

Minutes - Board Meeting – 02/21/2018

Minutes of the meeting of the Board of Trustees of the Incorporated Village of Mineola held Wednesday, February 21, 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
Superintendent of Buildings Daniel B. Whalen

Press Observers: *Williston Times*

Sunshine Observers: 5 Observers

Mayor Scott P. Strauss called the Public Hearing to order at 6:30 PM

A Public Hearing was held at 6:30 PM at the Village Hall, 155 Washington Avenue, Mineola, New York, 11501 in order to receive public comment upon the following:

APPLICATION OF KRISTIN IMPERIALE 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 DANCE SCHOOL UPON THE PROPERTY KNOWN AS 500 JERICHO TURNPIKE, MINEOLA, NEW YORK, KNOWN AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 9, BLOCK 22, LOTS 32, 131.

No speakers addressed the Board

Resolution No. 43-18

Resolved to declare the Special Use Application of Kristin Imperiale 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 a dance school upon the property known as 500 Jericho Turnpike, Mineola, New York, known and designated on the Nassau County Land and Tax Map as Section 9, Block 22, Lots 32, 131 as a Type II action pursuant to S.E.Q.R.A.

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. 44-18

BOARD OF TRUSTEES
INCORPORATED VILLAGE OF MINEOLA

-----X

In the Matter of the Application of

KRISTIN IMPERIALE

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 500 Jericho Turnpike, Mineola, New York, known and designated on the Nassau County Land and Tax Map as Section 9, Block 22, Lots 32, 131.

-----X

NAME OF APPLICANT: Kristin Imperiale

SUBJECT PROPERTY: Section 9, Block 22, Lots 32, 131

STREET LOCATION: 500 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 to establish a dance school upon the property.

PUBLICATION & POSTING: All in accordance with applicable laws, rules and regulations.

DATE OF HEARING: February 21, 2018

APPEARANCES: Edward Butt, Architect

DECISION:

Kristin Imperiale, on behalf the American Theatre Dance Workshop (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 a dance school upon property known as 500 Jericho Turnpike, Mineola, New York (known and

designated on the Nassau County Land and Tax Map as Section 9, Block 22, Lots 32, 131) (hereinafter, the “Property”).

By Notice of Disapproval, dated December 19, 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 dance school 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 dance school upon the property known as 500 Jericho Turnpike, Mineola, New York;
- 2) Applicant’s hours of operation will be 10:00 am to 10:00 pm, seven (7) days a week;
- 3) Applicant has an existing 20 space parking lot attached to the Property;
- 4) Applicant proposes to have fifteen (15) students per class;
- 5) Each class runs approximately 1 hour; and
- 6) Applicant anticipates having five (5) employees.

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) No food and/or beverages 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
February 21, 2018

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

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 P. Strauss requested a motion to close the hearing at 6:45 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 7:30 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

Press Observers: *None*

Sunshine Observers: No Observers

Mayor Scott P. Strauss extended his condolences to the family of Robert Seewaldt, owner and operator of Robert’s Mens and Boys Wear for over 60 years; stated that he attended the Boys Scouts dinner; announced that the St. Patrick’s Day parade will be Sunday March 4, and the Mineola Junior Fire Department Pasta Dinner will be Sunday March 11; congratulated Mineola Fire Department members Andrew Carvalho of Company 3 and Danny Accatino of Company 1 on being named “Firefighter of the Year,” and reminded residents that winter is not over and if there is snow to follow the Village snow regulations.

Trustee Paul A. Pereira stated that the Portuguese Lions Club will be playing the movie “Disobedience” a film about Holocaust hero Mendes Sousa Sunday May 25 at 3:00 pm at Mineola High School with \$10.00 admission, and encouraged residents to come out for the St. Patrick’s Day parade next Sunday.

Trustee Paul S. Cusato extended condolences to the family of Robert Seewaldt, stating that it is a loss for the entire community.

Trustee George R. Durham reported that the Mineola Athletic Association online registration is now open for spring sports; announced a blood drive at Corpus Christi Church on Sunday February 25, and stated that AARP is offering free tax help to seniors at the Mineola Memorial Library on Wednesdays through April 11.

Trustee Dennis J. Walsh reported that he attended the Chamber of Commerce meeting where Senator Elaine Phillips was the speaker, as well as Girl Scout Emily Kille, who is promoting a *#sheservedtoo* campaign for women veterans. Trustee Walsh also discussed the Vision Long Island meeting which he recently attended.

3 speakers addressed the Board

Mayor Scott P. Strauss requested a motion to close the Public Meeting at 8:15 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 Paul A. Pereira		
Trustee George R. Durham		
Trustee Dennis J. Walsh		

Mayor Scott P. Strauss called the Work Session to order at 8:20 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: *Williston Times*
Mineola American

Sunshine Observers: 7 Observers

Resolution No. 45-18

Resolved to approve bills and payroll.

Motioned by Trustee Paul S. Cusato
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		

Resolution No. 46-18

Resolved to approve a request by the Mineola Portuguese Center, Inc. for the use of Wilson Field and Field #2 Friday June 8 through Sunday June 10, 2018 to conduct a Portuguese American Feast.

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		

Resolution No. 47-18

Resolved to approve a request by Boy Scouts Troop 45 for the use of a Community Center general purpose room on Monday February 26, 2018 and Monday March 5, 2018 from 6:30 PM – 10:00 PM for CPR training sessions.

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		

Resolution No. 48-18

Resolved to approve a request by Stephania Catering to renew a permit to operate a catering truck in the Village of Mineola along specified routes Monday – Friday, subject to filing any updated licenses and certificate with Village Clerk.

Motioned by Trustee Paul S. Cusato
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		

Resolution No. 49-18

Resolved to approve a request by the Mineola Fire Department for the use of the Village Hall Community Center Sunday March 4, 2018.

Motioned by Trustee Paul S. Cusato
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		

Resolution No. 50-18

Resolved to authorize the installation of a “No Stopping or Standing Any Time” restriction on the south side of Lincoln Avenue, west of Mineola Boulevard, starting at a point 88 feet west of the west curb line of Mineola Boulevard and continuing for 73 feet from that point in a westerly direction.

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		

Resolution No. 51-18

Resolved to authorize the purchase of 4 Stertil-Koni Wireless Mobile Column Lifts with a total lift capacity of 66,000 pounds from New York State Contract No. PC-67595 at a cost of \$37,400.00.

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		

Resolution No. 52-18

Resolved to authorize the Superintendent of Public Works to attend the NYCOM Public Works Training School Planning Committee meeting in Oneonta, NY, May 30 -31, 2018.

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		

Resolution No. 53-18

Resolved to amend parking restrictions on Woodnut Place to “90-minute Parking 8:00 am – 7:00 pm Except Sundays/Holidays”

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		

Mayor Scott P. Strauss requested a motion to close the Work Session at 8:30 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		