

Minutes - Board Meeting – 5/10/2017

Minutes of the meeting of the Board of Trustees of the Incorporated Village of Mineola held Wednesday, May 10, 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 Observers: *Mineola American*

Sunshine Observers: 9 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 GREAT NECK GAMES & PRODUCTIONS
FOR AN EXTENSION/MODIFICATION OF A SPECIAL USE
PERMIT PREVIOUSLY GRANTED FOR ONE (1) YEAR
PURSUANT TO CHAPTER 550 OF THE CODE OF THE
INCORPORATED VILLAGE OF MINEOLA, ENTITLED
“ZONING”, SECTION 550.12 ENTITLED “B-1 DISTRICTS”, TO
NOW HAVE A PERMANENT SPECIAL USE PERMIT TO HOST
PARTIES ON NIGHTS IN ADDITION TO THURSDAY, FRIDAY,
SATURDAY AND SUNDAY AT THE PROPERTY KNOWN AS 275
JERICHO TURNPIKE, MINEOLA, NEW YORK 11501 AND
DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP
AS SECTION 9, BLOCK 391, LOT 115.**

1 speaker addressed the Board

Resolution No. 109-17

Resolved to declare the Special Use Application of Great Neck Games & Productions for an extension/modification of a Special Use Permit previously granted for one (1) year pursuant to Chapter 550 of the Code of the Incorporated Village Of Mineola, entitled “Zoning”, Section 550.12 entitled “B-1 Districts”, to now have a permanent Special Use Permit to host parties on nights in addition to Thursday, Friday, Saturday and Sunday at the property known as 275 Jericho Turnpike, Mineola, New York 11501 and designated on the Nassau County Land and Tax Map Section 9, Block 391, Lot 115 as a Type II action pursuant to S.EQ.R.A.

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

Mayor Scott P. Strauss requested a motion to reserve decision and close the hearing at 7:10 PM.

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

Mayor Scott P. Strauss called the Work Session to order at 7:25 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 Observers: *Mineola American*

Sunshine Observers: 4 Observers

Resolution No. 110-17

Resolved to approve bills and payroll.

Motioned by Trustee Paul S. Cusato
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. 111-17

Resolved to approve the Mineola School District's request for the use of the Wilson Park Facilities and Hampton Stadium Field for the New York State Field Band Competition on October 21, 2017 between the hours of 3:00 PM and 10:00 PM.

Motioned by Trustee Paul A. Pereira
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. 112-17

Resolved to approve a request by the Mineola Leisure Club for the use of the Community Center auditorium on Tuesdays from 9:00 AM – 3:00 PM and a general purpose room for arts and crafts from 11:00 AM – 12:00 PM from September 12, 2017 – June 5, 2018.

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

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. 113-17

Resolved to approve a request by the Mineola Leisure Club for the use of the Community Center general purpose room for a board meeting on Tuesday June 27, 2017 at 10:30 AM, and a general purpose room for new members' registration on Tuesday August 29, 2017.

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. 114-17

Resolved to declare an emergency and authorize a replacement to the Village's current unstable telephone system.

Motioned by Trustee Paul A. Pereira
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. 115-17

Resolved to award a 3 year contract for the purchase and installation of a new telephone system to Evolve IP.

Motioned by Trustee Paul S. Cusato
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

Village Clerk Joseph R. Scalero announced the Summer Concerts in the Park schedule for Memorial Park Amphitheater and Mineola Memorial Library.

Resolution No. 116-17

Resolved to authorize an engineering proposal and engineering services contract for survey, design, detailed plans, specifications and construction inspection services for the 2017 Roadway Improvements Contract:

Engineers: D & B Engineering & Architects
Estimated Cost: \$147,000.00
((\$89,000.00 Survey & Design, \$58,000.00 Construction Inspection)
Funding Source 2017/2018 General Fund Budget
No work to begin until after 6/1/17

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. 117-17

Resolved to authorize the Superintendent of Public Works to attend the NYCOM Public Works Training School Planning Committee meeting Wednesday 5/17 to Thursday 5/18/17 in Binghamton, New York.

Estimated Cost: \$ 200.00

Funding Source: 2016/2017 General Fund Budget

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

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. 118-17

Resolved to authorize the \$1.00/hour increase for Highway Division employee David DaSilva for passing the National Certified Pool/Spa Operator Certification.

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

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

Resolution No. 119-17

BOARD OF TRUSTEES
INCORPORATED VILLAGE OF MINEOLA

-----X

In the Matter of the Application of

LAUREN DUFFY

DECISION

For a Special Use Permit pursuant to Chapter 550, Sections 550.12 and 550.16 of the Code of the Incorporated Village of Mineola, at premises known as 221 Liberty Avenue, Mineola, New York, known and designated on the Nassau County Land and Tax Map as Section 9, Block 267, Lot 26.

-----X

NAME OF APPLICANT:	Lauren Duffy
SUBJECT PROPERTY:	Section 9, Block 267, Lot 26
STREET LOCATION:	221 Liberty Avenue Mineola, New York 11501
ZONING DISTRICT:	“M” District
RELIEF REQUESTED:	Application For a Special Use Permit pursuant to Chapter 550, Sections 550.12 and 550.16 for the purpose of establishing a dog grooming and pet daycare facility upon the property.
PUBLICATION & POSTING:	All in accordance with applicable laws, rules and regulations.
DATE OF HEARING:	April 19, 2017
APPEARANCES:	James Farley, Franchisee Lauren Duffy, Franchisee Michael Gould, Franchisor

DECISION:

Lauren Duffy (hereinafter, “Applicant”), is before this Board, pursuant to Chapter 550, Sections 550.12 and 550.16 of the Municipal Code of the Incorporated Village of Mineola, for a special use permit for the establishment a dog grooming and pet daycare facility upon the property known as 221 Liberty Avenue, Mineola, New York (known and designated on the Nassau County Land and Tax Map as Section 9, Block 267, Lot 26) (hereinafter, the “Property”).

By Notice of Disapproval, dated January 4, 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 a dog grooming and pet daycare

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 dog grooming and pet daycare facility upon the property known as 221 Liberty Avenue, Mineola, New York;
- 2) Applicant is a franchisee of Hounds Town USA;
- 3) Applicant is anticipating 2-4 employees at the Property with a ratio of one (1) employee for every ten (10) dogs;
- 4) The proposed hours of operation would be 7:00 am to 7:00 pm, seven (7) days a week;
- 5) Applicant is proposing improvements/alterations to the interior and exterior of the building;
- 6) Applicant's business is predominately dog daycare with only 10% dedicated to grooming and boarding;
- 7) 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 "M" 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) The operation of the business shall be self-contained within the interior of the building. There shall be no outdoor activities, including dog walking;
- 2) Applicant shall utilize a curbside vehicle valet service for all dog drop-offs.
- 3) Applicant shall utilize a private sanitation service for daily garbage removal which shall not occur before 6:00 a.m.;
- 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
May 10, 2017

Motioned by Trustee Paul S. Cusato
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 Paul S. Cusato		
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 7:57 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		