E. Lizardos, P.E. for a Special Permit pursuant to Chapter 550 of the Code of the Incorporated Village of Mineola, entitled “Zoning”, Section 550-5.I for the purpose of establishing a new restaurant and bar upon the property known as 133 Mineola Boulevard, Mineola, New York, known and designated on the Nassau County Land and Tax Map as Section 9, Block 414, Lot 3, as a Type II action pursuant to S.E.Q.R.A.

Motioned by Trustee George R. Durham  
Seconded by Trustee Janine Sartori

**Vote:**

**Yes**

**No**

**Abstain**

Mayor Scott P. Strauss  
Trustee Paul S. Cusato

Trustee George R. Durham  
Trustee Janine Sartori

**Mayor Scott P. Strauss requested a motion to reserve decision and close the hearing at 7:40 PM.**

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

**Vote:**

**Yes**

**No**

**Abstain**

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

**Mayor Scott P. Strauss called the Work Session to order at 7:45 PM.**

**PRESENT:**

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

**ALSO PRESENT:**

Village Attorney John P. Gibbons, Jr.  
Deputy Village Clerk Linda Pardo  
Village Treasurer Giacomo A. Ciccone

**Press Observer:**

None

**Sunshine Observers:**

1 Observer

**Resolution No. 057-22**

Resolved to approve bills and payroll.

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 George R. Durham  
Trustee Janine Sartori

**Resolution No. 058-22**

Resolved to authorize a permit to operate an ice cream truck on public streets in the Village of Mineola from March 31, 2022 through October 31, 2022 from 12:00 PM until 8:30 PM or dusk (whichever is earlier), to Craig Zoly, a franchisor of Mister Softee Ice Cream, Inc.

Motioned by Trustee Janine Sartori  
Seconded by Trustee George R. Durham

**Vote:**

**Yes**

**No**

**Abstain**

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

**Resolution No. 059-22**

Resolved to approve a request by Edge City Church for the use of Mineola Memorial Park for an Easter Egg Hunt on Saturday, April 9, 2022 from 8:30 am to 3:00 pm.

Motioned by Trustee George R. Durham  
Seconded by Trustee Paul S. Cusato

**Vote:**

**Yes**

**No**

**Abstain**

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

**Resolution No. 060-22**

Resolved to authorize a one-time lump sum payout in the amount of \$60.00 to Mineola Fire Department Volunteer Fireman Carlo Nunziata (representing a retroactive adjustment of three payments of \$20.00 for January 2022, February 2022 and March 2022) pursuant to the Village of Mineola Service Award Program.

The new monthly benefit amount effective 4/1/2022 will be as follows:

Carlo Nunziata	\$720.00/month
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Motioned by Trustee Paul S. Cusato  
Seconded by Trustee Janine Sartori

**Vote:**

**Yes**

**No**

**Abstain**

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

**Resolution No. 061-22**

Resolved to authorize an additional one-time lump sum payout in the amount of \$3,098.97 (representing a retroactive adjustment for service credit earned in 2021) to Mineola Fire Department Volunteer Fireman Jack Wolf pursuant to the Village of Mineola Service Award Program.

Motioned by Trustee Paul S. Cusato  
Seconded by Trustee George R. Durham

**Vote:**

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

**Resolution No. 062-22**

Resolved to approve annual lump sum payouts to the following Mineola Fire Department Volunteer Firemen who have earned the Post-Entitlement Age (PEA) service credits during calendar years 2010 to 2021, inclusive, as per the Village of Mineola Service Award Program:

Behan, Thomas	\$720.00	Kotowski, Richard	\$1,680.00
Carlson, James	\$480.00	Martone, Andrew	\$960.00
Cotroneo, Kenneth	\$720.00	Mazur, Gary	\$720.00
Crosby, Walter	\$1,200.00	McCarthy, Stephen	\$240.00
Cunha, Arlindo	\$2,880.00	McDermott, Sean	\$480.00
Cusato, Paul	\$2,880.00	Natale, Anthony	\$240.00
Danielson, Mark	\$1,680.00	O'Brien, Thomas	\$240.00
Dawber, Martin	\$2,880.00	O'Connell, William	\$1,920.00
Dempsey, Daniel	\$960.00	Redmond, Daniel	\$2,880.00
DeSorbo, Michael	\$2,160.00	Sanderleaf, Mathew	\$960.00
Fagiola, Peter	\$1,440.00	Santosus, Jr., Louis	\$2,880.00
Fernandes, Jack	\$1,200.00	Schmitt, Leonard	\$240.00
Franz, Donald	\$2,880.00	Sellitto, Jr., Joseph	\$2,880.00
Gauto, Eleuterio	\$1,200.00	Stagnari, Jack	\$720.00
Gayson, Jr., John	\$240.00	Stolarik, Sr., Stephen	\$2,880.00
Gresalfi, William	\$2,880.00	Tartaglia, Joseph	\$2,400.00
Kaletsy, Colin	\$1,440.00	Ueland, Lawrence	\$2,880.00
Klein, Alexander	\$960.00	Williams, Kenneth	\$1,440.00

Motioned by Trustee George R. Durham  
Seconded by Trustee Janine Sartori

**Vote:**

Mayor Scott P. Strauss

Trustee George R. Durham

Trustee Janine Sartori

Trustee Paul S. Cusato

**Resolution No. 063-22**

Resolved to approve a request by Sabrina Weegar to execute the employee health benefit buy-back option pursuant to the Collective Bargaining Agreement.

Motioned by Trustee Janine Sartori  
Seconded by Trustee George R. Durham



**Vote:**

**Yes**

**No**

**Abstain**

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

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

**Resolution No. 064-22**

BOARD OF TRUSTEES  
INCORPORATED VILLAGE OF MINEOLA

-----X  
In the Matter of the Application of

80 EAST OLD COUNTRY RD, LLC

**DECISION**

For a Special Use Permit pursuant to Chapter 550,  
Section 550-12.B and Section 550-13 of the Code of  
the Incorporated Village of Mineola, at premises  
known as 80 East Old Country Road, Mineola, New  
York, known and designated on the Nassau County  
Land and Tax Map as Section 9, Block 298, Lots 152,  
155

-----X

NAME OF APPLICANT:	80 East Old Country Rd, LLC
SUBJECT PROPERTY:	Section 9, Block 298, Lots 152, 155
STREET LOCATION:	80 East Old Country Road Mineola, New York 11501
ZONING DISTRICT:	Business "B-2" District
RELIEF REQUESTED:	Application For a Special Use Permit pursuant to Chapter 550, Section 550-12.B and Section 550-13 to establish a tutoring and learning center facility upon the Property
PUBLICATION & POSTING:	All in accordance with applicable laws, rules and regulations.
DATE OF HEARING:	January 12, 2022
APPEARANCES:	Jack Martins, Esq., Applicant’s Attorney Ankush Kumar, Director of Operations

**DECISION:**

The Theory of Arts and Sciences LLC (hereinafter, “Applicant”) (80 East Old Country Road LLC is the landlord/owner of the property) is before this Board, pursuant to Chapter 550, Section 550.12.B and Section 550-13 of the Municipal Code of the Incorporated Village of Mineola, for a special use permit to establish a tutoring and learning center facility upon the property known as 80

East Old Country Road, Mineola, New York (known and designated on the Nassau County Land and Tax Map as Section 9, Block 298, Lots 152, 155) (hereinafter, the “Property”).

By Notice of Disapproval, Applicant’s building permit was denied. The Building Inspector determined that the proposed application is contrary to the Village’s zoning regulations. Applicant was required to seek relief before the Board of Trustees for a special use permit to establish tutoring and learning center facility upon the Property.

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 establish a tutoring and learning center upon the property known as 80 East Old Country Road, Mineola, New York;
- 2) Applicant has removed the previously proposed outdoor play area located in the parking lot;
- 3) Applicant has reduced the scale of the proposed tutoring and learning center. The center will only utilize the first floor and parts of the lower level. No use shall be located on the second floor;
- 4) Applicant operates learning centers in Deer Park, Hicksville and Riverhead;
- 5) The Property is serviced by a twenty (20) space parking lot;
- 6) Applicant anticipates approximately 25 students maximum at any one time at the Property; and
- 7) Applicant anticipates the hours of operation to be 10:30 am to 7:00 pm, Monday-Friday and Saturday 10:00 am to 1:00 pm. Closed on Sundays.

Based upon the above findings, it is hereby determined that the proposed use, subject to the conditions stated below, is harmonious to the “B-2” 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, subject to the conditions below, 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) The operation of the facility shall be self-contained within the interior of the building;
- 2) There shall be no outdoor use associated with the Applicant’s tutoring and learning center including, but not limited to, any outdoor playground/recreation space;
- 3) Applicant shall not conduct any summer camps at the Property;

- 4) There shall be no day-care and/or early education pre-k classes at the Property;
- 5) Applicant shall only utilize the first floor and parts of the lower level. No use shall be located on the second floor;
- 6) The Property shall not be serviced by any buses, vans or any other group pickup vehicles;
- 7) Applicant shall provide for at least 12 on-site parking spaces;
- 8) Applicant shall provide instructions to all clients to only utilize Old Country Road to Jupiter Avenue as the entrances/exit path to the Property;
- 9) No food shall be sold on the premises;
- 10) The Property shall be properly maintained at all time;
- 11) 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;
- 12) 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
- 13) 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  
March 9, 2022

Motioned by Trustee Janine Sartori  
Seconded by Trustee George R. Durham

Deputy Village Clerk Linda Pardo polled the Board:

**Vote:**

**Yes**

**No**

**Abstain**

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

**Mayor Scott P. Strauss requested a motion to close the Work Session at 7:52 PM.**

Motioned by Trustee George R. Durham  
Seconded by Trustee Paul S. Cusato

**Vote:**

**Yes**

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

**No**

**Abstain**

Respectfully submitted,

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Linda Pardo  
Deputy Village Clerk