Minutes - Board Meeting 06/12/2013

Minutes of the meeting of the Board of Trustees of the Incorporated Village of Mineola held Wednesday, June 12, 2013 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 Clerk Joseph R. Scalero Village Attorney John M. Spellman Deputy Village Clerk Cora T. Kelly
Press Observers:	*Mineola American* *Williston Times* *Newsday* *Patch.com*
Sunshine Observers:	9 Observers

Mayor Scott P. Strauss called the Work Session to order at 6:35 PM

Mayor Scott P. Strauss opened the meeting by congratulating Deputy Mayor Paul A. Pereira on being named "Portuguese Man of the Year" by Nassau County Executive Ed Mangano; announced that the Mineola Historical Society is having its garage sale on Saturday from 10:00 am – 2:00 pm; and reminded residents that Opening Day at the John S. DaVanzo Community Pool is Saturday at 10:00 am.

Trustee George R. Durham reminded residents that the Boy Scouts of America Troop 45 is having its Father's Day Pancake Breakfast at the Knights of Columbus from 8:00 am – 12:00 pm.

Resolution No. 156-13

Resolved to approve bills and payroll.

Motioned by Trustee Paul S. Cusato
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. 157-13

Resolved to authorize the Village Clerk to attend the Cornell Municipal Clerks Institute at Cornell University, Year-3, in Ithaca, New York July 14-18.

Motioned by Trustee George R. Durham
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. 158-13

Resolved to authorize a fireworks display at the Nassau Pops Concert in the Park by Bay Fire Works on July 5, 2013 at a cost of $7,500.00.

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 No.159-13

BOARD OF TRUSTEES
INCORPORATED VILLAGE OF MINEOLA
----------X
In the Matter of the Application of

ROBERT J. ROBLE

For a Special Use Permit pursuant to Chapter 30, Section 30.31 of the Code of the Incorporated Village of Mineola, at premises known as 172 Willis Avenue, Mineola, New York, known and designated on the Nassau County Land and Tax Map as Section 9, Block 456, Lot 193.
----------X

DECISION

NAME OF APPLICANTS:	Robert J. Roble
SUBJECT PROPERTY:	Section 9, Block 456, Lot 193
STREET LOCATION:	172 Willis Avenue Mineola, New York 11501
ZONING DISTRICT:	Business "B-1" District
RELIEF REQUESTED:	Application For a Special Use Permit pursuant to Chapter 30, Section 30.31 for the demolition of the existing east portion of the structure and the expansion of the existing special permitted use upon the property
PUBLICATION & POSTING:	All in accordance with applicable laws, rules and regulations.
DATE OF HEARING:	May 8, 2013
APPEARANCES:	Robert J. Roble, architect
IN SUPPORT:	Pastor Wilson Jose

DECISION:

Robert J. Roble, on behalf of Grace International Assembly of God (hereinafter, "Applicant") is before this Board pursuant to Chapter 30, Section 30.31 of the Municipal Code of the Incorporated Village of Mineola for a special use permit for the demolition of the existing east

portion of the structure and the expansion of the existing special permitted use (approximately 4,760 square feet) upon the property known as 172 Willis Avenue, Mineola, New York (known and designated on the Nassau County Land and Tax Map as Section 9, Block 456, Lot 192) (hereinafter, the "Property").

By Notice of Disapproval, dated February 5, 2013, 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 demolition of the existing east portion of the structure and the expansion of the existing special permitted use 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.

A referral of the application was made to the Nassau County Planning Commission on May 14, 2013. By letter, dated May 17, 2013, 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 for the demolition of the existing east portion of the structure and the expansion of the existing special permitted use (approximately 4,760 square feet) upon the property known as 172 Willis Avenue, Mineola, New York;

2) Applicant is seeking to maintain a church at the property known as 172 Willis Avenue, Mineola, New York;

3) Applicant is proposing demolition to the 1950's era addition. The original construction from 1889 will remain;

4) The addition is needed to afford the Church the opportunity to provide better accessibility, restroom facilities and parishioner use;

5) Applicant will add additional restrooms and Sunday School classrooms (total of six (6));

6) The Applicant is a non-for profit church. The Premises will be utilized as such and no for-profit business will be conducted on Premises;

7) Applicant will repair and maintain the Premises, including, but not limited to the addition of proper drainage in the parking lot, painting the exterior, repairing the fencing, repair north window; and

8) 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) The Applicant will not rent, lease or permit the property to outside groups for any non-church service or non-church related activities;

2) All cooking equipment maintained shall be in compliance with the New York State Fire Prevention and Building Code, the Regulations of the Nassau County Fire Marshal and the Rules of all agencies having jurisdiction;

3) Each of these conditions is material to the approval granted by the Board of Trustees. Violations of any of them shall subject the applicant or it successors to enforcement pursuant to the Village's Municipal Code, including possible revocation of this special 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 decisions. Said representations are deemed to be part of the conditions of this special 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
June 12, 2013

Motioned by Trustee Dennis J. Walsh
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 No. 160-13

Resolved to approve the adoption of the Incorporated Village of Mineola Workplace Violence Prevention Policy and Workplace Violence Prevention Program.

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		

Mayor Scott P. Strauss extended best wishes for a Happy Father's Day.

Mayor Scott P. Strauss requested a motion to close the Work Session at 6:53 PM.

Motioned by Trustee Dennis J. Walsh
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		