

Minutes - Board Meeting – 11/15/2023

Minutes of the meeting of the Board of Trustees of the Incorporated Village of Mineola held Wednesday, November 15, 2023 at Village Hall, 155 Washington Avenue, Mineola, New York 11501.

PRESENT: Mayor Paul A. Pereira
Trustee Paul S. Cusato
Trustee Janine Sartori
Trustee Jeffrey M. Clark
Trustee Donna M. Solosky

ALSO PRESENT: Village Attorney John P. Gibbons, Jr.
Village Clerk Bryan L. Rivera
Deputy Village Clerk Linda Pardo
Village Treasurer Giacomo A. Ciccone
Superintendent of Public Works Thomas J. Rini
Superintendent of Buildings Liam P. O’Keefe

Press Observer: None

Sunshine Observers: 20 Observers

Mayor Paul A. Pereira 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 KELLY MIRRO 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 CENTER FOR COMMUNITY SKILLS UPON THE PROPERTY KNOWN AS 44 JERICHO TURNPIKE, UNIT E, MINEOLA, NEW YORK, KNOWN AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 9, BLOCK 662, LOT 18.

The application was presented by Kelly Mirro. 3 speakers from the public addressed the Board.

Resolution No. 287-23

Resolved to declare the Special Use Application of Kelly Mirro 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 center for community skills upon the property known as 44 Jericho Turnpike, Unit E, 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 Donna M. Solosky
Seconded by Trustee Paul S. Cusato

Vote:

Yes

No

Abstain

Mayor Paul A. Pereira
Trustee Paul S. Cusato
Trustee Janine Sartori
Trustee Jeffrey M. Clark
Trustee Donna M. Solosky

Resolution No. 288-23

BOARD OF TRUSTEES
INCORPORATED VILLAGE OF MINEOLA
-----X

In the Matter of the Application of

KELLY MIRRO

DECISION

For a Special Use Permit pursuant to Chapter 550,
Section 550-12.B of the Code of the Incorporated
Village of Mineola, at premises known as 44 Jericho
Turnpike, Mineola, New York, known and
designated on the Nassau County Land and Tax Map
as Section 9, Block 662, Lot 18.
-----X

NAME OF APPLICANT:	Kelly Mirro
SUBJECT PROPERTY:	Section 9, Block 662, Lot 18
STREET LOCATION:	44 Jericho Turnpike Mineola, New York 11501
ZONING DISTRICT:	“B-1” District
RELIEF REQUESTED:	Application For a Special Use Permit pursuant to Chapter 550, Section 550-12.B to establish a community center for community skills for people with special needs
PUBLICATION & POSTING:	All in accordance with applicable laws, rules and regulations.
DATE OF HEARING:	November 15, 2023
APPEARANCE:	Kelly Mirro

DECISION:

Kelly Mirro (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 community center for people with special needs to develop life skills and participate in recreational activities upon the property known as 44 Jericho Turnpike, Mineola,

New York (known and designated on the Nassau County Land and Tax Map as Section 9, Block 662, Lot 18) (hereinafter, the “Property”).

By Notice of Disapproval, dated September 26, 2023, 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 the requested use at 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 community center for people with special needs upon the property known as 44 Jericho Turnpike, Mineola, New York;
- 2) Applicant is relocating its business from Floral Park, New York;
- 3) Applicant will be occupying the first and second floors at the Property, totaling 2,400 square feet. The first floor will be fitness and the second floor will be class rooms;
- 4) The proposed hours of operations will be Monday – Friday, 9:00 am to 7:00 pm; 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-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 obtain and maintain all necessary licenses, permits and approvals from all agencies having jurisdiction, if any with respect to the center;
- 2) Each of these conditions is material to the approval granted by the Board of Trustees. Violations of any of the conditions of this Special Use Permit shall subject the applicant or its successors to enforcement pursuant to the Village’s Municipal Code, including possible revocation of this Special Use Permit;

- 3) 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
- 4) Violation of a condition set forth in this Special Use Permit 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
November 15, 2023

Motioned by Trustee Janine Sartori
Seconded by Trustee Paul S. Cusato

Village Clerk Bryan L. Rivera polled the Board:

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Paul A. Pereira		
Trustee Paul S. Cusato		
Trustee Janine Sartori		
Trustee Jeffrey M. Clark		
Trustee Donna M. Solosky		

Mayor Paul A. Pereira requested a motion to close the Public Hearing at 6:45 PM.

Motioned by Trustee Jeffrey M. Clark
Seconded by Trustee Donna M. Solosky

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Paul A. Pereira		
Trustee Paul S. Cusato		
Trustee Janine Sartori		
Trustee Jeffrey M. Clark		
Trustee Donna M. Solosky		

Deputy Mayor Janine Sartori called the Work Session to order at 6:55 PM.

PRESENT:

- Deputy Mayor Janine Sartori
- Trustee Paul S. Cusato
- Trustee Jeffrey M. Clark
- Trustee Donna M. Solosky

ALSO PRESENT:

- Village Attorney John P. Gibbons, Jr.
- Village Clerk Bryan L. Rivera
- Deputy Village Clerk Linda Pardo
- Village Treasurer Giacomo A. Ciccone
- Superintendent of Public Works Thomas J. Rini

Press Observer: None

Sunshine Observers: 1 Observer

Deputy Mayor Janine Sartori stated that Mayor Paul A. Pereira is unable to attend the meeting due to personal obligations.

Resolution No. 289-23

Resolved to approve bills and payroll.

Motioned by Trustee Paul S. Cusato
Seconded by Trustee Donna M. Solosky

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Deputy Mayor Janine Sartori		
Trustee Paul S. Cusato		
Trustee Jeffrey M. Clark		
Trustee Donna M. Solosky		

Resolution No. 290-23

Resolved to suspend parking meter regulations on Saturdays from November 25 through December 30, 2023 on the following streets: Jericho Turnpike, Mineola Boulevard, Willis Avenue, and streets connecting Mineola Boulevard and Willis Avenue.

Motioned by Trustee Jeffrey M. Clark
Seconded by Trustee Donna M. Solosky

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Deputy Mayor Janine Sartori		
Trustee Paul S. Cusato		
Trustee Jeffrey M. Clark		
Trustee Donna M. Solosky		

Resolution No. 291-23

Resolved to approve a request by the Mineola Junior Fire Department for the use of the Village Hall Community Center to conduct its Pasta Dinner Saturday March 9, and Sunday March 10, 2024 beginning at 8:00 AM.

Motioned by Trustee Paul S. Cusato
Seconded by Trustee Jeffrey M. Clark

Vote:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Deputy Mayor Janine Sartori		
Trustee Paul S. Cusato		
Trustee Jeffrey M. Clark		
Trustee Donna M. Solosky		

Resolution No. 292-23

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

Rylan Vernon

Company 3

Motioned by Trustee Paul S. Cusato

Seconded by Trustee Jeffrey M. Clark

Vote:

Yes

No

Abstain

Deputy Mayor Janine Sartori

Trustee Paul S. Cusato

Trustee Jeffrey M. Clark

Trustee Donna M. Solosky

Resolution No. 293-23

Resolved to rescind previously authorized Change Order No. 19 – Reconciliation to Contract No. 2 – Electrical Construction for the New Administration Building approved on July 5, 2023, Resolution No. 189-23 and authorize the corrected Change Order No. 19.

Contractor: Welsbach Electric Corporation of Long Island

Amount: -\$10,217.50

Funding Source(s): 2023/2024 General Fund Budget and/or the General Fund Unreserved Fund Balance

Motioned by Trustee Donna M. Solosky

Seconded by Trustee Jeffrey M. Clark

Vote:

Yes

No

Abstain

Deputy Mayor Janine Sartori

Trustee Paul S. Cusato

Trustee Jeffrey M. Clark

Trustee Donna M. Solosky

Resolution No. 294-23

Resolved to authorize a public bid for PFAS Treatment at Well #1 – Phase I.

Engineers: D&B Engineers & Architects, P.C.

Funding Source: 2023/2024 Water Fund Budget, Water Fund Unreserved Fund Balance, Project Financing

Motioned by Trustee Paul S. Cusato

Seconded by Trustee Jeffrey M. Clark

Vote:

Yes

No

Abstain

Deputy Mayor Janine Sartori

Trustee Paul S. Cusato

Trustee Jeffrey M. Clark
Trustee Donna M. Solosky

Resolution No. 295-23

Resolved to authorize the posting of a Parking Field Supervisor position.

Motioned by Trustee Paul S. Cusato
Seconded by Trustee Donna M. Solosky

Vote:

Yes

No

Abstain

Deputy Mayor Janine Sartori
Trustee Paul S. Cusato
Trustee Jeffrey M. Clark
Trustee Donna M. Solosky

Resolution No. 296-23

Resolved to authorize the following Service Award payment from the Fire Service Award Fund to the following Mineola Fire Department Volunteer Firefighter, pursuant to the Length of Service Awards Program (LOSAP) effective January 1, 2024:

Scott C. Holliday \$560.00 monthly payment

Motioned by Trustee Paul S. Cusato
Seconded by Trustee Jeffrey M. Clark

Vote:

Yes

No

Abstain

Deputy Mayor Janine Sartori
Trustee Paul S. Cusato
Trustee Jeffrey M. Clark
Trustee Donna M. Solosky

Deputy Mayor Janine Sartori called for a brief recess at 7:00 PM

Presentation of the Annual Financial Statement for the fiscal year ending May 31, 2023 by William A. Barrett, CPA of Rynkar, Vail & Barrett, LLP.

Resolution No. 297-23

Resolved that the Board of Trustees accepts and adopts the audit report of the Justice Court for the fiscal year ended May 31, 2023 as prepared and submitted by the Village's independent outside auditors.

Motioned by Trustee Donna M. Solosky
Seconded by Trustee Jeffrey M. Clark

Abstain

Deputy Mayor Janine Sartori
Trustee Paul S. Cusato
Trustee Jeffrey M. Clark
Trustee Donna M. Solosky

Resolution No. 298-23

Resolved that the Board of Trustees accepts and adopts the audit report relative to the financial statements of the governmental activities, each major fund and the aggregate remaining fund information of the Village for the fiscal year ended May 31, 2023 as prepared and submitted by the Village's independent outside auditors.

Motioned by Trustee Paul S. Cusato
Seconded by Trustee Donna M. Solosky

Vote:

Yes

No

Abstain

Deputy Mayor Janine Sartori
Trustee Paul S. Cusato
Trustee Jeffrey M. Clark
Trustee Donna M. Solosky

Deputy Mayor Janine Sartori called the Public Meeting to order at 7:20 PM.

PRESENT: Deputy Mayor Janine Sartori
Trustee Paul S. Cusato
Trustee Jeffrey M. Clark
Trustee Donna M. Solosky

ALSO PRESENT: Village Attorney John P. Gibbons, Jr.
Village Clerk Bryan L. Rivera
Deputy Village Clerk Linda Pardo
Village Treasurer Giacomo A. Ciccone
Superintendent of Public Works Thomas J. Rini

Press Observer: None

Sunshine Observers: 1 Observer

Trustee Janine Sartori congratulated the Mineola High School boys soccer team on winning the Long Island championship, and wished the girls volleyball team good luck as they compete in the New York State championship; announced that there will be a Parade of Champions on Wednesday, November 22 at 12:00 noon which will include the two teams plus the marching band and homecoming court, adding that the parade will end at the Mineola Memorial Park Amphitheater where a ceremony will be held; announced that the Village Tree Lighting will be held on Friday, December 1 at 7:00 PM; encouraged residents to shop and eat locally, adding that parking meter enforcement will be suspended on Saturdays through the end of the year; reminded residents that Village offices will be closed on Thursday, November 23 for Thanksgiving and that a holiday sanitation schedule will be in effect, and stated that the 2024 commuter parking permit applications are now available on the Village website and at Village Hall.

Trustee Paul S. Cusato thanked everyone who participated and came out for the Veterans Day ceremony; congratulated the Mineola High School marching band, boys soccer team and girls volleyballs team; congratulated elected officials; announced that the Mineola Fire Department will begin taking calls for Operation Santa on November 27 which will run from December 8 through December 23, and wished residents a happy Thanksgiving.

Trustee Jeffrey M. Clark congratulated the Mineola High School student athletes; encouraged residents to come out and cheer them on at the Parade of Champions, and wished everyone a happy Thanksgiving.

Trustee Donna M. Solosky congratulated the Mineola High School athletes, band and homecoming court; announced that Mineola Memorial Library has a free backdrop for Christmas photo shoots by appointment; reported that there will be a Toys for Tots donation box at the library beginning November 24; stated that the Mineola Volunteer Ambulance Corps is holding a food drive until December 15, and announced that the last two Saturday senior tax exemption review dates are November 18 and December 9 from 9:00 AM to 12:00 noon at Village Hall.

No speakers addressed the Board

Deputy Mayor Janine Sartori requested a motion to close the Public Meeting at 7:30 PM.

Motioned by Trustee Jeffrey M. Clark
Seconded by Trustee Donna M. Solosky

Vote:			
<u>Yes</u>	<u>No</u>	<u>Abstain</u>	
Mayor Paul A. Pereira			
Trustee Paul S. Cusato			
Trustee Janine Sartori			
Trustee Jeffrey M. Clark			
Trustee Donna M. Solosky			

Respectfully submitted,

Bryan L. Rivera
Village Clerk