

Minutes - Board Meeting 10/11/06

Minutes of the meeting of the Board of Trustees of the Incorporated Village of Mineola held Wednesday, October 11, 2006 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 John S. DaVanzo

ALSO PRESENT: Village Attorney John Spellman
Village Clerk Joseph R. Scalero
Deputy Village Clerk Janet H. Zalkin

Sunshine Observers: Approximately 30 Observers

A Public Hearing was held at 6:30 PM at the Village Hall, 155 Washington Avenue, Mineola, New York, 11501 to consider the following:

A PROPOSED LOCAL LAW AMENDING THE MUNICIPAL CODE OF THE INCORPORATED VILLAGE OF MINEOLA CHAPTER 30 ENTITLED "ZONING", SECTION 30.5 ENTITLED "APPLICATION OF REGULATIONS", TO GIVE THE BOARD OF TRUSTEES ALL POWERS SET FORTH IN NEW YORK STATE VILLAGE LAW §7-703

Mayor Martins requested a motion to approve and close the hearing at 7:00 PM.

Resolution No. 314-06

Resolved to approve the proposed Local Law amending the Municipal Code of the Incorporated Village of Mineola, Chapter 30 entitled "Zoning", Section 30.5 entitled "Application of Regulations", to give the Board of Trustees all powers set forth in the New York State Village Law §7-703.

Motioned by Trustee Lawrence A. Werther
Seconded by Trustee John S. DaVanzo

Vote:

Yes

Trustee Linda Fairgrieve
Trustee John S. DaVanzo
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Mayor Jack M. Martins

No

Abstain

Resolution No. 315-06

Resolved to declare the above referenced amendment an unlisted action under the State Environmental Quality Review Act, with no significant impact on the environment.

Motioned by Trustee Lawrence A. Werther
Seconded by Trustee John S. DaVanzo

Vote:

Yes

No

Abstain

Trustee Linda Fairgrieve
Trustee John S. DaVanzo
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Mayor Jack M. Martins

A Public Hearing was held at the Village Hall, 155 Washington Avenue, Mineola, New York, 11501 to consider the following:

*PROPOSED LOCAL LAW AMENDING THE MUNICIPAL CODE OF THE
INCORPORATED VILLAGE OF MINEOLA, CHAPTER 44
ENTITLED "STREETS AND PUBLIC PLACES", SECTION 44.21
ENTITLED "CLEANING SIDEWALKS", TO PROHIBIT THE
DEPOSITING OF OBSTRUCTIONS UPON VILLAGE STREETS*

Resolution No. 316-06

Resolved to approve the proposed Local Law amending the Municipal Code of the Incorporated Village of Mineola, Chapter 44 entitled "Streets and Public Places", Section 44.21 entitled "Cleaning Sidewalks", to prohibit the depositing of obstructions upon Village Streets.

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

Village Clerk Joseph R. Scalero polled the board:

Vote:

Yes

No

Abstain

Trustee Linda Fairgrieve
Trustee John S. DaVanzo
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Mayor Jack M. Martins

Mayor Martins requested a motion to close the hearing at 7:15 PM.

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

Vote:

Yes

No

Abstain

Trustee Linda Fairgrieve
Trustee John S. DaVanzo
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Mayor Jack M. Martins

A Public Hearing was held at the Village Hall, 155 Washington Avenue, Mineola, New York, 11501 to consider the following:

*PROPOSED LOCAL LAW AMENDING THE MUNICIPAL CODE OF
THE INCORPORATED VILLAGE OF MINEOLS, CHAPTER 68
ENTITLED "ALARM SYSTEMS", TO ESTABLISH A FINE
SCHEDULE FOR FALSE ALARMS*

Resolution No. 317-06

Resolved to approve the proposed Local Law amending the Municipal Code of the Incorporated Village of Mineola, Chapter 68 entitled "Alarm Systems", to establish a fine schedule for false alarms effective immediately.

Motioned by Trustee Paul S. Cusato
Seconded by Trustee John S. DaVanzo

Village Clerk Joseph R. Scalero polled the board:

Vote:

Yes

No

Abstain

Trustee Linda Fairgrieve
Trustee John S. DaVanzo
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Mayor Jack M. Martins

Mayor Martins requested a motion to close the hearing at 7:30 PM.

Motioned by Trustee Paul S. Cusato
Seconded by Trustee John S. DaVanzo

Vote:

Yes

No

Abstain

Trustee Linda Fairgrieve
Trustee John S. DaVanzo
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Mayor Jack M. Martins

A Public Hearing was held at the Village Hall, 155 Washington Avenue, Mineola, New York, 11501 to consider the following:

SPECIAL PERMIT TO OPERATE A VETERINARY PRACTICE WITH DAY CARE CENTER AND OVER NIGHT STAY PURSUANT TO CHAPTER 30 OF THE MINICIPAL CODE OF THE INCORPORATED VILLAGE OF MINEOLA, ENTITLED "ZONING", SECTION 30.31 (B) (8) ENTITLED "B-1 DISTRICTS", UPON THE PROPERTY KNOWN AS 244-246 HERRICKS ROAD, MINEOLA, NEW YORK 11501 (KNOWN AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 9, BLOCK 35, LOTS 1, 2-4, 43 AND 35-37)

Resolution No. 318-06

Resolved to approve the request by Herricks Road Development for a Special Permit to operate a veterinary practice with pet day care center and overnight stay pursuant to Chapter 30 of the Municipal Code of the Incorporated Village of Mineola, entitled "Zoning", Section 30.31 (B) (8) entitled "B-1 Districts", upon property known as 244-246 Herricks Road, Mineola, New York, 11501 (known and designated on the Nassau County Land and Tax Map as Section 9, Block 35, Lots 1, 2-4, 43 and 35-37) subject to the conditions discussed.

Motioned by Trustee John S. DaVanzo
Seconded by Trustee Lawrence A. Werther

Village Clerk Joseph R. Scalero polled the board:

Vote:

Yes

No

Abstain

Trustee Linda Fairgrieve
Trustee John S. DaVanzo
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Mayor Jack M. Martins

Mayor Martins requested a motion to close the hearing at 10:00 PM.

Motioned by Trustee John S. DaVanzo
Seconded by Trustee Lawrence A. Werther

Vote:

Yes

No

Abstain

Trustee Linda Fairgrieve
Trustee John S. DaVanzo
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Mayor Jack M. Martins

A Public Hearing was held at the Village Hall, 155 Washington Avenue, Mineola, New York, 11501 to consider the following:

SPECIAL PERMIT TO LEGALIZE AND MAINTAIN AN AUTO REPAIR SHOP PURSUANT TO CHAPTER 30 OF MUNICIPAL CODE OF THE INCORPORATED VILLAGE OF MINEOLA, ENTITLED "ZONING", SECTIONS 30.31 ENTITLED "B-1 DISTRICTS" AND 30.51 (A) ENTITLED "M DISTRICTS", UPON THE PROPERTY KNOWN AS 10 ROSELLE STREET, MINEOLA, NEW YORK, 11501 (KNOWN AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 9 BLOCK 348, LOTS 952,953).

Resolution No. 319-06

Resolved to approve the Special Permit to legalize and maintain an auto repair shop pursuant to Chapter 30 of the Municipal Code of the Incorporated Village of Mineola entitled "Zoning", Sections 30.31 entitled "B-1 Districts" and 30.51 (A) entitled "M Districts", upon the property known as 10 Roselle Street, Mineola, New York 11501 (known and designated on the Nassau County Land and Tax Map as Section 9, Block 348, Lots 952, 953).

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

Village Clerk Joseph R. Scalero polled the board:

Vote:

Yes

No

Abstain

Trustee Linda Fairgrieve
Trustee John S. DaVanzo
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Mayor Jack M. Martins

Mayor Martins requested a motion to close the hearing at 10:20 PM.

Motioned by Trustee Lawrence A. Werther
Seconded by Trustee John S. DaVanzo

Vote:

Yes

No

Abstain

Trustee Linda Fairgrieve
Trustee John S. DaVanzo
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Mayor Jack M. Martins

Mayor Martins opened the Work Session at 10:30 PM.

Resolution No. 320-06

Resolved to approve bills and payroll.

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

Vote:

Yes

No

Abstain

Trustee Linda Fairgrieve
Trustee John S. DaVanzo
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Mayor Jack M. Martins

Resolution No. 321-06

Resolved to award the 2006 Tree Planting contract to Barbato Landscaping for the following:

Item #2	51-100	"Queen Elizabeth Hedge Maple"
Item #4	51-100	"Green Ash"

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

Vote:

Yes

No

Abstain

Trustee Linda Fairgrieve
Trustee John S. DaVanzo
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Mayor Jack M. Martins

Resolution No. 322-06

Resolved to award the contract for the rehabilitation of Well Pump and Booster Pump at Well No. 7 to A.C. Shultes, Inc.

Motioned by Trustee John S. DaVanzo
Seconded by Trustee Lawrence A. Werther

Vote:

Yes

No

Abstain

Trustee Linda Fairgrieve
Trustee John S. DaVanzo
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Mayor Jack M. Martins

Resolution No. 323-06

Resolved to approve the request for a one (1) foot extension of the curb cut at 184 Dow Avenue.

Motioned by Trustee John S. DaVanzo
Seconded by Trustee Lawrence A. Werther

Vote:

Yes

No

Abstain

Trustee Linda Fairgrieve
Trustee John S. DaVanzo
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Mayor Jack M. Martins

Resolution No. 324-06

Resolved to approve the request for an extension of the curb cut (up to 4 feet) at 33 Dow Avenue.

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

Vote:

Yes

No

Abstain

Trustee Linda Fairgrieve
Trustee John S. DaVanzo
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Mayor Jack M. Martins

Resolution No. 325-06

Resolved to approve a 90-day extension of the Building Permit issued for 91 Raff Avenue.

Motioned by Trustee Paul S. Cusato
Seconded by Trustee John S. DaVanzo

Vote:

Yes

No

Abstain

Trustee Linda Fairgrieve
Trustee John S. DaVanzo
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Mayor Jack M. Martins

Resolution No. 326-06

Resolved to approve the request by Jennifer Roach of LHK Partners for permission to conduct a market survey on Andrews Road.

Motioned by Trustee Lawrence A. Werther
Seconded by Trustee John S. DaVanzo

Vote:

Yes

No

Abstain

Trustee Linda Fairgrieve
Trustee John S. DaVanzo
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Mayor Jack M. Martins

Mayor Martins and the members of the Board discussed setting December 5, 2006 as the date to hold the Police Department referendum.

Trustee Linda Fairgrieve stated that she thought that it would be less confusing if the referendum was held at the same time as the General Election or even the March election with no additional cost for a separate event. Trustee Fairgrieve also stated that residents wouldn't have enough time to review the Police Task Force Operational Report.

Trustee Lawrence Werther stated that December 5th would be an appropriate date for the Police Department Referendum and that the back-up information had been available for a while. Trustee Werther also stated that the referendum should not be an election season issue.

Trustee Cusato said that the March election would be better and said that the "snowbirds" wouldn't be around in December.

Trustee DaVanzo stated that the December 5th date would be fine and that the "snowbirds" could use absentee ballots.

Mayor Martins stated that traditionally the Village's referendums have been held on their own dates and not included with an election. Mayor Martins also stated that the issue should stand alone and that the information and a month of discussion should be sufficient. Mayor Martins also noted that Village elections are conducted over only 5-6 weeks from petitions to Election Day, yet we make these important decisions.

Resolution No. 327-06

Mayor Martins requested a motion to set Tuesday, December 5, 2006, as the date for the Mineola Police Department Referendum.

Motioned by Trustee Lawrence A. Werther
Seconded by Trustee John S. DaVanzo

Village Clerk, Joseph R. Scalero polled the Board:

Vote:

Yes

No

Abstain

Trustee John S. DaVanzo
Trustee Lawrence A. Werther
Mayor Jack M. Martins

Trustee Linda Fairgrieve
Trustee Paul S. Cusato

Mayor Martins announced that the Police Task Force Operational Report would be out and mailed to residents of Mineola by the end of October. Mayor Martins announced that the hearings for the Police Task Force Operational report would be Wednesday, November 8, 2006, Monday, November 21, 2006 and Tuesday, November 27, 2006.

Mayor Martins requested a motion to close the Work Session at 10:50 PM.

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

Vote:

Yes

Trustee Linda Fairgrieve
Trustee John S. DaVanzo
Trustee Lawrence A. Werther
Trustee Paul S. Cusato
Mayor Jack M. Martins

No

Abstain

Respectfully submitted,

Joseph R. Scalero
Village Clerk