Minutes - Board Meeting – 02/19/2014

Minutes of the meeting of the Board of Trustees of the Incorporated Village of Mineola held Wednesday, February 19, 2014 at Village Hall, 155 Washington Avenue, Mineola, New York 11501.

PRESENT:	Mayor Scott P. Strauss Trustee Paul A. Pereira Trustee Dennis J. Walsh
ALSO PRESENT:	Village Attorney John M. Spellman Village Clerk Joseph R. Scalero Deputy Village Clerk Cora T. Kelly Superintendent of Buildings Daniel B. Whalen
Press Observers:	*Mineola American* *Williston Times*
Sunshine Observers:	25 Observers

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

Mayor Scott P. Strauss announced that Trustees Paul S. Cusato and George R. Durham were not able to attend these hearings as they both had personal obligations. Mayor Strauss indicated that Trustee Cusato and Trustee Durham wished to participate in the decision process by reviewing the transcripts and videotape broadcast of these hearings. Mayor Strauss inquired of each applicant if they had an issue with this, and each applicant indicated they had no objection to this.

A Public Hearing was held 6:40 PM at the Village Hall, 155 Washington Avenue, Mineola, New York, 11501 in order to receive public comment upon the following:

APPLICATION OF SHAWN SWIFT 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 FITNESS TRAINING CENTER FOR UNDERPRIVILEGED CHILDREN, MENTALLY DISABLED ADULTS, LOW INCOME PERSONS AND THOSE LOSING WEIGHT TO FACILITATE ORGAN DONATION UPON THE PROPERTY KNOWN AS 111 E. JERICHO TURNPIKE, MINEOLA, NEW YORK, KNOWN AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 9, BLOCK 268, LOT 6 AND

Village Attorney John M. Spellman announced that the Nassau County Planning Commission recommended that the Board of Trustees take any actions it deems appropriate.

After the applicant's presentation, Village Attorney John M. Spellman suggested that the applicant Shawn Swift amend his application to limit the Special Use to a Wrestling, Teaching, and Practice Facility, which the Board agreed this was acceptable.

No Speakers addressed the Board

Mayor Scott P. Strauss requested a motion to close the hearing and reserve decision at 7:25 PM.

Motioned by Trustee Paul A. Pereira
Seconded by Trustee Dennis J. Walsh

Vote:

Yes	**No**	**Abstain**
Mayor Scott P. Strauss		
Trustee Paul A. Pereira		
Trustee Dennis J. Walsh		

A Public Hearing was held 7:45 PM at the Village Hall, 155 Washington Avenue, Mineola, New York, 11501 in order to receive public comment upon the following:

APPLICATION OF 210 OLD COUNTRY ROAD HOLDINGS, LLC FOR A SPECIAL USE PERMIT, PURSUANT TO CHAPTER 550 OF THE CODE OF THE INCORPORATED VILLAGE OF MINEOLA, ENTITLED "ZONING", SECTION 550.14 ENTITLED "B-3 DISTRICTS", SUBSECTION (B) ENTITLED "SPECIAL USES" FOR THE PURPOSE OF ESTABLISHING AN URGENT CARE DOCTOR'S OFFICE ON THE FIRST FLOOR UPON THE PROPERTY KNOWN AS 210 OLD COUNTRY ROAD, MINEOLA, NEW YORK, KNOWN AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 9, BLOCK 428, LOTS 102, 202 AND 208; AND

Village Attorney John M. Spellman announced that the Nassau County Planning Commission recommended that the Board of Trustees take any actions it deems appropriate.

No Speakers addressed the Board

Mayor Scott P. Strauss requested a motion to close the hearing and reserve decision at 8:05 PM.

Motioned by Trustee Paul A. Pereira
Seconded by Trustee Dennis J. Walsh

Vote:

Yes	**No**	**Abstain**
Mayor Scott P. Strauss		
Trustee Paul A. Pereira		
Trustee Dennis J. Walsh		

A Public Hearing was held 8:06 PM at the Village Hall, 155 Washington Avenue, Mineola, New York, 11501 in order to receive public comment upon the following:

A PROPOSED LOCAL LAW AUTHORIZING A PROPERTY TAX LEVY IN EXCESS OF THE LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C. THIS LOCAL LAW WILL NOT REQUIRE THE MUNICIPALITY TO AUTHORIZE A PROPERTY TAX LEVY IN EXCESS OF THE LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C, BUT HAS BEEN RECOMMENDED FOR ADOPTION BY THE NEW YORK CONFERENCE OF MAYORS TO PROTECT THE MUNICIPALITY IF THERE IS A TECHNICAL OR CLERICAL ERROR IN THE CAP CALCULATION OR SOME OTHER UNFORESEEN OCCURRENCE THAT RESULTS IN A MUNICIPALITY INADVERTENTLY EXCEEDING THE TAX CAP.

1 Speaker addressed the Board

Resolution No. 39-14

Resolved to adopt the proposed Local Law authorizing a property tax levy in excess of the limit established in general municipal law §3-C to protect the municipality if there is a technical or clerical error in the cap calculation or some other unforeseen occurrence that results in a municipality inadvertently exceeding the tax cap.

Motioned by Trustee Paul A. Pereira
Seconded by Trustee Dennis J. Walsh

Village Clerk Joseph R. Scalero polled the Board:

Vote:

Yes	**No**	**Abstain**
Trustee Paul A. Pereira		
Trustee Dennis J. Walsh		
Mayor Scott P. Strauss		

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

Motioned by Trustee Dennis J. Walsh
Seconded by Trustee Paul A. Pereira

Vote:

Yes	**No**	**Abstain**
Mayor Scott P. Strauss		
Trustee Paul A. Pereira		
Trustee Dennis J. Walsh		

Mayor Scott P. Strauss called the Work Session to order at 8:15 PM.

PRESENT: Mayor Scott P. Strauss
Trustee Paul A. Pereira
Trustee Dennis J. Walsh

ALSO PRESENT: Village Attorney John M. Spellman
Village Clerk Joseph R. Scalero
Deputy Village Clerk Cora T. Kelly

Press Observers: *Mineola American*
Williston Times

Sunshine Observers: 6 Observers

Resolution No. 40-14

Resolved to approve bills and payroll.

Motioned by Trustee Paul A. Pereira
Seconded by Trustee Dennis J. Walsh

Vote:

Yes	**No**	**Abstain**
Mayor Scott P. Strauss		
Trustee Paul A. Pereira		
Trustee Dennis J. Walsh		

Resolution No. 41-14

Resolved to approve a request by the Long Island Portuguese Lions Club for the use of the Wilson Park picnic area on Sunday June 1, 2014 from 9:00 AM – 5 PM.

Motioned by Trustee Dennis J. Walsh
Seconded by Trustee Paul A. Pereira

Vote:

Yes	**No**	**Abstain**
Mayor Scott P. Strauss		
Trustee Paul A. Pereira		
Trustee Dennis J. Walsh		

Resolution No. 42-14

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

Tevin Quirk Company #2

Motioned by Trustee Dennis J. Walsh
Seconded by Trustee Paul A. Pereira

Vote:

Yes	**No**	**Abstain**
Mayor Scott P. Strauss		
Trustee Paul A. Pereira		
Trustee Dennis J. Walsh		

Resolution No. 43-14

Resolved to authorize the purchase of one (1), Poligon Alpine 73'x 38' Band Shell per NJPA Contract No. 022113-PPC.

Vendor: Porter Corporation
Cost: $ 78,185.00
Funding: Development Incentive Bonus Funding

Motioned by Trustee Dennis J. Walsh
Seconded by Trustee Paul A. Pereira

Vote:

Yes	**No**	**Abstain**
Mayor Scott P. Strauss		
Trustee Paul A. Pereira		
Trustee Dennis J. Walsh		

Resolution No. 44-14

Resolved to ratify Mayor Strauss' signature from January 17, 2014 on the Inter-Municipal Agreement with Nassau County for the reimbursement of $118,215.00 to the Village of Mineola for the construction of 184 linear feet of 48 inch reinforced concrete drainage pipe, 2 manholes and other related items on behalf of Nassau County for the Sheridan Boulevard Drainage Improvements.

Motioned by Trustee Paul A. Pereira
Seconded by Trustee Dennis J. Walsh

Vote:

Yes	**No**	**Abstain**
Mayor Scott P. Strauss		
Trustee Paul A. Pereira		
Trustee Dennis J. Walsh		

Mayor Scott R. Strauss requested a motion to close the Work Session at 8:22 PM

Motioned by Trustee Paul A. Pereira
Seconded by Trustee Dennis J. Walsh

Vote:

Yes	**No**	**Abstain**
Mayor Scott P. Strauss		
Trustee Paul A. Pereira		
Trustee Dennis J. Walsh		