

**Minutes – Organizational Meeting  
April 5, 2017**

Minutes of the Organizational Meeting of the Board of Trustees of the Incorporated Village of Mineola held Wednesday April 5, 2017 at Village Hall, 155 Washington Avenue Mineola, New York 11501.

**PRESENT:** Mayor Scott P. Strauss  
Deputy Mayor Paul A. Pereira  
Trustee Paul S. Cusato  
Trustee George R. Durham  
Trustee Dennis J. Walsh

**ALSO PRESENT:** Village Attorney John P. Gibbons, Jr.  
Village Clerk Joseph R. Scalero  
Deputy Village Attorney Peter Trentacoste  
Deputy Village Clerk Linda D. Pardo  
Village Treasurer Giacomo Ciccone  
Superintendent of Public Works Thomas J. Rini  
Superintendent of Buildings Daniel B. Whalen

**Press Observer:** *Newsday*  
*Williston Times*

**Sunshine Observers:** 4 Observers

**Mayor Scott P. Strauss called the Organizational Meeting to order at 6:40 PM.**

**Resolution No. 58-17**

Resolved to approve Mayor Scott P. Strauss’ appointments of the following Village Officials:

**2017 APPOINTMENTS**

VILLAGE CLERK	JOSEPH R. SCALERO
DEPUTY VILLAGE CLERK	LINDA PARDO
REGISTRAR	JOSEPH R. SCALERO
DEPUTY REGISTRAR	CEU ARANTES
SUPERINTENDENT OF PUBLIC WORKS	THOMAS J. RINI
DEPUTY SUPERINTENDENT OF PUBLIC WORKS	LEONARD M. PALUMBO
SUPERINTENDENT OF THE BUILDING DEPARTMENT	DANIEL B. WHALEN
TREASURER	GIACOMO A. CICCONE
DEPUTY TREASURER	EGIDIO BELL

VILLAGE AUDITOR	KRISTIANA A. SALERNO
SECRETARY TO THE ZONING BOARD OF APPEALS	PETER SMITH
SECRETARY TO THE PLANNING BOARD	DONNA THOMPSON
ACTIVITIES COORDINATOR	MARTA DE SOUSA
ASSISTANT ACTIVITIES COORDINATOR	ANNA ATHAN
COURT CLERK OF THE JUSTICE COURT	ELIZABETH BERNARDES
ASSOCIATE VILLAGE JUSTICE	STEVEN BARNWELL
VILLAGE ATTORNEY	JOHN P. GIBBONS, JR.
DEPUTY VILLAGE ATTORNEY	JOHN SPELLMAN
DEPUTY VILLAGE ATTORNEY	BENJAMIN J. TRUNCALE, JR.
DEPUTY VILLAGE ATTORNEY	PETER S. TRENTACOSTE
VILLAGE PROSECUTOR	PETER S. TRENTACOSTE
DEPUTY PROSECUTOR	BENJAMIN J. TRUNCALE, JR.
SPECIAL RETAINED COUNSEL	SPELLMAN RICE GIBBONS, POLIZZI & TRUNCALE, LLP
COUNSEL TO THE LIBRARY BOARD	RUSSELL BURCHER
COUNSEL TO THE ZONING BOARD OF APPEALS	BENJAMIN J. TRUNCALE, JR.
COUNSEL TO THE PLANNING BOARD/ ARCHITECTURAL REVIEW BOARD	BENJAMIN J. TRUNCALE, JR.
VILLAGE ENGINEER	D&B ENGINEERS AND ARCHITECTS
ELECTRICAL INSPECTOR	ELECTRICAL INSPECTORS, INC.
FINANCIAL ADVISOR	CAPITAL MARKETS ADVISORS, LLC
BOND COUNSEL	HAWKINS DELAFIELD AND WOOD, LLC
INDEPENDENT AUDITORS	RYNKAR VAIL & BARRETT, LLP

POOL RECREATION BOARD

PATRICIA STRAUSS                      233 MCKINLEY PARKWAY                      MINEOLA, NY 11501

LIBRARY BOARD

MICHAEL VEZZI	100 CLINTON AVE., APT. 2M	MINEOLA, NY 11501
MARYANNE WARNECKE	181 LINCOLN AVENUE	MINEOLA, NY 11501

PLANNING BOARD / ARCHITECTURAL REVIEW BOARD

MARK SWENSON	155 ELDERBERRY ROAD	MINEOLA, NY 11501
JOHN CURRY	225 PERSHING PARKWAY	MINEOLA, NY 11501
PETER SMITH	4 LAUREL DRIVE, APT. B31	MINEOLA, NY 11501

PLANNING BOARD ALTERNATE

ED VOYER	425 LATHAM ROAD	MINEOLA, NY 11501
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PLANNING BOARD CHAIRMAN

NICHOLAS PENNACCHIO	241 COLUMBUS PARKWAY	MINEOLA, NY 11501
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BOARD OF ETHICS

BERNADETTE PIZZARDI	12 SHORTRIDGE DRIVE	MINEOLA, NY 11501
ELIZABETH BERNARDES	359 BURKHARD AVENUE	MINEOLA, NY 11501
RUSS SUTHERLAND	3 BIRCHWOOD CT., APT 2H	MINEOLA, NY 11501
CHET EASTON	182 MAIN STREET	MINEOLA, NY 11501
LISA DALFONSO-VALENTE	366 MINEOLA BOULEVARD	MINEOLA, NY 11501

ZONING BOARD

RICHARD KOTOWSKI	104 FRONT STREET, APT. 407	MINEOLA, NY 11501
WILLIAM GRIMM, JR	96 WHEELER AVENUE	MINEOLA, NY 11501

ZONING BOARD ALTERNATE

JAMES SHERRY	334 MARCELLUS ROAD	MINEOLA, NY 11501
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ZONING BOARD CHAIRMAN

RICHARD KOTOWSKI	104 FRONT STREET, APT. 407	MINEOLA, NY 11501
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ASSESSORS

RICHARD MAHER	143 WALKER ROAD	MINEOLA, NY 11501
EUGENE MARTONIK	158 NUGENT STREET	NEW HYDE PK, NY 11040
PAUL WOTZAK	6 RAYMOND STREET	GLEN COVE, NY 11542

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

**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. 59-17**

Resolved to appoint Trustee Paul A. Pereira as Deputy Mayor.

Motioned by Trustee Paul S. Cusato  
 Seconded by Trustee Dennis J. Walsh

**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. 60-17**

Resolved to approve the list of public meetings and public hearings.

**INCORPORATED VILLAGE OF MINEOLA  
 BOARD OF TRUSTEES  
 Dates of Meetings for  
 2017-2018**

<b>2017:</b>	Wednesday	April 5	6:30 pm/7:30 pm	Organizational Meeting
	Wednesday	April 12	6:30 pm	Public Hearing/Work Session
	Wednesday	April 19	6:30 pm	Work Session/Public Hearing or Public Meeting
	Wednesday	May 3	6:30 pm/7:30 pm	Work Session/Public Meeting
	Wednesday	May 10	6:30 pm	Public Hearing/Work Session
	Wednesday	May 17	6:30 pm/7:30 pm	Work Session/Public Meeting or Public Hearing
	Wednesday	June 7	6:30 pm/7:30 pm	Work Session/Public Meeting
	Wednesday	June 14	6:30 pm	Public Hearing/Work Session
	Wednesday	June 21	6:30 pm/7:30 pm	Work Session/Public Meeting or Public Hearing
	Wednesday	July 5	6:30 pm/7:30 pm	Work Session/Public Meeting
	Wednesday	July 12	6:30 pm	Work Session/Public Meeting or Public Hearing
	Wednesday	Aug. 2	6:30 pm/7:30 pm	Work Session/Public Meeting
	Wednesday	Aug. 9	6:30 pm	Public Meeting or Public Hearing
	Wednesday	Sept. 6	6:30 pm/7:30 pm	Work Session/Public Meeting
	Wednesday	Sept. 13	6:30 pm/7:30 pm	Public Hearing/Work Session

	Wednesday	Oct. 4	6:30 pm/7:30 pm	Work Session/Public Meeting
	Wednesday	Oct. 11	6:30 pm/7:30 pm	Public Hearing/Work Session
	Wednesday	Oct. 18	6:30 pm/7:30 pm	Work Session/Public Meeting or Public Hearing
	Wednesday	Nov. 1	6:30 pm/7:30 pm	Work Session/Public Meeting
	Wednesday	Nov. 8	6:30 pm/7:30 pm	Public Hearing/Work Session
	Wednesday	Nov. 15	6:30 pm/7:30 pm	Work Session/Public Meeting or Public Hearing
	Wednesday	Dec. 6	6:30 pm/7:30 pm	Work Session/Public Meeting
	Wednesday	Dec. 13	6:30 pm	Public Hearing/Work Session
	Wednesday	Dec. 20	6:30 pm/7:30 pm	Work Session/Public Meeting or Public Hearing
<b>2018:</b>	Wednesday	Jan. 3	6:30 pm/7:30 pm	Work Session/Public Meeting
	Wednesday	Jan. 10	6:30 pm	Public Hearing/Work Session
	Wednesday	Jan. 17	6:30 pm/7:30 pm	Work Session/Public Meeting or Public Hearing
	Wednesday	Feb. 7	6:30 pm/7:30 pm	Work Session/Public Meeting
	Wednesday	Feb. 14	6:30 pm	Public Hearing/Work Session
	Wednesday	Feb. 21	6:30 pm/7:30 pm	Work Session/Public Meeting or Public Hearing
	Wednesday	Mar. 7	6:30 pm/7:30 pm	Work Session/Public Meeting
	Wednesday	Mar. 14	6:30 pm	Public Hearing/Work Session
	Wednesday	Mar. 21	6:30 pm/7:30 pm	Work Session/Public Meeting or Public Hearing
	Monday	April 2	7:00 pm	Organizational Meeting

NOTE: Work Sessions of the Board of Trustees ordinarily commence at 6:30 pm and continue after Public Meetings and Hearings. Additional Public Hearing dates may be set by the Board of Trustees from time to time. All Work Sessions and other Special Meetings of the Board of Trustees are open to the public for observation in accordance with law unless a motion shall have been passed to go into Executive Session or a conference with counsel is requested. On evenings when Public Hearings are scheduled prior to a Public Meeting, the Public Meeting will begin at 7:30 pm or after the Hearing, whichever is later. All dates are subject to change.

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

**Vote:**

<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		

**Resolution No. 61-17**

Resolved to authorize the Village Officials listed below for undertakings in the amounts as follows:

VILLAGE CLERK	\$150,000.00
DEPUTY VILLAGE CLERK	\$ 75,000.00
VILLAGE TREASURER	\$150,000.00

DEPUTY VILLAGE TREASURER	\$ 75,000.00
VILLAGE AUDITOR	\$ 75,000.00
VILLAGE JUSTICE	\$ 50,000.00
ACTING VILLAGE JUSTICE	\$ 25,000.00

Such undertakings will be in the form of a Bond of a Surety Company authorized to transact business in the State of New York and the expense thereof shall be a charge upon the Village of Mineola.

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

<b>Vote:</b>		
<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. 62-17**

Resolved, under Section 82 of the Village Law designating the Village Clerk as COLLECTOR OF TAXES AND ASSESSMENT and for the Village Clerk to be authorized to collect taxes and assessments of the Village.

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

<b>Vote:</b>		
<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. 63-17**

Resolved, under Section 126A of the Village Law authorizing the Village Clerk and Collector of Taxes to be credited unpaid and uncollected taxes, if any, for the year 2017/2018.

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

<b>Vote:</b>		
<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. 64-17**

Resolved that the Mayor be authorized and directed to affix his signature as MAYOR of the Incorporated Village of Mineola upon all checks drawn upon the Village funds, in addition to the signature of the Treasurer or Deputy Treasurer for the official year 2017/2018.

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

<b>Vote:</b>		
<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. 65-17**

Resolved that in the absence or incapacitation of the Mayor, the Deputy Mayor be authorized to sign all checks in the place and stead of the Mayor, in addition to the signature of the Treasurer or Deputy Treasurer for the official year 2017/2018.

Motioned by Trustee Paul S. Cusato  
Seconded by Trustee Dennis J. Walsh

<b>Vote:</b>		
<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. 66-17**

Resolved to authorize the Treasurer as custodian of the Length of Service Award Program and the following persons as officers of the Length of Service Award Program:

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

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

<b>Vote:</b>		
<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. 67-17**

Resolved to authorize the following banks to be designated as DEPOSITORIES for deposits of all monies received by the Treasurer of the Village of Mineola:

CAPITAL ONE BANK	Mineola & Garden City Branches
FLUSHING COMMERCIAL BANK	Garden City Branch
VALLEY NATIONAL BANK	Mineola Branch

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

<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		

**Resolution No. 68-17**

Resolved to appoint the *Mineola American* as the Official Village Newspaper.

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		

**Resolution No. 69-17**

Resolved to adopt the following policies for the Village of Mineola:

Cellular Phone Policy	Fixed Asset Policy
Community Development Outreach Policy	Fraud Policy
Compensation and Benefit Policy for Elected and Appointed Officers	Fund Balance Policy
Computer Policy	Investment Policy
Credit Card Use Policy	Purchasing & Procurement Policy
Drug and Alcohol Testing Policy	Travel Expense Reimbursement Policy
Equal Employment Policy Statement	Vehicle Use Policy
Fair Housing Policy	Workplace Violence Policy

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



<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		

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

<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		

**PRESENT:** Mayor Scott P. Strauss  
Trustee Paul S. Cusato  
Trustee Paul A. Pereira  
Trustee George R. Durham  
Trustee Dennis J. Walsh

**Press Observers:** *Newsday*  
*Williston Times*

**Resolution No. 70-17**

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. 71-17**

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

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. 72-17**

Resolved to adopt the Homestead Adjusted Base Proportions for the Village of Mineola, as recommended by the Village Assessor, for the 2017-18 tax year.

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

*A Budget Work Session was conducted. Village Treasurer Giacomo Ciccone presented highlights of the FY 2017/18 Tentative Budget. Mayor Scott P. Strauss announced that there will be a Public Hearing on the proposed budget on Wednesday April 12, 2017.*

**Resolution 73-17 No.**

Resolved to authorize one personal day to Village employees required to work Thursday February 9, 2017 for Winter Storm “Niko” and/or Tuesday March 14, 2017 for Winter Storm “Stella” to be used within one (1) year or forfeited.

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. 74-17**

Resolved to authorize an engineering proposal received from Village Engineers, D & B Engineers and Architects, P.C. for the Wilson Park Improvements Project:

Vendor: D & B Engineers & Architects  
Cost: \$38,000.00  
Funding Source: General Unreserved Fund Balance and/or Development  
Incentive Bonus Funding

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. 75-17**

Resolved to authorize the removal of on-street Handicap Reserved Parking spaces at 116 Roslyn Road on Plymouth Avenue and 140 Saville Road.

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. 76-17**

Resolved to codify the Village Board’s determination in Resolution 33-17, dated 2/15/17 to add No Parking Monday through Friday from 10:00 a.m. to 2:00 p.m. on the western half Linden Road.

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

*Superintendent of Public Works Thomas J. Rini reminded residents that the holiday sanitation schedule will be in effect for next week due to Good Friday.*

*Superintendent of Buildings Daniel B. Whalen reported on property maintenance issues and requirements.*

**Resolution No. 77-17**

Resolved to authorize the Superintendent of Buildings to attend the 30th Annual Hudson Valley Code Enforcement Officials Educational Conference in Poughkeepsie, NY April 19-21, 2017.

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

*Superintendent of Buildings Daniel B. Whalen presented a monthly report of Department activities for March 2017.*

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

**Resolution No. 78-17**

Resolved that the tax certiorari refund installment payment in the amount of \$87,500.00 to Key Court Condo, due on July 31, 2017 be paid in advance and that payment be drawn from the Village's Tax Certiorari Budget Line for the 2016-2017 fiscal year.

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. 79-17**

INCORPORATED VILLAGE OF MINEOLA

-----X

In the Matter of the Application of

CHANG-SHENG HUANG

**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:	Chang-Sheng Huang
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 new Supermarket upon the property.
PUBLICATION & POSTING:	All in accordance with applicable laws, rules and regulations.
DATE OF HEARING:	March 8, 2017
APPEARANCES:	Meixia Huang Weilin Zhang, Owner

**DECISION:**

Cheng-Sheng Huang (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 new supermarket 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 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 of a new supermarket 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 new supermarket upon the property known as 52 East Jericho Turnpike, Mineola, New York;
- 2) Applicant is proposing a new supermarket to operate in the same space previously owned by King Kullen;
- 3) Applicant owns and operates 11 other supermarkets in the region;
- 4) Applicant is proposing minor improvements/alterations to the interior and exterior of the building;
- 5) Applicant is proposing to repave the entire parking lot servicing the building;
- 6) Applicant is anticipating 70-85 employees;
- 7) The proposed hours of operation would be 7:30 am to 9:00 pm, seven (7) days a week;
- 8) Applicant is proposing a supermarket that sells traditional products similar to the prior supermarket at the Property; and
- 9) 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) All deliveries shall occur on-site during off-peak traffic hours and shall not occur before 6am. Applicant shall utilize the loading area of the building for all deliveries;
- 2) Applicant shall utilize a private sanitation service for daily garbage removal which shall not occur before 6am. Applicant shall have a strict schedule for the removal and replacement of all refuse containers;
- 3) Applicant shall utilize a completely containerized, deodorized, sealed compaction unit for all garbage.
- 4) Applicant shall utilize a common compactor type with standard vent openings;
- 5) All putrescible waste shall be stored within the premises inside a refrigerated unit and shall be removed by a private carting company;
- 6) Applicant shall not permit clothing donation bins/dumpsters upon the Property;

- 7) All ventilation/exhaust shall be vented through the building up to the roof and shall be directed away from residential properties. The ventilation/exhaust shall be in compliance with the New York State Fire Prevention and Building Code, the Regulations of the Nassau County Fire Marshal and the Rules of all agencies having jurisdiction;
- 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 it 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  
April 5, 2017

Motioned by Trustee Dennis J. Walsh  
Seconded by Trustee Paul S. Cusato

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		

**Resolution No. 79A-17**

Resolved to confirm certain Village appointments noted in Resolution 58-17.

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

<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 R. Strauss requested a motion to close the Work Session at 7:30 PM**

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

<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 7:35 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 Attorney John P. Gibbons, Jr. Village Clerk Joseph R. Scalero Deputy Village Attorney Peter Trentacoste Deputy Village Clerk Linda D. Pardo Village Treasurer Giacomo Ciccone Superintendent of Public Works Thomas J. Rini Superintendent of Buildings Daniel B. Whalen
<b>Press Observer:</b>	<i>Newsday</i> <i>Williston Times</i>
<b>Sunshine Observers:</b>	4 Observers

Mayor Scott P. Strauss reported that the Village of Mineola has kept a tight budget and gave kudos to departments fine tuning their budget requests; reminded residents to maintain their properties and keep Mineola clean; stated that he will visit with Chamber of Commerce and local businesses to remind them to maintain properties; announced the Budget Hearing on Wednesday April 12, 2017; and wished residents a happy Easter and Passover.

Trustee Paul A. Pereira commented that the budget items which did increase are items over which the Village has no control; discussed a recent presentation by the Nassau County Police Department 3<sup>rd</sup> Precinct; announced the upcoming Portuguese Lions Club pancake breakfast; announced the Night on the Town fundraiser on Thursday April 6; and congratulated Honorary Chief Paul S. Cusato on his 50<sup>th</sup> anniversary in the Mineola Fire Department noting that he is still a very active member.

Trustee Paul S. Cusato encouraged residents to attend the Portuguese Lions Club pancake breakfast; reported that the Mineola Fire Department responded to two house fires within the past two weeks, and stated the MFD was awarded a unit citation from the Nassau County Fire Commission for its work during a train derailment in October 2016.



Trustee George R. Durham announced Mineola Macaroni Night at Mineola High School on April 6; reminded residents that with warmer weather more children are on streets and to drive with caution; and announced that the Mineola Athletic Association parade and opening ceremonies will be held Saturday April 29, 2017.

Trustee Dennis J. Walsh encouraged residents to attend the Mineola Macaroni Night because it supports the Mary Brennan Inn; and stated that certiori debt is down.

**Mayor Scott R. Strauss requested a motion to close the Public Meeting at 7:45 PM**

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

<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		