

Minutes - Board Meeting – 4/19/2017

Minutes of the meeting of the Board of Trustees of the Incorporated Village of Mineola held Wednesday, April 19, 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 Clerk Joseph R. Scalero
Peter Trentacoste, for Village Attorney John P. Gibbons, Jr.
Deputy Village Clerk Linda D. Pardo
Superintendent of Public Works Thomas J. Rini

Press Observers: *Mineola American*
Williston Times

Sunshine Observers: 13 Observers

Mayor Scott P. Strauss called the Public Hearing to order at 6:35 PM

A Public Hearing was held at 6:35 PM at the Village Hall, 155 Washington Avenue, Mineola, New York, 11501 in order to receive public comment upon the following:

APPLICATION OF ART-OF-FORM ARCHITECTURAL SERVICES FOR A SPECIAL USE PERMIT PURSUANT TO CHAPTER 550 OF THE CODE OF THE INCORPORATED VILLAGE OF MINEOLA, ENTITLED “ZONING”, SECTION 550.19 ENTITLED “PARKING SPACES”, FOR THE DEMOLITION AND REMOVAL OF AN EXISTING 2 ½ STORY HOME AND FREE-STANDING DETACHED GARAGE AND CONSTRUCTION OF A PRIVATE COMMERCIAL PARKING LOT UPON THE PROPERTY KNOWN AS 215 CLEVELAND AVENUE, MINEOLA, NEW YORK, KNOWN AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 9, BLOCK 404, LOTS 750-751.

No Speakers addressed the Board

Mayor Scott P. Strauss requested a motion to reserve decision and close the hearing at 7:15 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

A Public Hearing was held at 7:17 PM at the Village Hall, 155 Washington Avenue, Mineola, New York, 11501 in order to receive public comment upon the following:

APPLICATION OF LAUREN DUFFY 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 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.

1 Speaker addressed the Board

Mayor Scott P. Strauss requested a motion to reserve decision and close the hearing at 7:58 PM.

Motioned by Trustee Dennis J. Walsh
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

A Public Hearing was held at 8:00 PM at the Village Hall, 155 Washington Avenue, Mineola, New York, 11501 in order to receive public comment upon the following:

APPLICATION OF META BURN FITNESS FOR A SPECIAL USE PERMIT PURSUANT TO CHAPTER 550 OF THE CODE OF THE INCORPORATED VILLAGE OF MINEOLA, ENTITLED “ZONING”, SECTION 550.12 ENTITLED “B-1 DISTRICTS”, SUBSECTION (B) ENTITLED “SPECIAL USES” AND SECTION 550.13 ENTITLED “B-2 DISTRICTS”, SUBSECTION (A) FOR THE PURPOSE OF ESTABLISHING A FITNESS, NUTRITION AND EXERCISE TRAINING/ WELLNESS CENTER UPON THE SECOND FLOOR OF THE PROPERTY KNOWN AS 212 STATION PLAZA, MINEOLA, NEW YORK, KNOWN AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 9, BLOCK 422, LOT 111.

No Speakers addressed the Board

Resolution No. 92-17

BOARD OF TRUSTEES
INCORPORATED VILLAGE OF MINEOLA

-----X

In the Matter of the Application of

META BURN FITNESS

DECISION

For a Special Use Permit pursuant to Chapter 550, Sections 550-12.B and 550-13 of the Code of the Incorporated Village of Mineola, at premises known as 212 Station Plaza, Mineola, New York, known and designated on the Nassau County Land and Tax Map as Section 9, Block 422, Lot 111.

-----X

NAME OF APPLICANTS:	Meta Burn Fitness
SUBJECT PROPERTY:	Section 9, Block 422, Lot 111
STREET LOCATION:	212 Station Plaza Mineola, New York 11501
ZONING DISTRICT:	"B-2" District
RELIEF REQUESTED:	Application For a Special Use Permit pursuant to Chapter 550, Sections 550-12.B. and 550-13 to establish a fitness, nutrition and exercise training/wellness center upon the second floor of the Property.
PUBLICATION & POSTING:	All in accordance with applicable laws, rules and regulations.
DATE OF HEARING:	April 19, 2017
APPEARANCES:	Greg Kalafatic, Owner Rahz Slaughter, Owner

DECISION:

Meta Burn Fitness (hereinafter, "Applicant") is before this Board, pursuant to Chapter 550, Sections 550.12.B. and 550-13 of the Municipal Code of the Incorporated Village of Mineola, for a special use permit to establish a fitness, nutrition and exercise training/wellness center upon the property known as 212 Station Plaza, 2nd Floor, Mineola, New York (known and designated on the Nassau County Land and Tax Map as Section 9, Block 422, Lot 111) (hereinafter, the "Property").

By Notice of Disapproval, dated October 12, 2016, 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 fitness center upon the Property.

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 fitness, nutrition and exercise training/wellness center upon the property known as 21 Station Plaza, 2nd Floor, Mineola, New York;
- 2) The facility will be one-on one personal training, by appointment only;
- 3) Applicant will conduct fitness training at the Property with minimal equipment;
- 4) Applicant will not be selling, preparing or cooking food upon the Property; 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-2” 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) The operation of the facility shall be self-contained within the interior of the building;
- 2) Music, if any, shall be played at a low volume and shall not be audible outside of the building;
- 3) Each of these conditions is material to the approval granted by the Board of Trustees. Violation of any of these conditions shall subject the applicant or its successors to enforcement pursuant to the Village’s Municipal Code, including possible revocation of this Special Use Permit;
- 4) 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
- 5) 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.

Motioned by Trustee Paul S. Cusato

Seconded by Trustee Dennis J. Walsh

Village Clerk Joseph R. Scalero polled the Board:

Vote:

Yes

No

Abstain

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 hearing at 8:15 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

Mayor Scott P. Strauss called the Work Session to order at 8:40 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 Clerk Joseph R. Scalero
Peter Trentacoste, for Village Attorney John P. Gibbons, Jr.
Deputy Village Clerk Linda D. Pardo
Superintendent of Public Works Thomas J. Rini

Press Observers:

Mineola American
Williston Times

Sunshine Observers:

3 Observers

Resolution No. 93-17

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. 94-17

Resolved to approve a request by the Mineola Chamber of Commerce to conduct the Mineola Street Fair on Sunday September 10, 2017 from 11:00 AM to 6:00 PM (Raindate: Sunday October 1, 2017) on Jericho Turnpike from the east side of Mineola Boulevard to Nassau Boulevard, and Willis Avenue between Washington Avenue and Linden Road.

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. 95-17

Resolved to approve the membership of the following candidates as recommended by the Mineola Fire Department:

Mark Swensen	Company 2
Robert Duffy	Company 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

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

Resolution No. 96-17

Resolved to award the public bid for the purchase of one, new 150 kVa/120 kW three phase, mobile, trailer mounted generating system as per specification or equal.

Funding Source: Community Development Block Grant Funds and/or
Development Incentive Bonus Funds

Seconded by Trustee George R. Durham

Trustee Dennis J. Walsh

Funding Source: Development Incentive Bonus Funds or
the General Fund Unreserved Fund Balance

Seconded by Trustee Paul S. Cusato

Trustee Dennis J. Walsh

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. 99-17

Resolved to authorize the removal and installation of the following parking restrictions on the north side of Old Country Road from Juniper Avenue west to a point 315 feet east of Roslyn Road meeting the existing No Stopping Any Time restriction:

Remove: No Parking 7:30 a.m. to 9:30 a.m. and 4 p.m. – 5:30 p.m., Except Sundays

Remove: the 2 Hour Parking 9:30 a.m. – 4 p.m., Except Sundays

Install: 2 Hour Metered Parking from 8 a.m. – 9 p.m., Except Sundays

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. 100-17

Resolved to authorize the removal of the on-street Handicap Reserved Parking space located in front of 464 Jackson Avenue, Mineola.

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

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

Resolution No. 101-17

Resolved to transfer title of the 2000 Ford Ambulance with VIN# 1FDXE45F3YHA47777 to the Mineola Volunteer Ambulance Corps.

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		

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 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		

Mayor Scott P. Strauss called the Public Meeting to order at 8:55 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 Clerk Joseph R. Scalero
Peter Trentacoste, for Village Attorney John P. Gibbons, Jr.
Deputy Village Clerk Linda D. Pardo
Superintendent of Public Works Thomas J. Rini

Press Observers:
Mineola American
Williston Times

Sunshine Observers: 3 Observers

Mayor Scott P. Strauss announced that the Chamber of Commerce Classic Car Shows will be held Thursday nights from Memorial Day through Labor Day; encouraged residents to take advantage of all that the Mineola Memorial Library offers such as free movies, defensive driving classes and more; discussed the Smart Growth Award which the Village recently received as well as a national award given for the renovation of Memorial Park; and congratulated *Williston Times* Editor Noah Manskar on receiving five New York Press Association awards. Mayor Strauss added that Argyle Road has been renamed for Honorary Chief Paul S. Cusato and congratulated him for 50 years of service with the Mineola Fire Department.

Trustee Paul A. Pereira added that Mineola Memorial Library also offers free museum passes, and announced that the Mineola Athletic Association parade will be held on Saturday April 29, 2017.

Trustee Paul S. Cusato discussed the Mineola High School Macaroni INN fundraiser which was held on April 6, 2017, and thanked first responders who left their families on Easter Sunday to respond to two fires.

Trustee George R. Durham reported that the Mineola Athletic Association parade steps off at 10:00 am on Saturday April 29 at Jackson Avenue School and games will start at 12:00 noon.

Trustee Dennis J. Walsh discussed the MHS Macaroni INN fundraiser stating that a benefactor will match donations this month, and reported that he attended the Easter Monday proclamation reading on April 17.

Mayor Scott P. Strauss asked Superintendent of Public Works Thomas J. Rini to discuss to the recent public works award.

Superintendent of Public Works Thomas J. Rini reported that the Village of Mineola was awarded the Small Cities Project of the Year by the American Public Works Association for the Mineola Memorial Park renovation.

Mayor Scott R. Strauss requested a motion to close the Public Meeting at 9:05 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 S. Cusato		
Trustee Paul A. Pereira		
Trustee George R. Durham		
Trustee Dennis J. Walsh		