

Minutes - Board Meeting – 6/21/2017

Minutes of the meeting of the Board of Trustees of the Incorporated Village of Mineola held Wednesday, June 21, 2017 at Village Hall, 155 Washington Avenue, Mineola, New York 11501.

PRESENT: Mayor Scott P. Strauss
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 Observers: *Mineola American*

Sunshine Observers: 18 Observers

Mayor Scott P. Strauss called the Public Hearing to order at 6:45 PM

A Public Hearing was held at 6:45 PM at the Village Hall, 155 Washington Avenue, Mineola, New York, 11501 in order to receive public comment upon the following:

APPLICATION OF THOMAS PANTELIS, ESQ. FOR A SPECIAL USE PERMIT PURSUANT TO CHAPTER 550 OF THE CODE OF THE INCORPORATED VILLAGE OF MINEOLA, ENTITLED “ZONING”, SECTION 550.16 ENTITLED “M DISTRICTS”, SUBSECTION (A) ENTITLED “PERMITTED USES” AND 550.12 ENTITLED “B-1 DISTRICTS”, SUBSECTION (B) ENTITLED “SPECIAL USES” FOR THE PURPOSE OF ESTABLISHING AN AUTOBODY REPAIR SHOP WITH A PAINT SPRAY BOOTH UPON THE PROPERTY KNOWN AS 371 SAGAMORE AVENUE, MINEOLA, NEW YORK, KNOWN AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 9, BLOCK 338, LOT 662.

5 Speakers addressed the Board

Resolution No. 141-17

Resolved to declare the Special Use Application of Thomas Pantelis, Esq. for a Special Use Permit pursuant to Chapter 550 of the Code of the Incorporated Village of Mineola, entitled “Zoning”, Section 550.16 entitled “M Districts”, Subsection (A) entitled “Permitted Uses” and 550.12 entitled “B-1 Districts”, Subsection (B) entitled “Special Uses” for the purpose of establishing and autobody repair shop with a paint spray booth upon the property known as 371 Sagamore Avenue, Mineola, New York, known and designated on the Nassau County Land and Tax Map as Section 9, Block 338, Lot 662, as a Type II action pursuant to S.E.Q.R.A.

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

Vote:

Yes

Mayor Scott P. Strauss
Trustee Paul A. Pereira
Trustee George R. Durham
Trustee Dennis J. Walsh

No

Abstain

Mayor Scott P. Strauss requested a motion to reserve decision and close the hearing at 7:20 PM.

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

Vote:

Yes

No

Abstain

Mayor Scott P. Strauss
Trustee Paul A. Pereira
Trustee George R. Durham
Trustee Dennis J. Walsh

Mayor Scott P. Strauss called the Public Hearing to order at 7:22 PM

Press Observers: *Mineola American*

Sunshine Observers: 7 Observers

A Public Hearing was held at 7:22 PM at the Village Hall, 155 Washington Avenue, Mineola, New York, 11501 in order to receive public comment upon the following:

APPLICATION OF JOHN P. CUNHA FOR A SPECIAL USE PERMIT PURSUANT TO CHAPTER 550 OF THE CODE OF THE INCORPORATED VILLAGE OF MINEOLA, ENTITLED “ZONING”, SECTION 550.14 ENTITLED “B-3 DISTRICT”, SUBSECTION (B) ENTITLED “SPECIAL USES” FOR THE PURPOSE OF ESTABLISHING A MATHEMATICS TUTORING CENTER UPON THE PROPERTY KNOWN AS 41 MINEOLA BOULEVARD, MINEOLA, NEW YORK, KNOWN AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 9, BLOCK 428, LOT 102.

1 Speaker addressed the Board

Resolution No. 142-17

Resolved to declare the Special Use Application of John P. Cunha for a Special Use Permit pursuant to Chapter 550 of the Code of the Incorporated Village of Mineola, entitled “Zoning”, Section 550.14 entitled “B-3 District”, Subsection (B) entitled “Special Uses” for the purpose of establishing a mathematics tutoring center upon the property known as 41 Mineola Boulevard, Mineola, New York, known and designated on the Nassau County Land and Tax Map as Section 9, Block 428, Lot 102, as a Type II action pursuant to S.E.Q.R.A.

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

Vote:

Yes

No

Abstain

Mayor Scott P. Strauss
Trustee Paul A. Pereira
Trustee George R. Durham
Trustee Dennis J. Walsh

Resolution No. 143-17

BOARD OF TRUSTEES
INCORPORATED VILLAGE OF MINEOLA

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

JOHN P. CUNHA

DECISION

For a Special Use Permit pursuant to Chapter 550, Section 550-14B of the Code of the Incorporated Village of Mineola, at premises known as 41 Mineola Boulevard, Mineola, New York, known and designated on the Nassau County Land and Tax Map as Section 9, Block 428, Lot 102.

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NAME OF APPLICANT:	John P. Cunha
SUBJECT PROPERTY:	Section 9, Block 428, Lot 102
STREET LOCATION:	41 Mineola Boulevard Mineola, New York 11501
ZONING DISTRICT:	Business "B-3" District
RELIEF REQUESTED:	Application For a Special Use Permit pursuant to Chapter 550, Section 550-14B to establish a mathematics tutoring center.
PUBLICATION & POSTING:	All in accordance with applicable laws, rules and regulations.
DATE OF HEARING:	June 21, 2017
APPEARANCES:	Peter Abrams, Owner

DECISION:

John P. Cunha, on behalf of Peter Abrams (hereinafter, “Applicant”), is before this Board, pursuant to Chapter 550, Section 550.14 of the Municipal Code of the Incorporated Village of Mineola, for a special use permit to establish a mathematics tutoring center upon the property known as 41 Mineola Boulevard, Mineola, New York (known and designated on the Nassau County Land and Tax Map as Section 9, Block 428, Lot 102) (hereinafter, the “Property”).

By Notice of Disapproval, dated April 10, 2017, 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 mathematics tutoring center.

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 mathematics tutoring center upon the property known as 41 Mineola Boulevard, Mineola, New York;
- 2) The class hours will be Monday-Thursday, 3:30 pm to 8:00 pm, Friday closed, Saturday 10:00 am to 1:00 pm and Sunday 11:00 am to 2:00 pm.
- 3) Applicant will provide group classes with eight (8) to ten (10) students per hour with a maximum of three (3) instructors;
- 4) Applicant will utilize three (3) designated spaces in the garage for staff parking; 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-3” 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 will utilize three (3) designated spaces in the garage solely for staff parking;
- 2) Applicant will post signage within the building and advise all clients that double parking is strictly prohibited;
- 3) Applicant shall maintain the entire Property in a clean condition;
- 4) Each of these conditions is material to the approval granted by the Board of Trustees. Violation 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;

- 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 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
June 21, 2017

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

Village Clerk Joseph R. Scalero polled the Board:

Vote:

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

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

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

Mayor Scott P. Strauss called the Public Meeting to order at 8:25 PM.

PRESENT:

Mayor Scott P. Strauss
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 Observers: *None*

Sunshine Observers: 5 Observers

Mayor Scott P. Strauss announced that the John S. DaVanzo Community Pool opened for the season on June 17, and there is now improved WiFi at the pool; reported that the Portuguese festival and Portugal Day Parade were a success; reminded residents that the Concerts in the Park series starts June 23 at 7:00 PM at the Memorial Park Amphitheater with the Cold Spring Harbor Band, and encouraged residents to take advantage of all that the Mineola Memorial Library has to offer.

Trustee Paul A. Pereira encouraged residents to sign up for text and email alerts on the Village website; announced the kick off for the Concerts in the Park series, adding that the Zac Brown Tribute Band will perform Friday July 7 followed by fireworks; congratulated the organizers of the Portugal Day Parade on a job well done; congratulated Class of 2017 graduates, and reminded drivers that school is out and to drive safely.

Trustee George R. Durham thanked everyone who attended the Troop 45 Pancake Breakfast; reminded residents to attend the Concerts in the Park series, and reported that the John S. DaVanzo Community Pool has WiFi.

Trustee Dennis J. Walsh commented on a presentation by the Mineola Historical Society about train stations on Long Island; reported on the Portuguese festival and parade, and stated that he attended the Lusitano annual picnic which was a fun event.

1 Speaker addressed the Board

Mayor Scott R. Strauss requested a motion to close the Public Meeting at 8:40 PM

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

Mayor Scott P. Strauss called the Work Session to order at 8:40 PM.

PRESENT:	Mayor Scott P. Strauss Trustee Paul A. Pereira Trustee George R. Durham Trustee Dennis J. Walsh
ALSO PRESENT:	Village Clerk Joseph R. Scalero Village Attorney John P. Gibbons, Jr. Deputy Village Clerk Linda D. Pardo Superintendent of Public Works Thomas J. Rini
Press Observers:	<i>None</i>
Sunshine Observers:	5 Observers

Resolution No. 144-17

Resolved to approve bills and payroll.

Motioned by Trustee Dennis J. Walsh
Seconded by Trustee George R. Durham

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

Resolution No. 145-17

Resolved to execute the one-year contract renewal option for the annual pool shuttle bus transportation services with All Island Transportation.

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

Resolution No. 146-17

Resolved to approve a request by the Boy Scouts of America – Mineola Troop 45 for the use of the John S. DaVanzo Community Pool to conduct Swimming Merit Badge sessions on Mondays July 31 – August 28, 2017, 6:00 pm – 8:00 pm.

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

Resolution No. 147-17

Resolved to approve a request by the Evening Star Quilters for use of a general purpose room on Thursday October 12, 2017 from 5:00 PM – 7:00 PM to prepare for the Quilt Show.

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

Village Clerk Joseph R. Scalero presented a Justice Court report for May 2017, submitted by Village Justice John P. O’Shea.

Resolution No. 148-17

Resolved to authorize the purchase of six (6) park benches and six (6) waste receptacles for Memorial Park from New York State Contract No. PC67466:

Vendor: Keystone Designs
Cost: \$14,077.80
Funding Source: Development Incentive Bonus Funds

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

Vote:

Yes

No

Abstain

Mayor Scott P. Strauss
Trustee Paul A. Pereira
Trustee George R. Durham
Trustee Dennis J. Walsh

Resolution No. 149-17

Resolved to authorize an engineering services contract with the Village engineers, D & B Engineers & Architects for the 2017 Street Lighting Maintenance Contract:

Vendor: D & B Engineers & Architects, PC

Cost: \$7,500.00

Funding Source: 2017 General Fund Budget

Motioned by Trustee George R. Durham

Seconded by Trustee Paul A. Pereira

Vote:

Yes

No

Abstain

Mayor Scott P. Strauss
Trustee Paul A. Pereira
Trustee George R. Durham
Trustee Dennis J. Walsh

Resolution No. 150-17

Resolved to authorize a public bid for the handicap accessibility improvements for the entrance to the Village Hall and Community Center:

Engineers: D & B Engineers & Architects, PC

Motioned by Trustee Paul A. Pereira

Seconded by Trustee Dennis J. Walsh

Vote:

Yes

No

Abstain

Mayor Scott P. Strauss
Trustee Paul A. Pereira
Trustee George R. Durham
Trustee Dennis J. Walsh

Resolution No. 151-17

Resolved to authorize a public bid for the 2017 Road Improvements Contract:

Engineers: D & B Engineers & Architects, PC

Motioned by Trustee George R. Durham

Seconded by Trustee Paul A. Pereira

Vote:

Yes

No

Abstain

Mayor Scott P. Strauss
Trustee Paul A. Pereira
Trustee George R. Durham
Trustee Dennis J. Walsh

Resolution No. 152-17

Resolved to authorize the installation of 3 new curb cuts for Mineola Union Free School District as follows:

- 1. Install one 36 foot curb cut on Hampton Street and one 32 foot curb cut on Colonial Avenue to accommodate the construction of a new bus access loop for the Hampton Street School.
- 2. Install one 12 foot curb cut and close 2 existing curb cuts on Union Street to accommodate a new driveway to access to a new storage structure.

Motioned by Trustee Dennis J. Walsh
Seconded by Trustee George R. Durham

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

Resolution No. 153-17

Resolved to authorize the change in parking meter enforcement hours for all on-street parking meters from 8 AM – 6 PM to 8 AM to 9 PM.

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

Resolution No. 154-17

Resolved to authorize the Superintendent of Public Works to attend the American Public Works Association PWX Conference in Orlando, FL from August 25 – August 30 to represent the Village of Mineola accepting the APWA 2017 Small Cities/Rural Communities Project of the Year Award for the Memorial Park Amphitheatre and Park Improvements Project.

Funding Source: 2017/2018 General Fund Budget

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

Resolution No. 155-17

Resolved to authorize the hiring of additional seasonal staff and change the salary structure for seasonal lifeguards.

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

Resolution No. 156-17

Resolved to authorize the posting of the following positions in the Department of Public Works:

- Highway Division – 3 Laborers
- Park Department – 2 Laborers
- Park Recreation – 2 Laborers
- Central Garage – 1 Mechanic
- Parking Enforcement – 1 Full Time
- Parking Enforcement – 2 Part Time

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

Mayor Scott R. Strauss requested a motion to close the Work Session at 8:55 PM

Motioned by Trustee Dennis J. Walsh
Seconded by Trustee George R. Durham

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