

Minutes - Board Meeting – 12/12/2018

Minutes of the meeting of the Board of Trustees of the Incorporated Village of Mineola held Wednesday, December 12, 2018 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 Pardo
Superintendent of Buildings Daniel B. Whalen

Press Observers: *Mineola American*
Newsday
Williston Times

Sunshine Observers: 5 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 MARCEL VACHET 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” TO ESTABLISH A MARTIAL ARTS SCHOOL UPON THE PROPERTY KNOWN AS 44A JERICHO TURNPIKE, MINEOLA, NEW YORK, KNOWN AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 9, BLOCK 662, LOT 18.

No speakers addressed the Board

Resolution 284-18

Resolved to declare the Special Use Application of Marcel Vachet 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” for the purpose of establishing an martial arts school upon the property known as 44A Jericho Turnpike, Mineola, New York, known and designated on the Nassau County Land and Tax Map as Section 9, Block 662, Lot 18, as a Type II action pursuant to S.E.Q.R.A.

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

By Notice of Disapproval, dated September 25, 2018, 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 martial arts school 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 martial arts school upon the property known as 44A Jericho Turnpike, Mineola, New York;
- 2) The hours of operation will be 6:00 a.m. to 9:00 p.m. Monday-Friday, 9:00 a.m. to 11:00 a.m. Saturday, 9:00 a.m. to 10:00 a.m. Sunday;
- 3) Class sizes will be between fifteen (15) and thirty (30) individuals at a time in one (1) hours classes;
- 4) Applicant does not intend on hosting tournaments or parties;
- 5) Applicant anticipates having five (5) employees; 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 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) No food, beverages and/or supplements will be sold upon the Property;
- 2) The operation of the facility shall be self-contained within the interior of the building;
- 3) Music, if any, shall be played at a low volume and shall not be audible outside of the building;

- 4) 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;
- 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
December 12, 2018

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

Village Clerk Joseph R. Scalero polled the Board:

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 6:55 PM

Sunshine Observers: 5 Observers

A Public Hearing was held at 6:55 PM at the Village Hall, 155 Washington Avenue, Mineola, New York, 11501 in order to receive public comment upon the following:

A PROPOSED LOCAL LAW AMENDING CHAPTER 376 OF THE MUNICIPAL CODE OF THE INCORPORATED VILLAGE OF MINEOLA ENTITLED "PEACE AND GOOD ORDER", TO CREATE SECTION 376-17A ENTITLED "HOURS FOR CONSTRUCTION WORK AND REPAIR".

No speakers addressed the Board

Resolution 286-18

Resolved to adopt the proposed Local Law amending Chapter 376 of the Municipal Code of the Incorporated Village of Mineola entitled "Peace and Good Order", to create Section 376-17A entitled "Hours for Construction Work and Repair".

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

Village Clerk Joseph R. Scalero polled the Board:

Vote:

Yes

No

Abstain

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

Mayor Scott P. Strauss requested a motion to close the hearing at 7:00 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 Work Session to order at 7:15 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 Pardo
Superintendent of Buildings Daniel B. Whalen

Press Observers: *Mineola American*
Newsday
Williston Times

Sunshine Observers: 4 Observers

Mayor Scott P. Strauss stated that Trustee Paul S. Cusato is unable to attend the meeting.

Resolution No. 287-18

Resolved to approve bills and payroll.

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

Vote:

Yes

No

Abstain

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

Resolution No. 288-18

Resolved to approve the minutes of the meetings of the Board of Trustees from November 7 and November 14, 2018, as amended.

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. 289-18

Resolved to approve the following 2019 tow car license applicants, and to designate July Auto Wrecking, Inc. as the Village’s authorized tow car agent for abandoned vehicles for 2019 and, waiving its fees for tow car and operator registration.

TOW CAR BUSINESS NAME	ADDRESS
AAAA-1 Auto & Towing	34 Charlotte Avenue, Hicksville, NY 11801
A1 Grand Auto Body Inc.	105 Herricks Road, Garden City Park, NY 11040
Albert Zolezzi Auto Body,Inc.	432 Willis Avenue, Williston Park, NY 11596
Always Towing Inc.	79 Herricks Road, Garden City Park, NY 11040
Barron Body Works	381 Sagamore Avenue, Mineola, NY 11501
C&N Auto Center	96 Jericho Turnpike, Floral Park, NY 11001
County Wide Towing Enforcement	534 Main Street, Westbury, NY 11590
Cross Fire Towing	88 Franklin Avenue, Valley Stream, NY 11580
Cross Island Wrecker Service, Inc.	635 Commercial Avenue, Garden City, NY 11530
Fagans Towing	22 Watermill Lane, Great Neck, NY 11021
Frame Auto Collision, Inc.	71 Denton Avenue, New Hyde Park, NY 11040
Grand Auto Body	98 Denton Avenue, Garden City Park, NY 11040
July Auto Wrecking ,Inc.	20 First Street, Garden City Park, NY 11040
Nationwide Towing	2044 Jericho Turnpike, New Hyde Park, NY 11040
Nuzzi Brothers Auto Collision, Inc.	77 Jericho Turnpike, New Hyde Park, NY 11040
Sunset Towing Service	6 Carey Place, Port Washington, NY 11050
T&D Towing Corporation	162 Sea Cliff Avenue, Glen Cove, NY 11542
Tip Top Auto Body, Inc.	150 Denton Avenue, Garden City Park, NY 11040
Vintage Auto Body	81 Urban Avenue, Westbury, NY 11590

Motioned by Trustee George R. Durham
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

Village Clerk Joseph R. Scalero discussed a recent robocall from the Nassau County Assessor's office regarding County taxes which caused confusion for residents.

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

Resolution No. 290-18

Resolved that the Village of Mineola will enforce the following parking restrictions:

1. Parking Field No. 1

Restrictions: Commuter Permit Parking Only, Except Sundays & Holidays. No parking 3:00 AM – 5:00 AM

2. Parking Field No. 3

Restrictions: Commuter Permit Parking Only, Except Sundays & Holidays. No parking 3:00 AM – 5:00 AM

3. Parking Field No. 7

Restrictions: Commuter Permit Parking Only, Except Sundays & Holidays. No parking 3:00 AM – 5:00 AM

4. Parking Field No. 7A

Restrictions: Commuter Permit Parking Only, Except Sundays & Holidays. No parking 3:00 AM – 5:00 AM

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

Village Clerk Joseph R. Scalero polled the Board:

Vote:

Yes

No

Abstain

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

Resolution No. 291-18

Resolved to suspend metered parking on Saturday December 15, Saturday December 22, and Saturday December 29 to encourage downtown holiday shopping.

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

Mayor Scott P. Strauss requested a motion to close the Work Session at 7:30 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 A. Pereira		
Trustee George R. Durham		
Trustee Dennis J. Walsh		