

Minutes - Board Meeting – 04/11/2018

Minutes of the meeting of the Board of Trustees of the Incorporated Village of Mineola held Wednesday, April 11, 2018 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
Village Treasurer Giacomo Ciccone
Superintendent of Buildings Daniel B. Whalen

Press Observers: *Williston Times*
Mineola American
Newsday

Sunshine Observers: 7 Observers

Mayor Scott P. Strauss introduced Chamber of Commerce President Tony Lubrano to make two brief announcements. Mr. Lubrano stated that the Chamber of Commerce is currently accepting nominations for the Wall of Honor, and that the Night on the Town, which raises money for the Leukemia and Lymphoma Society, will be held on Thursday April 19, 2018 at Jericho Terrace.

Mayor Scott P. Strauss called the Public Hearing to order at 6:50 PM

A Public Hearing was held at 6:50 PM at the Village Hall, 155 Washington Avenue, Mineola, New York, 11501 in order to receive public comment upon the following:

COMMUNITY DEVELOPMENT FUNDING 44TH YEAR ALLOCATIONS

\$228,500.00 – COMMERCIAL REHABILITATION
\$160,130.00 – P F & I: STREETSCAPE IMPROVEMENTS
**\$ 65,000.00 – ANALYSIS-PLANNING-DETERMINATION-
DESIGN MUNICIPAL PARKING**

No speakers addressed the Board

Resolution No. 92-18

Resolved to approve the Community Development 44th Year allocations as presented:

\$228,500.00 – COMMERCIAL REHABILITATION
\$160,130.00 – P F & I: STREETSCAPE IMPROVEMENTS
\$ 65,000.00 – ANALYSIS-PLANNING-DETERMINATION-DESIGN MUNICIPAL
PARKING

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

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 called the Public Hearing to order at 7:00 PM

Sunshine Observers: 8 Observers

A Public Hearing was held at 7:00 PM at the Village Hall, 155 Washington Avenue, Mineola, New York, 11501 in order to receive public comment upon the following:

NOTICE IS HEREBY GIVEN THAT THE TENTATIVE BUDGET FOR THE YEAR 2018/2019 HAS BEEN COMPLETED BY THE BUDGET OFFICER AND FILED IN THE OFFICE OF THE VILLAGE CLERK IN THE VILLAGE HALL, 155 WASHINGTON AVENUE, MINEOLA, NEW YORK 11501 WHEREIN SAME WILL REMAIN OPEN FOR INSPECTION BY THE GENERAL PUBLIC, BETWEEN THE HOURS OF 8:30 A.M. AND 4:30 P.M. UNTIL APRIL 11, 2018 WHEN A PUBLIC HEARING WILL BE HELD IN THE VILLAGE HALL OF THE INCORPORATED VILLAGE OF MINEOLA, 155 WASHINGTON AVENUE, MINEOLA, NEW YORK 11501 AT 6:30 P.M. TO CONSIDER SAID BUDGET FOR FINAL ADOPTION.

Village Treasurer Giacomo Ciccone introduced proposed changes to the Tentative Budget.

2 speakers addressed the Board

Resolution 93-18

Resolved to adopt the Homestead Adjusted Base Proportions for the Village of Mineola, as recommended by the Village Assessor, for the 2018-19 tax year.

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

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

Resolution 94-18

Resolved to adopt the 2018/19 Budget as amended.

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

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 called the Public Hearing to order at 7:16 PM

Sunshine Observers: 7 Observers

A Public Hearing was held at 7:16 PM at the Village Hall, 155 Washington Avenue, Mineola, New York, 11501 in order to receive public comment upon the following:

APPLICATION OF PARTHA P. CHANDRA 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 AN EDUCATIONAL TUTORING CENTER UPON THE PROPERTY KNOWN AS 464 JERICHO TURNPIKE, MINEOLA, NEW YORK, KNOWN AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 9, BLOCK 5, LOTS 30-32, 64-68, 130.

No speakers addressed the Board

Resolution 95-18

Resolved to declare the Special Use Application of Partha P. Chandra 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 educational tutoring center upon the property known as 464 Jericho Turnpike, Mineola, New York, known and designated on the Nassau County Land and Tax Map as Section 9, Block 5, Lots 30-32, 64-68, 130, as a Type II action pursuant to S.E.Q.R.A.

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 96-18

BOARD OF TRUSTEES
INCORPORATED VILLAGE OF MINEOLA

-----X

In the Matter of the Application of

PARTHA P. CHANDRA

DECISION

For a Special Use Permit pursuant to Chapter 550, Section 550-12B of the Code of the Incorporated Village of Mineola, at premises known as 464 Jericho Turnpike, Mineola, New York, known and designated on the Nassau County Land and Tax Map as Section 9, Block 5, Lots 30-32, 64-68, 130.

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NAME OF APPLICANT:	Partha P. Chandra
SUBJECT PROPERTY:	Section 9, Block 5, Lots 30-32, 64-68, 130
STREET LOCATION:	464 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 550-12B to establish an educational tutoring center.
PUBLICATION & POSTING:	All in accordance with applicable laws, rules and regulations.
DATE OF HEARING:	April 11, 2018
APPEARANCES:	Partha P. Chandra

DECISION:

Partha P. Chandra (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 to establish an educational tutoring center upon the property known as 464 Jericho Turnpike, Mineola, New York (known and designated on the Nassau County Land and Tax Map as Section 9, Block 5, Lots 30-32, 64-68 and 130) (hereinafter, the “Property”).

By Notice of Disapproval, dated February 26, 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 an educational 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 an educational tutoring center upon the property known as 464 Jericho Turnpike, Mineola, New York;
- 2) The class hours will be 3:30 pm to 8:30 pm, seven days a week;
- 3) The building has parking spaces in the rear of the Property to service the proposed use;
- 4) Applicant shall utilize the entrance in the rear for drop-offs/pick-ups;
- 5) Applicant will not be selling and/or preparing any food/drinks upon the Property; 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) Applicant shall not sell and/or prepare any food/drinks upon the Property;

- 2) Applicant shall maintain the entire Property in a clean condition;
- 3) 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;
- 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 decision. Applicant's 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.

Dated: Mineola, New York
April 11, 2018

A Public Hearing was held at 7:35 PM at the Village Hall, 155 Washington Avenue, Mineola, New York, 11501 in order to receive public comment upon the following:

PROPOSED LOCAL LAW AMENDING CHAPTER 510 OF THE MUNICIPAL CODE OF THE INCORPORATED VILLAGE OF MINEOLA, ENTITLED "VEHICLES AND TRAFFIC", SECTION 510-16, ENTITLED "RESTRICTIONS".

No speakers addressed the Board

Resolution 97-18

Resolved to adopt Local Law amending Chapter 510 of the Municipal Code of the Incorporated Village of Mineola, entitled "Vehicles and Traffic", Section 510-16, entitled "Restrictions".

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

Village Clerk Joseph R. Scalero polled the Board:

Vote:

Yes

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

No

Abstain

Mayor Scott P. Strauss called the Work Session to order at 7:50 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 Buildings Daniel B. Whalen

Press Observers: *None*

Sunshine Observers: No Observers

Resolution No. 98-18

Resolved to approve bills and payroll.

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

Resolution No. 99-18

Resolved to authorize a public bid for pool shuttle services.

Motioned by Trustee Paul S. Cusato
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		

Resolution No. 100-18

Resolved to authorize Village Clerk to attend the New York State Association of City and Village Clerks Executive Board Meeting in Cooperstown, NY April 19-20, 2018.

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. 101-18

Resolved to declare Friday April 27, 2018, as Arbor Day in the Village of Mineola to be commemorated by the planting of a tree.

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

Resolution No. 102-18

Resolved to authorize the hiring of Nicholas Kern as Laborer in the Sanitation Department with a starting salary in accordance with the Collective Bargaining Agreement.

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. 103-18

Resolved to approve a salary increase of \$2.00 per hour for Water Department employee Patrice Grosskopf.

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

Mayor Scott P. Strauss reminded residents that the Mineola Athletic Association opening day parade is Saturday April 14.

Mayor Scott P. Strauss requested a motion to close the Work Session at 7:55 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 S. Cusato		
Trustee Paul A. Pereira		
Trustee George R. Durham		
Trustee Dennis J. Walsh		