

## **Minutes - Board Meeting 6/15/2016**

Minutes of the meeting of the Board of Trustees of the Incorporated Village of Mineola held Wednesday June 15, 2016 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 Clerk Joseph R. Scalero  
Deputy Village Attorney Peter Trentacoste for John P. Gibbons, Jr.  
Superintendent of Public Works Thomas J. Rini

**Press Observer:** None

**Sunshine Observers:** 2 Observers

**Mayor Scott P. Strauss called the Work Session to order at 6:35 PM.**

### **Resolution No. 140-16**

Resolved to approve bills and payroll.

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

#### **Vote:**

<u><b>Yes</b></u>	<u><b>No</b></u>	<u><b>Abstain</b></u>
Mayor Scott P. Strauss		
Trustee Paul S. Cusato		
Trustee Paul A. Pereira		
Trustee George R. Durham		
Trustee Dennis J. Walsh		

### **Resolution No. 141-16**

Resolved to approve a request by the Mineola School District for the use of the Memorial Park Amphitheater Friday July 29, 2016 9:00-1:00pm to conduct its annual Summer Music Concert.

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

#### **Vote:**

<u><b>Yes</b></u>	<u><b>No</b></u>	<u><b>Abstain</b></u>
Mayor Scott P. Strauss		
Trustee Paul S. Cusato		
Trustee Paul A. Pereira		
Trustee George R. Durham		
Trustee Dennis J. Walsh		

### **Resolution No. 142-16**

Resolved to approve a request by the Senior Basketball Group for the use of the Community Center basketball courts Mondays and Fridays 12:30-3:00 pm, schedule permitting, September 5, 2016 – May 26, 2017.

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 Paul A. Pereira  
Trustee George R. Durham  
Trustee Dennis J. Walsh

**Resolution No. 143-16**

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

David Redmond          Co. 2

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. 144-16**

Resolved to authorize Change Order No. 1 to the Village Hall and Community Center Generator Project:

Original Contract Cost: \$ 359,975.00  
Change Order No. 1 Credit: - \$ 107,166.00  
Contractor: Roland's Electric  
Funding Source: Community Development Funds and/or the 2016/2017 General Fund/Unreserved Fund Balance

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. 145-16**

Resolved to authorize a public bid for the purchase of a portable, trailer mounted emergency generator up to 150 kilowatts.

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. 146-16**

Resolved to authorize the hiring of additional Seasonal Employees.

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

*Superintendent of Public Works Thomas J. Rini presented an update on the progress of the PSE&G Roslyn Road Cross Sound Cable repairs project.*

*Deputy Village Attorney Peter Trentacoste introduced the following resolutions for the Board's consideration:*

**Resolution No. 147-16**

Resolved to authorize a 6-month extension of a Special Use Permit previously granted to Sprint Cellular.

Motioned by Trustee Paul A. Pereira  
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. 148-16**

BOARD OF TRUSTEES  
INCORPORATED VILLAGE OF MINEOLA

-----X

In the Matter of the Application of

VICTOR HATAMI

**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 275 Jericho Turnpike, Mineola, New York, known and designated on the Nassau County Land and Tax Map as Section 9, Block 391, Lot 115.

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NAME OF APPLICANT: Victor Hatami

SUBJECT PROPERTY: Section 9, Block 391, Lot 115

STREET LOCATION: 275 Jericho Turnpike  
Mineola, New York 11501

ZONING DISTRICT: Business "B-1" District

RELIEF REQUESTED: Application to extend a Special Use Permit pursuant to Chapter 550, Section 550-12.B previously granted by Decision dated May 6, 2015 (sub nom Edward W. Dickman, Architect)

PUBLICATION & POSTING: All in accordance with applicable laws, rules and regulations.

DATE OF HEARING: May 11, 2016

APPEARANCES: Victor Hatami, Owner

**DECISION:**

Victor Hatami, as owner of Great Neck Games and Productions, Inc. (hereinafter, “Applicant”), is before this Board, pursuant to Chapter 550, Section 550.12.B of the Municipal Code of the Incorporated Village of Mineola, seeking to extend a special use permit previously granted by this Board by Decision, dated May 6, 2015 (sub nom Edward W. Dickman, Architect) at the property known as 275 Jericho Turnpike, Mineola, New York (known and designated on the Nassau County Land and Tax Map as Section 9, Block 391, Lot 115) (hereinafter, the “Property”).

By letter, dated February 10, 2016, Applicant sought to renew and extend his special use permit which allowed him to host events at his property under certain conditions which were enumerated in this Board’s prior Decision, dated May 6, 2015.

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 to renew and extend his special use permit to host parties upon the property known as 275 Jericho Turnpike, Mineola, New York;
- 2) Applicant will not be preparing or cooking food upon the Property. All food will be brought in from an outside vendor;
- 3) Applicant will have a maximum of (5) employees;
- 4) Applicant has a license agreement with Valant Realty, LLC to utilize the parking lot located at 285 Jericho Turnpike, Mineola, New York on weekends; and
- 5) Applicant represented that parties will take place at the Property only on Thursday, Friday, Saturday and Sunday nights between the hours of 6:30 p.m. and 11:00 p.m.

The Board remains concerned that the proposed use may have a significant impact on parking in and around the Property during events. The Board is further concerned that the noise

associated with proposed use may affect the area residents' quiet enjoyment of their own property. The Board is also mindful that the Applicant is a long time business owner in the Village and is attempting to make its business at the Property viable. Based upon the above findings, the Board's Decision's granting a special use permit is renewed and extended for a temporary period in order for the Board to monitor the use and the impacts it has on the neighborhood. Pursuant to Village Code Section 550-55.C, a special use permit may be granted for a temporary period. If granted for a temporary period, an application for an extension is subject to a public hearing as required for the original application.

**IT IS THEREFORE RESOLVED**, that the Special Use Permit is **GRANTED FOR A ONE (1) YEAR PERIOD**, subject to the following conditions:

- 1) This Special Use Permit shall automatically expire one (1) year from the date of issuance without any further action by this Board. Applicant is solely responsible for seeking any renewal of the special use permit. Any such renewal application must be received by the Village of Mineola within thirty (30) days prior to the date of expiration;
- 2) Applicant shall maintain a current license agreement with the property owner at 285 Jericho Turnpike to utilize the parking lot on weekends;
- 3) Applicant will not prepare or cook food upon the Property;
- 4) All parties shall take place within the interior of the building. No outdoor music shall be permitted. No music, announcements or other noise shall be audible from the Property;
- 5) Parties shall be scheduled only on Thursday, Friday, Saturday and Sunday nights and all events shall end by 11:00 p.m.
- 6) Applicant shall install and utilize a suitable privacy window shade on the rear windows of the Property;
- 7) Applicant shall utilize a duly licensed and insured valet company for all events;
- 8) The site shall be served by a private sanitation carter at the expense of the Applicant and all pick-ups shall take place between the hours of 7:00 a.m. and 9:00 p.m. only;
- 9) Applicant shall maintain the entire Property in a clean condition;
- 10) Pursuant to Village Code Section 550-55.H, the Special Use Permit granted hereunder shall be immediately revocable by the order of the Board of Trustees at any time prior to the expiration of the one (1) year term upon the failure of the owner and/or operator of the Property to observe all requirements of the Village Code and of this Special Use Permit with respect to the matters set forth herein;
- 11) Each of these conditions is material to the approval granted by the Board of Trustees. Violations of any of them shall subject the Applicant or its successors to enforcement pursuant to the Village's Municipal Code, including the 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 decisions. Said representations are deemed to be part of the conditions of this special use permit; and

- 13) Violation of a condition set forth in this decision shall be deemed a violation of the Village Zoning Law and shall subject the owner or occupant of the Property to all penalties set forth in the Zoning Law.

This constitutes the Decision of the Board of Trustees. Applicant shall, within ten (10) days of the date of filing of this Decision, consent in writing to the conditions contained herein. Failure to so consent shall render this Decision null and void.

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

*Village Clerk Joseph R. Scalero polled the Board:*

<b>Vote:</b>			
<b><u>Yes</u></b>	<b><u>No</u></b>	<b><u>Abstain</u></b>	
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 Work Session at 7:00 PM.**

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

<b>Vote:</b>			
<b><u>Yes</u></b>	<b><u>No</u></b>	<b><u>Abstain</u></b>	
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 Meeting to order at 7:00 PM.**

<b>PRESENT:</b>	Mayor Scott P. Strauss Trustee Paul S. Cusato Trustee Paul A. Pereira Trustee George R. Durham Trustee Dennis J. Walsh
<b>ALSO PRESENT:</b>	Village Clerk Joseph R. Scalero Deputy Village Attorney Peter Trentacoste for John P. Gibbons, Jr.
<b>Press Observer:</b>	None
<b>Sunshine Observers:</b>	2 Observers

Mayor Scott P. Strauss announced that the Chamber of Commerce would be holding its first car show July 7 at Second & Main Streets, and reported on the recent Mineola Fire Department

installation of officers during which members had to leave to respond to a serious house fire. Mayor Strauss offered a LIRR Proposed Third Track update, reported on the Portuguese Carnival and Parade; offered a thank you to the Mineola Auxiliary Police Department for its support and assistance; announced that the John S. DaVanzo Pool opens for the season June 18; reminded residents of the Knights of Columbus annual Father's Day Pancake Breakfast and wished all Mineola fathers a happy Father's Day.

Trustee Paul A. Pereira reported on the Portuguese Parade and culture; reported is attendance at the Vision Long Island awards luncheon wherein Mineola was recognized for its Smartgrowth initiatives, the recent Fire Department breakfast, and reminded residents of the Independence Day fireworks and concert to be observed July 8.

Trustee Paul S. Cusato commented on the success of the Mineola Athletic Association, noting especially that its success is due to the parent and coach volunteers, and offered his gratitude to the Mineola Fire Department on the hard work it does every day, citing in particular a recent house fire response.

Trustee George R. Durham commented on the Portugal Day Parade, the upcoming Chamber car show and Movie Night in the Park, summer concerts, and Troop 45 Pancake Breakfast. Trustee Durham announced that the MAA playoffs were underway and offered his congratulations to the Mineola High School Class of 2016.

Trustee Dennis Walsh commented on traffic and weather, offered thanks to Portugal Day Parade organizer Rosa Leal, announced that the new Village parking lot at Roslyn Road & Second Street was completed and open, and announced that the village wide parking survey was underway. Trustee Walsh reported on his attendance at the Vision LI award luncheon and offered his congratulations to the MHS Class of 2016.

*No speakers addressed the Board*

**Mayor Scott P. Strauss requested a motion to close the Public Meeting at 7:15 PM.**

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