

Minutes - Board Meeting – 07/13/2022

Minutes of the meeting of the Board of Trustees of the Incorporated Village of Mineola held Wednesday, July 13, 2022 at Village Hall, 155 Washington Avenue, Mineola, New York 11501.

PRESENT: Mayor Paul A. Pereira
Trustee Paul S. Cusato
Trustee Jeffrey M. Clark
Trustee Donna M. Solosky

ALSO PRESENT: Village Attorney John P. Gibbons, Jr.
Village Clerk Bryan L. Rivera
Deputy Village Clerk Linda Pardo
Superintendent of Public Works Thomas J. Rini

Press Observer: None

Sunshine Observers: 35 Observers

A special presentation was made by the Village Board to Denise Heckelman and Cina Palumbo who were recently inducted into the Town of North Hempstead's Women's Roll of Honor.

Mayor Paul A. Pereira called the Public Hearing to order at 6:48 PM

Press Observers: None

Sunshine Observers: 2 Observers

A Public Hearing was held at 6:48 PM at the Village Hall, 155 Washington Avenue, Mineola, New York, 11501 in order to receive public comment upon the following:

APPLICATION OF SEARING GROUP LLC 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 CONSTRUCTION OF A 6 STORY MULTIFAMILY BUILDING UPON THE PROPERTY KNOWN AS 101-105 SEARING AVENUE, MINEOLA, NEW YORK, KNOWN AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 9, BLOCK 419, 509 & 511.

Mayor Paul A. Pereira adjourned the hearing at 6:50 to July 20, 2022 at 6:30 PM.

Mayor Paul A. Pereira called the Public Hearing to order at 6:50 PM

A Public Hearing was held at 6:50 PM at the Village Hall, 155 Washington Avenue, Mineola, New York, 11501 in order to receive public comment upon the following:

PUBLIC HEARING PURSUANT TO PARAGRAPH 11.4 OF THE CABLE FRANCHISE AGREEMENT BY AND BETWEEN THE VILLAGE OF MINEOLA AND VERIZON NEW YORK INC. (THE "AGREEMENT").

THE PURPOSE OF THE PUBLIC HEARING IS TO DETERMINE WHETHER VERIZON NEW YORK INC. IS IN COMPLIANCE WITH PARAGRAPH 5.2 OF THE AGREEMENT. REVOCATION OF THE FRANCHISE IS NOT A POSSIBLE CONSEQUENCE OF THE PUBLIC HEARING.

Mayor Paul A. Pereira adjourned the hearing at 6:52 to August 3, 2022 at 6:30 PM.

Mayor Paul A. Pereira called the Public Hearing to order at 6:52 PM

A Public Hearing was held at 6:52 PM at the Village Hall, 155 Washington Avenue, Mineola, New York, 11501 in order to receive public comment upon the following:

APPLICATION OF STEPHEN D. SHADNEY 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 FITNESS STUDIO WITH ONE-ON-ONE TRAINING UPON THE PROPERTY KNOWN AS 142 JERICHO TURNPIKE, MINEOLA, NEW YORK, KNOWN AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 9, BLOCK 322, LOT 37.

The application was presented by Stephen Shadney. No speakers from the public addressed the Board.

Resolution 194-22

Resolved to declare the Special Use Application of Stephen D. Shadney 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 fitness studio with one-on-one training upon the property known as 142 Jericho Turnpike, Mineola, New York, known and designated on the Nassau County Land and Tax Map as Section 9, Block 322, Lot 37, as a Type II action pursuant to S.E.Q.R.A.

Motioned by Trustee Paul S. Cusato

Seconded by Trustee Donna M. Solosky

Vote:

Yes

No

Abstain

Mayor Paul A. Pereira

Trustee Paul S. Cusato

Trustee Jeffrey M. Clark

Trustee Donna M. Solosky

Resolution 195-22

BOARD OF TRUSTEES

INCORPORATED VILLAGE OF MINEOLA

-----X

In the Matter of the Application of

STEPHEN D. SHADNEY

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 142 Jericho Turnpike, Mineola, New York, known and designated on the Nassau County Land and Tax Map as Section 9, Block 322, Lot 37.

-----X

NAME OF APPLICANT:	Stephen D. Shadney
SUBJECT PROPERTY:	Section 9, Block 322, Lot 37
STREET LOCATION:	142 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 fitness studio upon Property
PUBLICATION & POSTING:	All in accordance with applicable laws, rules and regulations.
DATE OF HEARING:	July 13, 2022
APPEARANCE:	Stephen D. Shadney, Business Owner

DECISION:

Stephen D. Shadney (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 fitness studio upon the property known as 142 Jericho Turnpike, Mineola, New York (known and designated on the Nassau County Land and Tax Map as Section 9, Block 322, Lot 37) (hereinafter, the “Property”).

By Notice of Disapproval, dated April 11, 2022 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 to establish a fitness studio upon the Property.

A referral of the application was made 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 establish a fitness studio upon the property known as 142 Jericho Turnpike, Mineola, New York;
- 2) Classes will be one-on-one training by appointment only;
- 3) Applicant will not be preparing, cooking and/or selling food upon the Property; and
- 4) 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) The operation of the facility shall be self-contained within the interior of the building;
- 2) If Applicant installs any weight-lifting equipment, Applicant shall install and maintain reinforced rubber padding to mitigate noise and vibrations in all areas where weight-lifting equipment is located;
- 3) Music, if any, shall be played at a low volume and shall not be audible outside of the building;
- 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
July 13, 2022

Motioned by Trustee Paul S. Cusato
Seconded by Trustee Jeffrey M. Clark

Village Clerk Bryan L. Rivera polled the Board:

Vote:

Yes

No

Abstain

Mayor Paul A. Pereira

Trustee Paul S. Cusato

Trustee Jeffrey M. Clark

Trustee Donna M. Solosky

Mayor Paul A. Pereira requested a motion to close the public hearing at 7:01 PM.

Motioned by Trustee Jeffrey M. Clark

Seconded by Trustee Paul S. Cusato

Vote:

Yes

No

Abstain

Mayor Paul A. Pereira

Trustee Paul S. Cusato

Trustee Jeffrey M. Clark

Trustee Donna M. Solosky

Mayor Paul A. Pereira called the Work Session to order at 7:15 PM.

PRESENT:

Mayor Paul A. Pereira

Trustee Paul S. Cusato

Trustee Jeffrey M. Clark

Trustee Donna M. Solosky

ALSO PRESENT:

Village Attorney John P. Gibbons, Jr.

Village Clerk Bryan L. Rivera

Deputy Village Clerk Linda Pardo

Superintendent of Public Works Thomas J. Rini

Press Observer:

None

Sunshine Observers:

1 Observer

Mayor Paul A. Pereira announced two upcoming Concerts in the Park -- 45 RPM on Saturday, July 16, and The Allmost Brothers Band on Saturday, July 23. Mayor Pereira also reminded residents that the first Family Fun Night at the John S. DaVanzo Community Pool is Thursday, July 14 at 7:00 PM.

Resolution No. 196-22

Resolved to approve bills and payroll.

Motioned by Trustee Paul S. Cusato

Seconded by Trustee Donna M. Solosky

Vote:

Yes

No

Abstain

Mayor Paul A. Pereira

Trustee Paul S. Cusato

Trustee Jeffrey M. Clark

Trustee Donna M. Solosky

Resolution No. 197-22

Resolved to authorize the Village Clerk and Deputy Village Clerk to attend the NYCOM Fall Training School in Saratoga Springs, NY September 12-16, 2022.

Motioned by Trustee Jeffrey M. Clark

Seconded by Trustee Paul S. Cusato

Vote:

Yes

No

Abstain

Mayor Paul A. Pereira

Trustee Paul S. Cusato

Trustee Jeffrey M. Clark

Trustee Donna M. Solosky

Resolution No. 198-22

Resolved to modify the approved Board of Trustees meetings for September from September 7, 14, and 21 to September 7, 21, and 28, 2022.

Motioned by Trustee Paul S. Cusato

Seconded by Trustee Donna M. Solosky

Vote:

Yes

No

Abstain

Mayor Paul A. Pereira

Trustee Paul S. Cusato

Trustee Jeffrey M. Clark

Trustee Donna M. Solosky

Resolution No. 199-22

Resolved that the Board of Trustees adopts the standard work days and reporting requirements for certain titles of elected and appointed officials and that the resolution be posted for 30 days on the Village's bulletin board.

Motioned by Trustee Jeffrey M. Clark

Seconded by Trustee Donna M. Solosky

Vote:

Yes

No

Abstain

Mayor Paul A. Pereira

Trustee Paul S. Cusato

Trustee Jeffrey M. Clark

Trustee Donna M. Solosky

Resolution No. 200-22

Resolved to issue a permit to Iron Mobile Food Truck and Catering to sell food at the John S. DaVanzo Community Pool on Thursday, July 14, 2022 for Family Fun Night.

Motioned by Trustee Donna M. Solosky
Seconded by Trustee Jeffrey M. Clark

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Paul A. Pereira		
Trustee Paul S. Cusato		
Trustee Jeffrey M. Clark		
Trustee Donna M. Solosky		

Resolution No. 201-22

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

James Rosellon	Company 2
----------------	-----------

Motioned by Trustee Jeffrey M. Clark
Seconded by Trustee Paul S. Cusato

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Paul A. Pereira		
Trustee Paul S. Cusato		
Trustee Jeffrey M. Clark		
Trustee Donna M. Solosky		

Resolution No. 202-22

Resolved to approve a salary increase adjustment of \$2.00 per hour salary for Court Clerk Concetta Ribeiro.

Motioned by Trustee Donna M. Solosky
Seconded by Trustee Jeffrey M. Clark

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Paul A. Pereira		
Trustee Paul S. Cusato		
Trustee Jeffrey M. Clark		
Trustee Donna M. Solosky		

Resolution No. 203-22

Resolved to adjust the Library Budget, in fiscal year 2021/2022, for increased expenditures in the following account:

From: Account Number 3059900 (Library Appropriated Fund Balance)	\$16,612.36
To: Account Number 30741045507 (Library Repairs Buildings)	\$16,612.36

Motioned by Trustee Paul S. Cusato
Seconded by Trustee Jeffrey M. Clark

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Paul A. Pereira		
Trustee Paul S. Cusato		
Trustee Jeffrey M. Clark		
Trustee Donna M. Solosky		

Resolution No. 204-22

Resolved to approve the following budget transfers in the Library Fund for FY 2021/2022:

ACCOUNT	ACCOUNT NUMBER	INCREASE	DECREASE
Personal Services	30-7410-100-00	\$17,706.23	
Personal Services-Professionals	30-7410-100-02	\$77,271.74	
Books – Adults	30-7410-200-03	\$1,757.15	
Periodicals	30-7410-200-08	\$515.90	
Reference Books	30-7410-200-10	\$346.81	
Library – Computer Services	30-7410-200-11	\$616.25	
Supplies – Miscellaneous	30-7410-406-18	\$898.21	
ALIS – Borrowing Charge	30-7410-407-00	\$4.59	
Utilities – Electric	30-7410-416-00	\$1,084.06	
Utilities – Gas	30-7410-416-01	\$197.53	
Telephone	30-7410-418-00	\$335.89	
Programs	30-7410-434-00	\$2,124.48	
Programs – Children	30-7410-434-01	\$1,515.00	
Service Contract	30-7410-455-01	\$12,705.33	
Repairs – Buildings	30-7410-455-07	\$4,588.22	
Social Security	30-7410-833-00	\$77.30	
Equipment	30-7410-200-01		\$3,760.10
Books – Children	30-7410-200-04		\$712.30
Audio & Visual Recording	30-7410-200-06		\$5,508.31
Electronic Databases	30-7410-200-09		\$12,456.97
Stationery & Printing	30-7410-404-00		\$2,309.62
Rental Equipment	30-7410-420-02		\$294.81
Legal Costs – Library	30-7410-432-00		\$1,887.50
Inspection Elevators	30-7410-455-03		\$20.16
Contingency	30-7410-465-00		\$73,859.81
Postage	30-7410-471-00		\$500.00
Dues & Conferences	30-7410-480-00		\$1,679.04
NYS Retirement	30-7410-828-00		\$11,288.00
Workers Compensation	30-7410-830-00		\$1,000.00
Life Insurance	30-7410-831-00		\$680.85
Health and Medical Insurance	30-7410-836-00		\$3,369.02
Disability Insurance	30-7410-837-00		\$620.56
Dental Insurance	30-7410-840-00		\$1,797.64
	TOTAL	\$121,744.69	\$121,744.69

Motioned by Trustee Jeffrey M. Clark
Seconded by Trustee Donna M. Solosky

Vote:**Yes****No****Abstain**

Mayor Paul A. Pereira

Trustee Paul S. Cusato

Trustee Jeffrey M. Clark

Trustee Donna M. Solosky

Resolution No. 205-22

Resolved to approve the following budget transfers in the Water Fund for FY 2021/2022:

ACCOUNT	ACCOUNT NUMBER	INCREASE	DECREASE
Personal Services – Overtime	20-8310-100-01	\$59,524.43	
Payment – MTA Payroll Tax	20-8310-198-04	\$61.34	
Contractual Personal Services	20-8310-400-00	\$43,252.77	
Stationery & Printing	20-8310-404-00	\$1,413.38	
Supplies – Chemicals	20-8310-406-04	\$930.85	
Utilities – Electricity	20-8310-416-00	\$43,603.55	
Utilities – Gas	20-8310-416-01	\$8,421.59	
Telephone	20-8310-418-00	\$2,297.64	
Alarm System	20-8310-420-01	\$1,810.00	
Rental Equipment	20-8310-420-02	\$296.57	
Repairs – Buildings	20-8310-455-07	\$1,156.08	
Repairs – Hydrants	20-8310-455-21	\$1,400.05	
Repairs – Mains	20-8310-455-25	\$50,323.35	
Repairs – Serv Contracts	20-8310-455-38	\$144.94	
Repairs – Service Materials	20-8310-455-39	\$407.85	
Repairs – Well #1	20-8310-455-50	\$100,547.42	
Postage	20-8310-471-00	\$1,470.48	
Dues & Conferences	20-8310-480-00	\$431.34	
Serial Bond Interest	20-8310-780-00	\$0.19	
Personal Services	20-8310-100-00		\$55,874.07
Equipment	20-8310-200-00		\$793.20
Oil Heat Costs	20-8310-405-00		\$1,940.49
Supplies – Chlorine	20-8310-406-05		\$1,806.77
Supplies – Miscellaneous	20-8310-406-18		\$149.72
Uniforms	20-8310-409-00		\$645.34
Engineering Services	20-8310-421-00		\$42,240.59
Water Testing	20-8310-435-00		\$96,986.36
Leak Detection	20-8310-435-01		\$3,500.00
Repairs – Control Panel	20-8310-455-09		\$6,000.00
Repairs – Electrical	20-8310-455-12		\$17,668.22
Repairs – Equipment	20-8310-455-13		\$820.30
Repairs – Generator Maintenance	20-8310-455-19		\$6,500.00
Repairs – Meters	20-8310-455-27		\$4,380.65
Repairs – Plumbing	20-8310-455-35		\$826.88
Repairs – Street Openings	20-8310-455-44		\$13,338.42
Repairs – Trucks	20-8310-455-47		\$2,673.06
Repairs – Valves and Boxes	20-8310-455-49		\$1,412.46
Repairs – Well #3	20-8310-455-51		\$3,651.49
Repairs – Well #4	20-8310-455-52		\$2,947.01
Repairs – Well #5	20-8310-455-53		\$2,816.24
Repairs – Well #6	20-8310-455-54		\$2,696.04
Repairs – Well #7	20-8310-455-55		\$576.09
Repairs – Miscellaneous	20-8310-455-99		\$1,464.46
Life Insurance	20-8310-831-00		\$741.30

Abstain

Abstain

Abstain

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

Resolution No. 210-22

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

In the Matter of the Application of

HONG CHAU

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 259
Jericho Turnpike, Mineola, New York, known and
designated on the Nassau County Land and Tax Map
as Section 9, Block 394, Lot 123
-----X

NAME OF APPLICANT:	Hong Chau
SUBJECT PROPERTY:	Section 9, Block 394, Lot 123
STREET LOCATION:	259 Jericho Turnpike Mineola, New York 11501
ZONING DISTRICT:	Business "B-1" District
RELIEF REQUESTED:	Application For a Special Use Permit pursuant to Chapter 550, Section 550-12.B to establish a childcare center with after school programs and language classes upon the Property
PUBLICATION & POSTING:	All in accordance with applicable laws, rules and regulations.
DATE OF HEARING:	June 8, 2022
APPEARANCES:	Naz Topcu, Architect Riza Susel, Architect

DECISION:

Hong Chau (hereinafter, “Applicant”) is before this Board, pursuant to Chapter 550, Section 550.12.B of the Municipal Code of the Incorporated Village of Mineola, for a special use permit to establish a childcare center with after school programs and language classes 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 394, Lot 123) (hereinafter, the “Property”).

By Notice of Disapproval, dated March 30, 2022, 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 a childcare center with after school programs and language classes 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 childcare center with after school programs and language classes upon the property known as 259 Jericho Turnpike, Mineola, New York;
- 2) Applicant shall operate a childcare center with a maximum of 39 children (6 week old to 18 months - 4 children; 18 months to 36 months – 9 children; 3 year old’s – 10; and 4 year old’s – 16);
- 3) The Property is serviced by two (2) parking lots. One parking lot is located at the corner of Jericho Turnpike and Wellington Road. The second parking lot is located at the rear of the Property with an entrance on Horton Highway;
- 4) All drop-offs and pick-up to the Property shall be directed to the Wellington Road parking lot. All vehicles shall utilize the curb cut on Wellington Road for ingress and all vehicles shall utilize the curb cut on Jericho Turnpike for egress;
- 5) Applicant currently operates a similar childcare center in New Hyde Park which is relocating to Mineola; and
- 6) Applicant anticipates to operate the center 7 days per week.

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, 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 childcare center including, but not limited to, any outdoor playground/recreation space;
- 3) Applicant’s childcare center shall have a maximum enrollment of 39 children;
- 4) Applicant shall obtain and maintain all licenses/permits necessary in order to operate a childcare center from all agencies having jurisdiction;

- 5) There shall be no cooking upon the Property;
- 6) Applicant's additional classes, including but not limited to, language classes shall only be offered to enrolled children;
- 7) All drop-offs and pick-up to the Property shall be directed to the Wellington Road parking lot. All vehicles shall utilize the curb cut on Wellington Road for ingress and all vehicles shall utilize the curb cut on Jericho Turnpike for egress;
- 8) All parents/guardians names and vehicles shall be pre-registered with Applicant at the time of enrollment and be kept up-to date;
- 9) Drop-off time between 6:00 am and 7:30 am shall have the following schedule:
 - 6:00 am – 6:30 am – 4 children;
 - 6:30 am – 7:00 am – 8 children; and
 - 7:00 am – 7:30 am – 10 children.
- 10) Drop-off times between 7:30 am and 9:00 am shall not require parents/guardians to exit the vehicle (unless for an emergency) and shall have the following schedule:
 - 7:30 am – 8:00 am – 6 children;
 - 8:00 am – 8:30 am – 6 children; and
 - 8:30 am – 9:00 am – 5 children.
- 11) The Property shall not be serviced by any buses, vans or any other group pickup vehicles;
- 12) Applicant shall instruct parents/guardians to contact the childcare center in advance prior to pick-up to facilitate an efficient and safe process. Applicant's staff shall walk all children to parent/guardian vehicles;
- 13) Applicant shall instruct all parents/guardians of the drop-off and pick-up procedures and to avoid parking in the residential neighborhood;
- 14) The last scheduled pick-up shall be 6:00 pm;
- 15) The Property shall be properly maintained at all time;
- 16) 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;
- 17) 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
- 18) 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
July 13, 2022

Motioned by Trustee Paul S. Cusato
Seconded by Trustee Jeffrey M. Clark

Village Clerk Bryan L. Rivera polled the Board:

Vote:

Yes

No

Abstain

Mayor Paul A. Pereira

Trustee Paul S. Cusato

Trustee Jeffrey M. Clark

Trustee Donna M. Solosky

Resolution No. 211-22

WHEREAS, the United Public Service Employees Union filed a grievance on behalf of Village employees;

WHEREAS, the Village resolved to appoint Gerard Loughran as Hearing Officer for the Village of Mineola with respect to the grievance filed by the Union;

WHEREAS, Hearing Officer Loughran held a hearing on April 6, 2022;

WHEREAS, the Board of Trustees is now in receipt of the Findings and Recommended Decision, dated June 30, 2022 from Hearing Officer Loughran;

WHEREAS, Hearing Officer Loughran has recommended to the Board of Trustees that the relief sought in the filed Grievance be denied.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees adopts the Findings and Recommended Decision, dated June 30, 2022.

Motioned by Trustee Jeffrey M. Clark

Seconded by Trustee Donna M. Solosky

Village Clerk Bryan L. Rivera polled the Board:

Vote:

Yes

No

Abstain

Mayor Paul A. Pereira

Trustee Paul S. Cusato

Trustee Jeffrey M. Clark

Trustee Donna M. Solosky

Mayor Paul A. Pereira requested a motion to close the Work Session at 7:37 PM.

Motioned by Trustee Jeffrey M. Clark

Seconded by Trustee Paul S. Cusato

Vote:

Yes

No

Abstain

Mayor Paul A. Pereira

Trustee Paul S. Cusato

Trustee Jeffrey M. Clark

Trustee Donna M. Solosky

Respectfully submitted,

Bryan L. Rivera
Village Clerk