

Minutes - Board Meeting 12/20/2017

Minutes of the meeting of the Board of Trustees of the Incorporated Village of Mineola held Wednesday, December 20, 2017 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 D. Pardo
Superintendent of Public Works Thomas J. Rini

Press Observer: *Williston Times*

Sunshine Observers: 3 Observers

Mayor Scott P. Strauss called the Work Session to order at 6:40 PM.

Resolution No. 273-17

Resolved to approve bills and payroll.

Motioned by Trustee Paul S. Cusato
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 Dennis J. Walsh			

Resolution No. 274-17

Resolved to approve the minutes of the meetings of the Board of Trustees from November 1, November 8, and November 15, 2017.

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

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. 275-17

Resolved to award a 3-year contract for the 2017 Street Light Maintenance Contract to the lowest responsible bidder.

Low Bidder: Welsbach Electric Corp. of Long Island
Cost: \$ 202,811.00
Funding: General Fund Budget

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

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. 276-17

Resolved to award a contract for the Fuel System Improvements at the Central Garage to the lowest responsible bidder.

Low Bidder: Island Pump & Tank Co.
Cost: \$184,366.00
Funding: 2017 General Fund Budget and/or the Unreserved Fund Balance

Motioned by Trustee Dennis J. Walsh
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 Dennis J. Walsh		

Resolution No. 277 -17

Resolved to rescind the existing parking restrictions in the Village Code for DeMott Street.

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

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. 278-17

Resolved to authorize the following parking restrictions on DeMott Street:

South Side of DeMott Street:
Starting at the west curb line of Fleet Place, in a westerly direction for a distance of 590 feet, “90 Minute Parking, Monday – Friday, 9 a.m. – 5 p.m.”

North Side of DeMott Street:
Starting at the west curb line of Fleet Place, in a westerly direction for a distance of 700 feet to east curb line of Krug Place, “90 Minute Parking, Monday – Friday, 9 a.m. – 5 p.m.”

Motioned by Trustee George R. Durham
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 Dennis J. Walsh		

Resolution No. 279-17

Resolved to authorize the hiring of Daniel Watts for the Mechanic Position at the Central Garage at a salary of \$46,500.00.

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

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		

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

Resolution No. 280-17

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

PEGGY P. CHAN

DECISION

For a Special Use Permit pursuant to Chapter 550,
Section 550.12 of the Code of the Incorporated
Village of Mineola, at premises known as 52 East

Jericho Turnpike, Mineola, New York, known and designated on the Nassau County Land and Tax Map as Section 9, Block 662, Lots 13, 15, 16 and 19.

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NAME OF APPLICANT:	Peggy P. Chan
SUBJECT PROPERTY:	Section 9, Block 662, Lots 13, 15, 16 and 19
STREET LOCATION:	52 East 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 for the purpose of establishing a social adult day care upon the property.
PUBLICATION & POSTING:	All in accordance with applicable laws, rules and regulations.
DATE OF HEARING:	November 8, 2017
APPEARANCES:	Peggy P. Chan, Applicant

DECISION:

Peggy P. Chan (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 for the establishment of a social adult day care facility upon the property known as 52 East Jericho Turnpike, Mineola, New York (known and designated on the Nassau County Land and Tax Map as Section 9, Block 662, Lots 13, 15, 16 and 19) (hereinafter, the "Property").

By Notice of Disapproval, dated August 11, 2017, Applicant's building permit was denied. The Building Inspector determined that the proposed application is contrary to the Village's zoning regulations in that the establishment of a social adult day care facility upon the Property requires a special use permit. Applicant was thus required to seek relief before the Board of Trustees for a special use permit.

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 social adult day care facility upon the property known as 52 East Jericho Turnpike, Mineola, New York;
- 2) Applicant is proposing the social adult day care facility in the same space previously occupied by Rite Aid Pharmacy;
- 3) Applicant's social adult day care requires licensing and oversight by New York State;

- 4) Applicant is proposing day services programs for frail and disabled older adults in a supervised group setting within the community;
- 5) The proposed hours of operations are 7:00 am to 6:00 pm, Monday-Saturday; 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 the 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 obtain and maintain all necessary licenses, permits and approvals from all agencies having jurisdiction with respect to a social adult day care;
- 2) Applicant’s operation of a social adult day care shall be conditioned upon the Applicant submitting the appropriate documentation to the Village confirming that Applicant has satisfied all of the necessary requirements from all agencies having jurisdiction;
- 3) Applicant shall install and maintain a security/alarm system and check-in/check-out protocols to protect all clients and staff at the Property;
- 4) The Village shall maintain jurisdiction over the site, particularly with respect to the safety and convenience of ingress into and egress from the Property by vans, ambulette and/or ambulance. In the event that such entrance/exit shall require modification, the Applicant shall make further application before the Board of Trustees for an amendment of this approval or the Board of Trustees shall direct such modification;
- 5) Applicant shall not cook or prepare food upon the Property;
- 6) Applicant shall use the basement space for storage only;
- 7) Applicant shall properly dispose of all medical waste and shall utilize a private sanitation service for daily garbage removal which shall not occur before 6am;
- 8) Each of these conditions is material to the approval granted by the Board of Trustees. Violations of any of the conditions of this agreement 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 decision 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
December 20, 2017

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

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		

Mayor Scott P. Strauss requested a motion to close the Work Session at 6:50 PM.

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

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		

Mayor Scott P. Strauss called the Public Meeting to order at 7:30 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 D. Pardo
	Superintendent of Public Works Thomas J. Rini

Press Observer:	<i>Williston Times</i>
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Sunshine Observers:	18 Observers
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At the invitation of Mayor Scott P. Strauss, Mineola resident Denise Heckelman gave a presentation on the “Friends Who Give” fundraiser, which she established last year, and Mayor Strauss and the Village Board presented her with a proclamation for her time, effort, and generous actions during the holiday season.

Mayor Scott P. Strauss thanked everyone who worked to make the Village Tree Lighting Ceremony a success; stated that he attended a Nassau Pops concert at Chaminade High School, which was a great afternoon, and wished residents a Merry Christmas, Happy Hanukkah, and a happy 2018.

Trustee Paul A. Pereira wished residents a Merry Christmas and a Happy New Year.

Trustee Paul S. Cusato thanked the Mineola Fire Department for visiting over 200 homes during Operation Santa, and thanked Ex-Chief Gary Mazur for scheduling the visits; thanked everyone who donated to Toys for Tots, and announced that 22 bags of toys were donated, and wished residents a happy holiday.

Trustee George R. Durham wished residents a Merry Christmas, Happy Hanukkah and Happy New Year.

Trustee Dennis J. Walsh reported that Senator Elaine Phillips’ holiday toy drive collected over 1,000 toys this year, and he assisted in delivering them to Winthrop University Hospital; stated that John S. DaVanzo’s birthday was always remembered at a December Board meeting; reminded residents to check in with neighbors during the holiday season, and wished residents a Merry Christmas and Happy Hanukkah.

No Speakers addressed the Board

Mayor Scott P. Strauss requested a motion to close the Public Meeting at 7:55 PM.

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