

Minutes - Board Meeting 11/4/2015

Minutes of the meeting of the Board of Trustees of the Incorporated Village of Mineola held Wednesday, November 4, 2015 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
Village Treasurer Giacomo Ciccone
Superintendent of Public Works Thomas J. Rini
Superintendent of Buildings Daniel B. Whalen

Press Observer: *Mineola American*
Newsday
Williston Times

Sunshine Observers: 85 Observers

Mayor Scott P. Strauss called the Meeting to order at 6:40 PM.

Presentation of the Annual Financial Statement for the fiscal year ending May 31, 2015 by William A. Barrett, CPA of Rynkar, Vail & Barrett, LLP.

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 MCRT NORTHEAST LLC FOR A SPECIAL PERMIT PURSUANT TO CHAPTER 550 OF THE CODE OF THE INCORPORATED VILLAGE OF MINEOLA ENTITLED “ZONING”, SECTION 550-5.I (DEVELOPMENT INCENTIVE BONUS LAW), FOR THE CONSTRUCTION OF A MULTI-STORY 197 UNIT APARTMENT BUILDING LOCATED ON THE NORTH AND SOUTH SIDES OF SEARING AVENUE BETWEEN WILLIS AVENUE AND THE LONG ISLAND RAILROAD TRACKS WITHIN THE INCOPORATED VILLAGE OF MINEOLA.

Resolution No. 294-15

Resolution declaring lead agency for environmental review in connection with the proposed application of MCRT Northeast LLC for a special permit pursuant to the Village’s Development Incentive Bonus Law for construction of a multifamily 197 residential unit apartment building located on the north and south sides of Searing Avenue between Willis Avenue and the Long Island Rail Road tracks within the Incorporated Village of Mineola, New York,

AND

Classification of the proposed action under SEQRA

WHEREAS, the Incorporated Village of Mineola (hereinafter the “Village”) Board of Trustees has received the Application for a special use permit application on behalf of MCRT Northeast LLC for a Development Incentive Bonus, pursuant §550-5.I of the Municipal Code of the Incorporated Village of Mineola, to allow the development of a multifamily 197 residential unit apartment building located on the north and south sides of Searing Avenue between Willis Avenue and the Long Island Railroad Tracks within the Incorporated Village of Mineola (hereinafter the “Proposed Action”); and

WHEREAS, SEQRA §617.6 provides a means for an agency to coordinate with other involved agencies to determine the most appropriate lead agency for review of an Action; the regulation provides a thirty (30) day time period from the date of service, or if all involved agencies respond prior to the expiration of the 30 day time period, the Lead Agency may be designated; and

WHEREAS, the Village Board of Trustees circulated a letter of coordinated review with the other agencies involved in the approval of the Proposed Action, and in that correspondence, declared its Notice of Intent to serve as Lead Agency in connection with the environmental review of the Proposed Action; and

WHEREAS, the Village has received a letter from the Long Island Rail Road (“LIRR”), dated September 30, 2015, stating that the LIRR has no objection to the Village Board assuming lead agency status; and

WHEREAS, the Village has received a letter from the Nassau County Planning Commission (“Planning Commission”), dated October 8, 2015, stating that the Planning Commission has no objection to the Village Board assuming lead agency status; and

WHEREAS, no other agencies responded to the coordination request indicating opposition to the Village Board of Trustees assuming lead agency status for review of the Proposed Action and the 30 day time period from the date of service of the letter of coordinated review has elapsed.

NOW THEREFORE, BE IT

RESOLVED, that the Board of Trustees hereby declares itself Lead Agency in the review of the Proposed Action for the Village of Mineola, County of Nassau, State of New York; and

BE IT FURTHER RESOLVED, that the Board of Trustees has reviewed this Proposed Action and has preliminarily determined that the Proposed Action is hereby classified a Type I under SEQRA.

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		

A Public Hearing was held at 7:15 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 AMENDING SECTION 550-5 OF THE MUNICIPAL CODE OF THE INCORPORATED VILLAGE OF MINEOLA ENTITLED “GENERAL REGULATIONS”, SUBSECTION I, ENTITLED “DEVELOPMENT INCENTIVE BONUSES” BY ADDING TO THE DEVELOPMENT INCENTIVE BONUS LAW THE REQUIREMENT TO SET ASIDE TEN PERCENT (10%) OF RESIDENTIAL UNITS AS AFFORDABLE WORKFORCE HOUSING UNITS IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 699 OF THE NEW YORK GENERAL MUNICIPAL LAW.

Mayor Scott P. Strauss adjourned the Public Hearings to conduct a brief Public Meeting, noting that the first Wednesday of each month is usually when Public Meetings are conducted. Mayor

Strauss added that because the scheduled hearings are not normally held on this night, taking a brief adjournment to conduct a Public Meeting would allow residents an opportunity to address the Board without having to wait until the end of the Hearings which might be late.

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
Superintendent of Buildings Daniel B. Whalen

Press Observer: *Mineola American*
Newsday
Williston Times

Sunshine Observers: 12 Observers

Two speakers addressed the Board

Mayor Scott R. Strauss requested a motion to close the Public Meeting at 7:45 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 reconvened the Public Hearings at 7:45 PM.

Resolution No. 295-15

Resolved to adopt a proposed local law amending Section 550-5 of the Municipal Code of the Incorporated Village of Mineola entitled “General Regulations”, Subsection I, entitled “Development Incentive Bonuses” by adding to the Development Incentive Bonus Law the requirement to set aside ten percent (10%) of residential units as affordable workforce housing units in accordance with the requirements of Section 699 of the New York General Municipal Law.

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 9:35 PM.

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 called the Work Session to order at 9:45 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
Superintendent of Public Works Thomas J. Rini

Press Observers: None

Sunshine Observers: 2 Observers

Resolution No. 296-15

Resolved to approve bills and payroll.

Motioned by Trustee Paul S. Cusato
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. 297-15

Resolved that the Board of Trustees accepts and adopts the audit report of the Justice Court for the fiscal year ended May 31, 2015 as prepared and submitted by the Village's independent outside auditors.

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

Resolution No. 298-15

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, 2015 as prepared and submitted by the Village's independent outside auditors.

Motioned by Trustee Paul S. Cusato
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. 299-15

Resolved to approve the minutes from the meetings of the Board of Trustees of October 7, 2015, October 14, 2015, and October 21, 2015.

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. 300-15

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

John Clarke	Co. 3
Daniel Martins	Co. 3

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. 301-15

Resolved to approve the following payments in the amount of \$7,198.22 from the Development Incentive Bonus Funds in FY 2015-2016:

<u>VENDOR</u>	<u>AMOUNT</u>	<u>PROJECT</u>
Dvirka & Bartilucci Consulting Engineers	\$ 1,996.40	2 ND Street Parking Lot
Dvirka & Bartilucci Consulting Engineers	\$ 1,102.23	Memorial Park Project
Dvirka & Bartilucci Consulting Engineers	\$ 983.23	Village Hall/Community Center Generator
Dvirka & Bartilucci Consulting Engineers	\$ 676.50	Memorial Park Project
Dvirka & Bartilucci Consulting Engineers	\$ 560.11	Memorial Park Project
Mayday Communications Inc.	\$ 1,879.75	Fire Department Bus
TOTAL:	\$ 7,198.22	

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		

Resolution No. 302-15

Resolved to authorize Change Order No. 1 & Change Order No. 2 to the 2015 Road Roadway and Drainage Improvements Program Contract.

Change Order No. 1: shall authorize the addition of Item No. 121-DB to add a dense course aggregate at a Unit Price of \$72.00 per square and includes all labor, materials and equipment to place 5 inches of recycled concrete

Change Order No. 2: shall authorize the addition of Item No. 121 FF for the installation of Tensar Geogrid Fabric at 13.00 per square yard and includes all labor, materials and equipment to place the Tensar Geogrid Fabric

Contractor: Valente Contracting Corp.
 Cost: Approximately \$ 29,343.00 Savings from the original bid price
 Funding Source: 2015/2016 Budget

Motioned by Trustee Paul S. Cusato
 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. 303-15

Resolution authorizing the purchase and installation of one, new Hi-Way Model E202XT-10SS, 10 foot stainless steel hopper spreader from Trius, Inc. at a quoted price of \$ 16,851.00

Funding Source: 2015/2016 General Fund Budget

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. 304-15

Resolution authorizing the request from the property owner at 112 Bruce Terrace for the expansion of the curb cut from 11 feet to 14 feet.

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. 305-15

Resolution authorizing the request from the property owner at 11 Shortridge Drive for the expansion of the curb cut from 11 feet to 14 feet.

Motioned by Trustee Paul S. Cusato
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. 306-15

Resolution authorizing the request from the property owner at 37 Kenilworth Road for the expansion of the curb cut from 11 feet to 16 feet.

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

Resolution No. 307-15

Resolution authorizing the request from the property owner at 252 Garfield Avenue for the expansion of the curb cut from 12 feet to 16 feet.

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

Mayor Scott R. Strauss requested a motion to close the Work Session at 10:05 PM

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