

**Minutes - Board Meeting –04/11/12**

Minutes of the meeting of the Board of Trustees of the Incorporated Village of Mineola held Wednesday, April 11, 2012 at Village Hall, 155 Washington Avenue, Mineola, New York 11501.

**PRESENT:** Mayor Scott P. Strauss  
Trustee Lawrence A. Werther  
Trustee Paul S. Cusato  
Trustee Paul A. Pereira  
Trustee George R. Durham

**ALSO PRESENT:** Village Attorney John Spellman  
Village Clerk Joseph R. Scalero  
Deputy Village Clerk Cora T. Kelly  
Superintendent of Buildings Daniel B. Whalen

**Press Observers:** Rich Forestano, *Mineola American*

Geoffrey Walter, *Patch.com*

**Sunshine Observers:** 12 Observers

**Mayor Scott P. Strauss called the Public Hearing to order at 6:45 PM**

A Public Hearing was held at 6:45 PM at the Village Hall, 155 Washington Avenue, Mineola, New York, 11501 in order to receive public comment upon the following:

**APPLICATION OF BODY IN BALANCE YOGA & PILATES, LLC FOR A SPECIAL PERMIT PURSUANT TO CHAPTER 30 OF THE CODE OF THE INCORPORATED VILLAGE OF MINEOLA, ENTITLED “ZONING”, SECTION 30.31 ENTITLED “B-1 DISTRICTS”, SUBSECTION (B) ENTITLED “SPECIAL USES” IN ORDER TO CONDUCT CLASSES IN PILATES, YOGA, ZUMBA AND ADMINISTER THERAPEUTIC MEDICAL MASSAGE UPON THE PROPERTY KNOWN AS 258B HERRICKS ROAD, MINEOLA, NEW YORK, KNOWN AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 9, BLOCK 35, LOTS 44-45; AND**

*1 Speaker addressed the Board*

**Resolution No. 105-12**

Resolved to declare the application of Body in Balance Yoga & Pilates, LLC. for a special permit at 258B Herricks Road, Mineola NY as an unlisted action with a negative declaration under the New York State Environment Quality Review Act (SEQRA).

Motioned by Trustee Paul A. Pereira  
Seconded by Trustee Lawrence A. Werther

**Vote:**  
**Yes** No Abstain  
Mayor Scott P. Strauss  
Trustee Lawrence A. Werther  
Trustee Paul A. Pereira  
Trustee Paul S. Cusato  
Trustee George R. Durham

**Mayor Scott P. Strauss requested a motion to close the hearing and reserve decision at 7:10 PM.**

Motioned by Trustee Lawrence A. Werther  
Seconded by Trustee Paul S. Cusato

**Vote:**  
**Yes** No Abstain  
Mayor Scott P. Strauss  
Trustee Lawrence A. Werther  
Trustee Paul A. Pereira  
Trustee Paul S. Cusato  
Trustee George R. Durham

*A Public Hearing was held at 7:10 PM at the Village Hall, 155 Washington Avenue, Mineola, New York, 11501 in order to receive public comment upon the following:*

**APPLICATION OF DUANE VANDERWERF FOR A SPECIAL PERMIT PURSUANT TO CHAPTER 30 OF THE CODE OF THE INCORPORATED VILLAGE OF MINEOLA, ENTITLED “ZONING”, SECTION 30.31 ENTITLED “B-1 DISTRICTS”, SUBSECTION (B) ENTITLED “SPECIAL USES” FOR THE PREPARATION AND SALE OF FOOD (RESTAURANT) UPON THE PROPERTY KNOWN AS 78 ROSLYN ROAD, MINEOLA, NEW YORK, KNOWN AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 9, BLOCK 303, LOT 151.**

*1 Speaker addressed the Board*

**Resolution No. 106-12**

Resolved to declare the application of Duane Vanderwerf for a special permit at 78 Roslyn Road, Mineola NY as an unlisted action with a negative declaration under the New York State Environment Quality Review Act (SEQRA).

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

**Vote:**  
**Yes** **No** **Abstain**  
Mayor Scott P. Strauss  
Trustee Lawrence A. Werther  
Trustee Paul A. Pereira  
Trustee Paul S. Cusato  
Trustee George R. Durham

**Mayor Scott P. Strauss requested a motion to close the Public Hearing and reserve decision at 7:45 PM.**

Motioned by Trustee Paul A. Pereira  
Seconded by Trustee Lawrence A. Werther

**Vote:**  
**Yes** **No** **Abstain**  
Mayor Scott P. Strauss  
Trustee Lawrence A. Werther  
Trustee Paul S. Cusato  
Trustee Paul A. Pereira  
Trustee George R. Durham

**Mayor Scott P. Strauss called the Work Session to order at 8:00 PM.**

**PRESENT:** Mayor Scott P. Strauss  
Trustee Lawrence A. Werther  
Trustee Paul S. Cusato  
Trustee Paul A. Pereira  
Trustee George R. Durham

**ALSO PRESENT:** Village Attorney John Spellman  
Village Clerk Joseph R. Scalero  
Deputy Village Clerk Cora T. Kelly  
Superintendent of Buildings Daniel B. Whalen

**Press Observers:** Rich Forestano, *Mineola American*

Geoffrey Walter, *Patch.com*

**Sunshine Observers:** 6 Observers

**Resolution No.107-12**

Resolved to approve bills and payroll.

Motioned by Trustee Lawrence A. Werther  
Seconded by Trustee Paul S. Cusato

**Vote:**  
**Yes** **No** **Abstain**  
Mayor Scott P. Strauss  
Trustee Lawrence A. Werther  
Trustee Paul S. Cusato  
Trustee Paul A. Pereira  
Trustee George R. Durham

**Resolution No. 108-12**

Resolved to approve a request by the Long Island Portuguese Lions Club for the use of Wilson Park on Sunday, June 3, 2012 from 10:00 AM – 5:00 PM for their annual barbeque.

Motioned by Trustee Paul A. Pereira  
Seconded by Trustee Lawrence A. Werther

**Vote:**  
**Yes** **No** **Abstain**  
Mayor Scott P. Strauss  
Trustee Lawrence A. Werther  
Trustee Paul S. Cusato  
Trustee Paul A. Pereira  
Trustee George R. Durham

**Resolution No. 109-12**

Resolved to approve a request by MJF Ice Cream, Inc. to renew a permit to operate an ice cream truck in the Village of Mineola from March 31, 2012 through October 31, 2012 from 12:00 PM until 8:30 PM or dusk (whichever is earlier) conditional upon receipt of proof of valid vehicle registration, insurance, and any applicable Nassau County Department of Health permit(s).

Motioned by Trustee Paul S. Cusato  
Seconded by Trustee Lawrence A. Werther

**Vote:**

<b><u>Yes</u></b>	<b><u>No</u></b>	<b><u>Abstain</u></b>
Mayor Scott P. Strauss		
Trustee Lawrence A. Werther		
Trustee Paul S. Cusato		
Trustee Paul A. Pereira		
Trustee George R. Durham		

**Resolution No. 110-12**

Resolved to approve a lump-sum separation payout of \$22,242.41 to Secretary to the Board of Zoning Appeals, Karen Calabro, for unused accumulated time in accordance with the Collective Bargaining Agreement.

Motioned by Trustee Paul A. Pereira  
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 Lawrence A. Werther		
Trustee Paul S. Cusato		
Trustee Paul A. Pereira		
Trustee George R. Durham		

**Resolution No. 111-12**

WHEREAS, the Board of Trustees of the Incorporated Village of Mineola previously designated the Gazebo located at Memorial Park to be an historic site pursuant to Chapter 37 of the Village of Mineola Municipal Code; and

WHEREAS, the said Gazebo has fallen into a serious state of disrepair and injury due to the effect of the elements, wind and falling trees; and

WHEREAS, a physical inspection of the Gazebo was made by the Village's Superintendent of the Building Department on March 2, 2012; and

WHEREAS, said inspection demonstrated that deterioration of the roof, ceiling and vertical support structures of the Gazebo presents a dangerous condition; and

WHEREAS, the Board of Trustees has considered the significant architectural features and the historically significant nature of the Gazebo and the fact that the Gazebo structure is beyond repair or restoration.

NOW, THEREFORE, IT IS RESOLVED as follows:

The Board of Trustees hereby issues a Certificate of Appropriateness, pursuant to Chapter 37 of the Village's Code, for the demolition of the Gazebo located at Memorial Park;

The Board determines that once the upper structure of the Gazebo shall have been demolished, the foundation shall be removed inasmuch as it has neither historical significance nor current utility;

The Board finds that the historical tradition and theme of the Gazebo and its role in the Mineola community can be replicated by means of a new Gazebo placed appropriately in Memorial Park so as to serve a variety of purposes and events for the residents of the Village; and

The Board hereby commissions a study to develop architectural, functionality, placement and financing options for a new Gazebo at Memorial Park.

Motioned by Trustee George R. Durham  
Seconded by Trustee Lawrence A. Werther

**Vote:**

<b><u>Yes</u></b>	<b><u>No</u></b>	<b><u>Abstain</u></b>
Mayor Scott P. Strauss		
Trustee Lawrence A. Werther		
Trustee Paul S. Cusato		
Trustee Paul A. Pereira		
Trustee George R. Durham		

**Mayor Scott P. Strauss requested a motion to close the Work Session at 8:15 PM**

Motioned by Trustee Lawrence A. Werther  
Seconded by Trustee Paul A. Pereira

**Vote:**

**Yes**

Mayor Scott P. Strauss  
Trustee Lawrence A. Werther  
Trustee Paul S. Cusato  
Trustee Paul A. Pereira  
Trustee George R. Durham

**No**

**Abstain**