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TOWN OF HEMPSTEAD

TOWN HALL PAVILION

HEMPSTEAD, NEW YORK 11550

FEBRUARY 7, 2017

10:30 A.M.

BEFORE: SUPERVISOR SANTINO

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APPEARANCES :

- SENIOR COUNCILWOMAN GOOSBY
- COUNCILMAN AMBROSINO
- COUNCILMAN BLAKEMAN
- COUNCILMAN D'ESPOSITO
- COUNCILMAN HUDES
- COUNCILWOMAN KING-SWEENEY
- RECEIVER OF TAXES CLAVIN
- TOWN CLERK AHMAD
- TOWN ATTORNEY RA
- COMPTROLLER CONROY

HEMPSTEAD TOWN BOARD 2/7/17

1 SUPERVISOR SANTINO: Welcome to the
2 regular Town Board Meeting.

3 Today we have a Public Hearing
4 Calendar, a Decision and Administrative
5 Calendar and the Town Board will stay behind
6 and listen to the thoughts and comments and
7 concerns of the Town Residents who wish to
8 speak to us.

9 Before we begin, I will ask Councilman
10 Gary Hudes to lead us in the Pledge of
11 Allegiance.

12 (Whereupon, Councilman Hudes led the
13 Assembly in the Pledge of Allegiance. After,
14 the following ensued.)

15 SUPERVISOR SANTINO: Madam Clerk, call
16 the roll.

17 CLERK AHMAD: Supervisor Santino?

18 SUPERVISOR SANTINO: Here.

19 CLERK AHMAD: Councilman Ambrosino?

20 COUNCILMAN AMBROSINO: Here.

21 CLERK AHMAD: Councilman Blakeman?

22 COUNCILMAN BLAKEMAN: Here.

23 CLERK AHMAD: Councilman D'Esposito?

24 COUNCILMAN D'ESPOSITO: Here.

25 CLERK AHMAD: Senior Councilwoman

HEMPSTEAD TOWN BOARD 2/7/17

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Goosby?

SENIOR COUNCILWOMAN GOOSBY: Here.

CLERK AHMAD: Councilman Hudes?

COUNCILMAN HUDES: Here.

CLERK AHMAD: Councilwoman King-Sweeney?

COUNCILWOMAN KING-SWEENEY: Here.

CLERK AHMAD: Receiver of Taxes Donald X. Clavin?

RECEIVER OF TAXES CLAVIN: Here.

SUPERVISOR SANTINO: First item, please.

CLERK AHMAD: Petition of Commissioner of Buildings to demolish & remove a one and one half story wood frame one family dwelling & remove all litter and debris from property - ELMONT - North side of Hoffman Avenue, forty feet East of 5th Street - Department of Buildings.

SUPERVISOR SANTINO: Is there anyone that would like to be heard on this matter before the Town Board?

(Whereupon, no response was heard. After, the following ensued.)

SUPERVISOR SANTINO: There being none,

HEMPSTEAD TOWN BOARD 2/7/17

1 I will ask for a Motion, please.

2 COUNCILMAN AMBROSINO: Mr. Supervisor,
3 I move that the Public Hearing be closed and
4 the Petition be adopted.

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5 COUNCILMAN BLAKEMAN: I second the
6 Motion.

7 CLERK AHMAD: Supervisor Santino?

8 SUPERVISOR SANTINO: Aye.

9 CLERK AHMAD: Councilman Ambrosino?

10 COUNCILMAN AMBROSINO: Aye.

11 CLERK AHMAD: Councilman Blakeman?

12 COUNCILMAN BLAKEMAN: Aye.

13 CLERK AHMAD: Councilman D'Esposito?

14 COUNCILMAN D'ESPOSITO: Aye.

15 CLERK AHMAD: Senior Councilwoman

16 Goosby?

17 SENIOR COUNCILWOMAN GOOSBY: Aye.

18 CLERK AHMAD: Councilman Hudes?

19 COUNCILMAN HUDES: Aye.

20 CLERK AHMAD: Councilwoman King-

21 Sweeney?

22 COUNCILWOMAN KING-SWEENEY: Aye.

23 SUPERVISOR SANTINO: Next item,

24 please.

25 CLERK AHMAD: Petition of Commissioner

HEMPSTEAD TOWN BOARD 2/7/17

1 of Buildings to demolish & remove a one and
2 one half story wood frame one family dwelling
3 & remove all litter and debris from property
4 - SEAFORD - north side of Bay Place, fifty-
5 three feet east of Shore Road - Department of
6 Buildings.

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7 SUPERVISOR SANTINO: Anyone that would
8 like to be heard on this matter before the
9 Town Board?

10 Good Morning.

11 MICHAEL SNOW: Good Morning.

12 SUPERVISOR SANTINO: Please have a
13 seat. How are you?

14 Name and address for the record.

15 MICHAEL SNOW: Michael J. Snow. 3525
16 Bay Place, Seaford, New York.

17 SUPERVISOR SANTINO: Welcome, sir.
18 Okay.

19 MICHAEL SNOW: Um, basically, um, the
20 house down in, um, I have it still up because
21 I have been dealing with RISEN because the
22 house got caught in Hurricane Sandy.

23 I didn't get any money whatsoever for
24 insurance from New York to knock it down or
25 build it back up, so, for the past four or

HEMPSTEAD TOWN BOARD 2/7/17

1 five years, I have been, you know, kind of in
2 limbo of what to do and as far as, um, about
3 a year ago, New York Risen said they are not
4 going to do anything.

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5 So, basically, I have no money to
6 knock it down.

7 And, right, now, so, right, now, um, I
8 am in the process of selling it.

9 Um, and I am in contract right, now.

10 SUPERVISOR SANTINO: Well, what we
11 normally do in cases like this, essentially,
12 it comes before us and gets to this point
13 because it seems to be a public hazard.

14 Commissioner Rottkamp? Commissioner
15 of our Building Department, would you address
16 that?

17 COMMISSIONER ROTTKAMP: Good Morning,
18 Supervisor, Members of the Town Board:

19 Yes, I spoke to Mr. Snow and explained
20 the situation to him, um, and he said that he
21 is hopefully Closing within thirty days and
22 knocking it down, so, my recommendation to
23 the Town Board is please approve this going
24 forward this way.

25 In case they don't do it, we will be

HEMPSTEAD TOWN BOARD 2/7/17

1 able to do it because the house definitely
2 needs to come down.

3 SUPERVISOR SANTINO: We will defer any
4 action on it for thirty days to give him time
5 to Close on the house, is that correct?

6 COMMISSIONER ROTTKAMP: Yes.

7 MICHAEL SNOW: Thank you very much.

8 SUPERVISOR SANTINO: You got it. I
9 will accept a Motion unless there is anyone
10 else?

11 I will accept a Motion.

12 COUNCILWOMAN KING-SWEENEY: Mr.
13 Supervisor, I move to close the public
14 hearing and adopt the item.

15 COUNCILMAN HUDES: I second the
16 Motion.

17 CLERK AHMAD: Supervisor Santino?

18 SUPERVISOR SANTINO: Aye.

19 CLERK AHMAD: Councilman Ambrosino?

20 COUNCILMAN AMBROSINO: Aye.

21 CLERK AHMAD: Councilman Blakeman?

22 COUNCILMAN BLAKEMAN: Aye.

23 CLERK AHMAD: Councilman D'Esposito?

24 COUNCILMAN D'ESPOSITO: Aye.

HEMPSTEAD TOWN BOARD 2/7/17

1 CLERK AHMAD: Senior Councilwoman
2 Goosby?

3 SENIOR COUNCILWOMAN GOOSBY: Aye.

4 CLERK AHMAD: Councilman Hudes?

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5 COUNCILMAN HUDES: Aye.

6 CLERK AHMAD: Councilwoman King-
7 Sweeney?

8 COUNCILWOMAN KING-SWEENEY: Aye.

9 SUPERVISOR SANTINO: Next item,
10 please.

11 CLERK AHMAD: Proposed Local Law Re:
12 "Regulations and Restrictions" to limit
13 parking in BELLMORE, MERRICK (To amend
14 Chapter 202 of the Code of the Town of
15 Hempstead.)

16 SUPERVISOR SANTINO: Is there anyone
17 that would like to be heard on this item
18 before the Town Board?

19 (Whereupon, no response was heard.
20 After, the following ensued.)

21 SUPERVISOR SANTINO: There being none,
22 I will accept a Motion, please.

23 COUNCILMAN HUDES: Mr. Supervisor, I
24 move the Public Hearing be closed and the
25 proposed local law be adopted.

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1 COUNCILWOMAN KING-SWEENEY: I second
2 the Motion.

3 CLERK AHMAD: Supervisor Santino?

4 SUPERVISOR SANTINO: Aye.

5 CLERK AHMAD: Councilman Ambrosino?

6 COUNCILMAN AMBROSINO: Aye.

7 CLERK AHMAD: Councilman Blakeman?

8 COUNCILMAN BLAKEMAN: Aye.

9 CLERK AHMAD: Councilman D'Esposito?

10 COUNCILMAN D'ESPOSITO: Aye.

11 CLERK AHMAD: Senior Councilwoman
12 Goosby?

13 SENIOR COUNCILWOMAN GOOSBY: Aye.

14 CLERK AHMAD: Councilman Hudes?

15 COUNCILMAN HUDES: Aye.

16 CLERK AHMAD: Councilwoman King-
17 Sweeney?

18 COUNCILWOMAN KING-SWEENEY: Aye.

19 SUPERVISOR SANTINO: Next item,
20 please.

21 CLERK AHMAD: Proposed Local Law Re:
22 "Parking or Standing Prohibitions" in
23 BETHPAGE, EAST MEADOW, NORTH BELLMORE,
24 WANTAGH (To amend Section 201-1 of the Code
25 of the Town of Hempstead)

HEMPSTEAD TOWN BOARD 2/7/17

1 SUPERVISOR SANTINO: Is there anyone
2 that would like to be heard on this matter
3 before the Town Board?

4 (Whereupon, no response was heard.
5 After, the following ensued.)

6 SUPERVISOR SANTINO: There being none,
7 I will accept a Motion, please.

8 COUNCILMAN HUDES: Mr. Supervisor, I
9 move the Public Hearing be closed and the
10 Local Law be adopted.

11 COUNCILMAN D'ESPOSITO: I second the
12 motion.

13 CLERK AHMAD: Supervisor Santino?

14 SUPERVISOR SANTINO: Aye.

15 CLERK AHMAD: Councilman Ambrosino?

16 COUNCILMAN AMBROSINO: Aye.

17 CLERK AHMAD: Councilman Blakeman?

18 COUNCILMAN BLAKEMAN: Aye.

19 CLERK AHMAD: Councilman D'Esposito?

20 COUNCILMAN D'ESPOSITO: Aye.

21 CLERK AHMAD: Senior Councilwoman
22 Goosby?

23 SENIOR COUNCILWOMAN GOOSBY: Aye.

24 CLERK AHMAD: Councilman Hudes?

25 COUNCILMAN HUDES: Aye.

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1 CLERK AHMAD: Councilwoman King-
2 Sweeney?

3 COUNCILWOMAN KING-SWEENEY: Aye.

4 CLERK AHMAD: Proposed Local Law Re:
5 "Arterial Stops" in OCEANSIDE (To amend
6 Section 197-5 of the Code of the Town of
7 Hempstead)

8 SUPERVISOR SANTINO: Is there anyone
9 that would like to be heard on this matter
10 before the Town Board in Oceanside?

11 (Whereupon, no response was heard.
12 After, the following ensued.)

13 SUPERVISOR SANTINO: There being none,
14 I will accept a Motion.

15 COUNCILMAN D'ESPOSITO: Mr.
16 Supervisor, I move that the Public Hearing be
17 closed and the proposed local law be adopted.

18 COUNCILMAN BLAKEMAN: I second the
19 motion.

20 CLERK AHMAD: Supervisor Santino?

21 SUPERVISOR SANTINO: Aye.

22 CLERK AHMAD: Councilman Ambrosino?

23 COUNCILMAN AMBROSINO: Aye.

24 CLERK AHMAD: Councilman Blakeman?

25 COUNCILMAN BLAKEMAN: Aye.

HEMPSTEAD TOWN BOARD 2/7/17

1 CLERK AHMAD: Councilman D'Esposito?

2 COUNCILMAN D'ESPOSITO: Aye.

3 CLERK AHMAD: Senior Councilwoman

4 Goosby?

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5 SENIOR COUNCILWOMAN GOOSBY: Aye.

6 CLERK AHMAD: Councilman Hudes?

7 COUNCILMAN HUDES: Aye.

8 CLERK AHMAD: Councilwoman King-

9 Sweeney?

10 COUNCILWOMAN KING-SWEENEY: Aye.

11 SUPERVISOR SANTINO: Next item,

12 please.

13 CLERK AHMAD: Proposed Local Law Re:

14 "School Speed Limits" in West Hempstead -

15 Hempstead Avenue (To amend Chapter 190 of the

16 Code of the Town of Hempstead by the

17 insertion of a location into Section 190-4,

18 Subdivision "A")

19 SUPERVISOR SANTINO: Is there anyone

20 that would like to be heard on this matter

21 before the Town Board?

22 (Whereupon, no response was heard.

23 After, the following ensued.)

24 SUPERVISOR SANTINO: There being none,

25 I will accept a Motion, please.

HEMPSTEAD TOWN BOARD 2/7/17

1 COUNCILMAN AMBROSINO: Mr. Supervisor,
2 I move the Public Hearing be closed and the
3 proposed Local Law be adopted.

4 SENIOR COUNCILMAN GOOSBY: I second
5 the Motion.

6 CLERK AHMAD: Supervisor Santino?

7 SUPERVISOR SANTINO: Aye.

8 CLERK AHMAD: Councilman Ambrosino?

9 COUNCILMAN AMBROSINO: Aye.

10 CLERK AHMAD: Councilman Blakeman?

11 COUNCILMAN BLAKEMAN: Aye.

12 CLERK AHMAD: Councilman D'Esposito?

13 COUNCILMAN D'ESPOSITO: Aye.

14 CLERK AHMAD: Senior Councilwoman
15 Goosby?

16 SENIOR COUNCILWOMAN GOOSBY: Aye.

17 CLERK AHMAD: Councilman Hudes?

18 COUNCILMAN HUDES: Aye.

19 CLERK AHMAD: Councilwoman King-
20 Sweeney?

21 COUNCILWOMAN KING-SWEENEY: Aye.

22 SUPERVISOR SANTINO: Next item,
23 please.

24 CLERK AHMAD: Proposed Revised Public
25 Parking Field Maps in HEWLETT, (Field H-1)

HEMPSTEAD TOWN BOARD 2/7/17

1 SUPERVISOR SANTINO: Is there anyone
2 that would like to be heard on this matter
3 before the Town Board?

4 (Whereupon, no response was heard.
5 After, the following ensued.)

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6 SUPERVISOR SANITNO: There being none,
7 I will accept a Motion, please.

8 COUNCILMAN D'ESPOSITO: Mr.
9 Supervisor, I move that the Public Hearing be
10 closed and the revised Public Parking Field
11 Maps be adopted.

12 COUNCILMAN HUDES: I second the
13 motion.

14 CLERK AHMAD: Supervisor Santino?

15 SUPERVISOR SANTINO: Aye.

16 CLERK AHMAD: Councilman Ambrosino?

17 COUNCILMAN AMBROSINO: Aye.

18 CLERK AHMAD: Councilman Blakeman?

19 COUNCILMAN BLAKEMAN: Aye.

20 CLERK AHMAD: Councilman D'Esposito?

21 COUNCILMAN D'ESPOSITO: Aye.

22 CLERK AHMAD: Senior Councilwoman
23 Goosby?

24 SENIOR COUNCILWOMAN GOOSBY: Aye.

25 CLERK AHMAD: Councilman Hudes?

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COUNCILMAN HUDES: Aye.

CLERK AHMAD: Councilwoman King-Sweeney?

COUNCILWOMAN KING-SWEENEY: Aye.

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SUPERVISOR SANTINO: Next item, please.

CLERK AHMAD: Proposed "Handicapped Parking on Public Streets" in Atlantic Beach Estates, Bethpage, East Meadow, Elmont, Franklin Square, West Hempstead, (Richard Street, Boone Street, Rose Drive, Adams Street, Madison Street, Randall Avenue, Barbara Boulevard, Jackson Avenue, Essex Court.)

SUPERVISOR SANTINO: Is there anyone that would like to be heard on this matter before the Town Board?

(Whereupon, no response was heard. After, the following ensued.)

SUPERVISOR SANTINO: There being none, I will accept a Motion, please.

COUNCILMAN BLAKEMAN: Mr. Supervisor, I move that the Public Hearing be closed and the item be adopted.

COUNCILMAN AMBROSINO: I second the

HEMPSTEAD TOWN BOARD 2/7/17

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Motion.

CLERK AHMAD: Supervisor Santino?

SUPERVISOR SANTINO: Aye.

CLERK AHMAD: Councilman Ambrosino?

COUNCILMAN AMBROSINO: Aye.

CLERK AHMAD: Councilman Blakeman?

COUNCILMAN BLAKEMAN: Aye.

CLERK AHMAD: Councilman D'Esposito?

COUNCILMAN D'ESPOSITO: Aye.

CLERK AHMAD: Senior Councilwoman

Goosby?

SENIOR COUNCILWOMAN GOOSBY: Aye.

CLERK AHMAD: Councilman Hudes?

COUNCILMAN HUDES: Aye.

CLERK AHMAD: Councilwoman King-

Sweeney?

COUNCILWOMAN KING-SWEENEY: Aye.

SUPERVISOR SANTINO: Next item,

please.

CLERK AHMAD: Application of 141F

REALTY, LLC for a permit to include existing

gasoline service station within "GSS"

District & install (4) pump islands with one

(1) multi-product dispenser per island, erect

canopy over proposed island & operate a

HEMPSTEAD TOWN BOARD 2/7/17

1 self-service snack shop in office area -
2 BALDWIN - northeast corner of Grand Avenue &
3 Seaman Avenue.

4 Application of 141F REALTY, LLC. to
5 rezone from Residence District "B" to
6 Business District - BALDWIN - east of the
7 northeast intersection of Grand Avenue and
8 Seaman Avenue.

9 SUPERVISOR SANTINO: Good Morning,
10 sir.

11 ATTORNEY O'BRIEN: Good Morning,
12 Supervisor Santino, Members of the Board,
13 Madam Clerk:

14 Kevin O'Brien.

15 SUPERVISOR SANTINO: Name and address
16 for the record.

17 ATTORNEY O'BRIEN: Kevin O'Brien from
18 the firm of Murphy, Bartol & O'Brien with
19 offices at 22 Jericho Turnpike, Mineola, New
20 York and on behalf of the applicant.

21 I also have with me, here, this
22 Morning, Mr. Chris Tartaglia, P.E. from High
23 Point Engineering, the design professionals
24 that have prepared the plans before the
25 Board.

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1 And, I also have Mr. Tom Simonelli who
2 is the Real Estate Manager for the property.

3 Now, that we have these new electronic
4 means for the Plans, I don't get to walk
5 around anymore.

6 I think it is better for the Public
7 and the Board Members.

8 Inasmuch as these are two companion
9 applications involving the same set of facts
10 and circumstances and properties, I request
11 that they be consolidated as one application.

12 SUPERVISOR SANTINO: Without
13 objection, so ordered.

14 ATTORNEY O'BRIEN: Okay, thank you.
15 This is an application involving an existing
16 gasoline service station located at the
17 northeast corner of Seaman Avenue and Grand
18 Avenue.

19 Um, just a little two-second history
20 of this location, the service of this
21 location - - actually, the service station
22 has been continually operating as a gasoline
23 service station since 1928.

24 Back in 1928, there was an application
25 that was made for, um, the service station,

HEMPSTEAD TOWN BOARD 2/7/17

1 at that time, for five hundred and fifty
2 gallon underground service storage tanks.

3 They switched them over to three, one
4 thousand gallon storage tanks.

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5 It was granted and operated as a
6 gasoline service station since that time.

7 Um, throughout the years, there have
8 been numerous applications before the Town
9 for the replacement for the removal and
10 replacement of the underground storage tanks
11 at this location.

12 The property owner that is making this
13 application recently purchased this property,
14 approximately, three years ago.

15 Um, the tanks that were existing at
16 that time exceeded their useful right
17 pursuant to the Nassau County Fire Marshall's
18 Office and immediately removed part of the
19 application.

20 We have made application also for the
21 reinstallation of underground storage tanks.

22 And, what we are proposing, at this
23 location, is to, um, continue to operate as a
24 gasoline service station, put the gas back
25 in, um, physically.

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1 The site plan that is before you, the
2 yellow area is the existing three-bay service
3 station building which would remain as the
4 service bay building.

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5 The office area there, um, would be
6 utilized as an, um, snack shop.

7 The shaded area or, I guess, it would
8 be beige, has what we proposed to be four
9 pump islands with multi-product dispenser for
10 the sale of petroleum products.

11 Those four pump islands would be
12 covered by a canopy.

13 The dotted area that you see along the
14 rear of the property line, um, the property,
15 itself, is zoned "Business X" but the
16 property in the rear is zoned "Residence B".

17 Um, like most thoroughfares in the
18 Town of Hempstead, typically, what we have is
19 the "Business X" that extends one hundred
20 feet from the main - - from the front
21 property line, that is the case in this
22 circumstance, as well.

23 Um, the business goes to that dotted
24 line and I believe we are approximately, one
25 hundred and twelve feet, so that area from

HEMPSTEAD TOWN BOARD 2/7/17

1 one hundred feet to one hundred twelve feet,
2 that dotted area that is "Residence" that is
3 why part of the application seeks to rezone
4 that property, continue to use it as it has
5 been used since 1928, as a gasoline service
6 station.

7 Part of the building, as you can see,
8 exists in that area but principally what it
9 would be used for is for, um, landscaping
10 purposes.

11 As far as the curb cuts are concerned,
12 the curb cuts are existing.

13 As a matter of fact, I believe the
14 County inspected them recently, um, wherein,
15 they are making upgrades to the roadways in
16 the area, upgrades, at least, this side of
17 the street and there are new curbing.

18 There has been some brick work that
19 has been done, new sidewalks and the like.

20 So, I think this, um, will be an
21 upgrade, um, would be consistent with what
22 the County is doing along the area.

23 I know the County hasn't done across
24 the street yet, but I think that is slated to
25 be done, as well.

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1 Originally, it has operated as a
2 gasoline service station and it continues - -
3 we would like to continue operating as a
4 service station.

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5 We are seeking to be included in the
6 "GSS" Zoning District because as part of the
7 Town Code and I am sure the Board is aware
8 from seeing applications like this in the
9 past, um, when they adopted the "GSS"
10 Ordinance in 1974 will continue to operate
11 that service station.

12 We notice that part - - what we are
13 seeking is inclusion, the ability to be a
14 self service at this location, as well.

15 Mindful of some of the policies
16 adopted in the past with the operation of
17 service stations, such as, the policy, we
18 provide full service between the hours of
19 8:00 a.m. and 8:00 p.m., for those, you know,
20 seniors and those choosing to operate a self-
21 service.

22 So, functionally, um, it will function
23 pretty much the same.

24 Actually, there is a good point and
25 for any sort of operational questions of

HEMPSTEAD TOWN BOARD 2/7/17

1 this sort, my engineer is ready to step in at
2 any time.

3 But, um, back in the '20's, the late
4 '20's, I should say the way the pump islands
5 were situated, some were pointed toward
6 Seaman and ran parallel to Seaman, um, and
7 others were running parallel to Grand.

8 What we have done is we kept all the
9 pump islands directionally by Grand, so,
10 further away from the residential area,
11 functions better in that proposed way, so,
12 that is really one of the only changes, let's
13 say, from some of the past operations.

14 The way the pump islands over by
15 Seaman, we have changed and having everything
16 run parallel but other than that, the
17 function will remain the same.

18 I think it will be upgraded.

19 I think it is reasonable.

20 One thing that we added and perhaps,
21 um, I don't know if it was part of the
22 original site plan, if you can indulge me for
23 a few moments and let my engineer speak a
24 little bit about - - I know we added a
25 landscaping plan.

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1 I don't know if that was part of the
2 original packet, if you can discuss that Mr.
3 Tartaglia.

4 ENGINEER TARTAGLIA: Yes, my
5 appearance before the Board, Chris Tartaglia,
6 Principal owner of the firm, High Point
7 Engineering. 521 Conklin Street, Farmingdale,
8 New York 11735.

9 Um, if we could just on the display
10 maybe go to the aerial photo, right there,
11 um, what you can see up on the board, the
12 site is essentially devoid of any kind of
13 landscaping or green space.

14 One of the rules of thumb in Hempstead
15 and in every place where we operate, um, our
16 facilities is to try to get as much green
17 space as we can.

18 Essentially, landscape every part of
19 the property that does not need to be
20 utilized as a building, circulation aisles.

21 So, in this instance, what we have
22 done, if you could go back to the rendering,
23 please, um, we are adding a significant
24 amount of green space, a little over two
25 thousand square feet.

HEMPSTEAD TOWN BOARD 2/7/17

1 Another rule of thumb, if we can get
2 more landscaping than building area, we have.

3 We find we have a successful design in
4 this case.

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5 Um, as you can see from the plan, we
6 are creating landscaping areas up in front of
7 the property in between the curb cuts and
8 also buffering to the rear of the building
9 with some evergreen foliage there.

10 Um, the landscaping species are called
11 out on the plan which has been submitted.

12 However, we do understand sometimes
13 there are suggested changes which Board
14 Members may wish to make and we are
15 completely opened, that needs to be made and
16 enhancements or changes to the species that
17 are proposed.

18 SUPERVISOR SANTINO: Are there any
19 questions or comments from the Town Board?

20 COUNCILWOMAN KING-SWEENEY: Thank you
21 for your comments about Baldwin.

22 I represent this part of Baldwin and I
23 share with Senior Councilwoman Dorothy
24 Goosby.

25 And, I appreciate all the County has

HEMPSTEAD TOWN BOARD 2/7/17

1 done for Grand Avenue but the Town of
2 Hempstead has also done a tremendous amount
3 of work with the leadership of Supervisor
4 Santino.

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5 I just wanted to comment on that.

6 You have a couple of outstanding
7 violations.

8 Will those be fixed?

9 ATTORNEY O'BRIEN: Yes, it was brought
10 to our attention.

11 In some of these photographs, I have
12 photographs, as part of this package, we had
13 some of our people knock on door-to-door,
14 some people in the back, so, we actually have
15 some comments from some of the residents in
16 the back, um, and I do have some extra
17 consent forms and all the, um, issues that
18 were brought to our attention that could be
19 addressed immediately have been addressed
20 immediately.

21 Some of the things I did notice.

22 Can I submit this? Thank you.

23 Um, one thing I noticed and it kills
24 me, quite frankly, it is really a number of
25 violations where there are some open

HEMPSTEAD TOWN BOARD 2/7/17

1 Permits on tanks that aren't even there and
2 the contractors.

3 I tried to advise my clients, all the
4 time, don't make that last statement until
5 the paperwork is done.

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6 In this particular case, we have much
7 paperwork violations.

8 As we go through the process, um, we
9 haven't been able to address them
10 immediately.

11 We are still in the process but they
12 are all in the process of being addressed,
13 the paperwork ones and the maintenance ones.

14 When you see the photographs, you will
15 notice that we have taken care of them.

16 COUNCILWOMAN KING-SWEENEY: I notice
17 this is .3 miles away from Baldwin High
18 School, have close to a thousand kids at the
19 school, would you consider omitting the sale
20 of alcohol as a result - -

21 ATTORNEY O'BRIEN: As a policy, we do
22 certain hours of operation, omit alcohol
23 sales, yes.

24 COUNCILWOMAN KING-SWEENEY: A lot of
25 kids walking around there and they have an

HEMPSTEAD TOWN BOARD 2/7/17

1 open campus, we would appreciate if you would
2 consider that.

3 Lastly, I will refer to our resident
4 landscaper.

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5 I appreciate all you try to do to make
6 Grand Avenue beautiful.

7 It seems like you have done a lot but
8 my knowledge in that area is limited.

9 SENIOR COUNCILWOMAN GOOSBY: Thank you
10 very much, Councilwoman.

11 It is wonderful to hear you share a
12 community, we work well together.

13 I am looking at some of the violations
14 that you said were omitted but a lot of them
15 really bother me, tires that are piled up
16 that water seeps into and we know that causes
17 a problem as far as we are concerned.

18 I really don't understand why all of
19 this junk is there.

20 I don't understand why it is in the
21 photographs.

22 It is unnerving to me.

23 Did you get rid of the shed?

24 Did you get rid of all the junk that
25 was there?

HEMPSTEAD TOWN BOARD 2/7/17

1 And, it is a really blacktop area.

2 I passed there, you know, many, many
3 times.

4 It is just unreal to me.

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5 ATTORNEY O'BRIEN: Councilwoman, I
6 agree with you.

7 I absolutely agree with you.

8 If you look at the photographs that I
9 submitted, you will see that we addressed
10 these issues and, um, like I said, we intend
11 to clean up that location, as well.

12 If you take a look at that, you are
13 right, in the photographs where I think we
14 have addressed - - we have addressed your
15 concerns and will continue to address your
16 concerns.

17 SENIOR COUNCILWOMAN GOOSBY: The other
18 thing that bothers me, how are you going to
19 get planters in there?

20 ATTORNEY O'BRIEN: We meet the parking
21 requirements, um, and a practical matter, I
22 think you know, it is an existing site.

23 It is an existing, one variance, I
24 believe, um, the GSS requirement is that the
25 site, itself, be fifteen thousand square

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1 Feet.

2 I think we are thirteen thousand and
3 change.

4 We are substantially in compliance in
5 that end and it has been and it has operated
6 and functions since 1928 as a service
7 station.

8 We meet the parking. The building,
9 itself, might encroach a little but there are
10 some existing conditions but I don't think
11 they present any issue.

12 SENIOR COUNCILWOMAN GOOSBY: I want
13 Baldwin to look nice and I have increased
14 objections - -

15 ATTORNEY O'BRIEN: I agree with that
16 and, um, the company, I know is 141F Realty
17 Corp.

18 Who is that?

19 The principal has been operating --
20 well, we haven't been selling motor fuel
21 since we have taken over the site and Bolero,
22 we operate other service stations throughout
23 Long Island and in the Town of Hempstead and
24 I think if you take a look at some of the
25 service stations that we have done in the

HEMPSTEAD TOWN BOARD 2/7/17

1 Town of Hempstead, our landscaping is
2 spectacular.

3 We do a great job on the architectural
4 elements and I think every time we have come
5 in to make an improvement, it has been a
6 substantial improvement and sometimes we
7 feel, as a result of that, we improve one,
8 you know, it has a ripple effect on others.

9 People see this one and this is
10 positive.

11 They want a clean one.

12 They want to go to a nice one.

13 They don't want to go to a dirty gas
14 station. If you look at the ones that we
15 have done in the Town and throughout the
16 Island, you will be happy, proud of what we
17 come up with.

18 SENIOR COUNCILWOMAN GOOSBY: Okay, I
19 don't expect to see any of this junk that I
20 see here?

21 ATTORNEY O'BRIEN: Absolutely not.

22 SENIOR COUNCILWOMAN GOOSBY: All the
23 cars will be gone and you will clean it up?

24 ATTORNEY O'BRIEN: Absolutely.

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1 SENIOR COUNCILWOMAN GOOSBY: All
2 right.

3 COUNCILMAN HUDES: Good Morning, a
4 couple of questions, Number 1, gas products,
5 delivery, pickup times, you're abutting
6 residential property, I would assume that you
7 will covenant to the fact that there won't be
8 any of these from, let's say, 10:00, 11:00
9 o'clock at night to 7:00 o'clock in the
10 morning, so, these people can sleep?

11 ATTORNEY O'BRIEN: Absolutely, off-
12 peak hours that we would be looking to with
13 respect to, um, fueling operations, as well
14 as its private - - private, um, carting, at
15 that location.

16 We will make arrangements, as well.

17 COUNCILMAN HUDES: I didn't see on the
18 plans but I am assuming you are including a
19 sprinkler system for all the landscaping?

20 ATTORNEY O'BRIEN: Yes.

21 COUNCILMAN HUDES: Going to the
22 landscaping plan, while, certainly, the plan
23 is an improvement over nothing that is there,
24 now, it still needs - - has a long way to go.

25 Your arborvitaes along the residential

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1 Property line are seven feet apart, they
2 should be three feet apart with eight foot
3 minimum arborvitaes, so, this way in a very
4 short period of time they will help the
5 residents that are living there from
6 headlights, from noise that would be going on
7 there all hours of the day and night.

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8 Also, the amount of variety on this
9 short list, there are very common things on
10 this list, I think it can certainly can be
11 more creative.

12 You have a Bolero up on North
13 Jerusalem that is far more creative than
14 this.

15 And, I think Baldwin deserves nothing
16 less than any other area.

17 And, we certainly have a list of
18 flowers and we have both annuals.

19 I see you included some. You can
20 include some more and I think you can go
21 certainly much more further than that for the
22 benefit of this residential community.

23 SUPERVISOR SANTINO: Any other Member
24 of the Town Board?

25 (Whereupon, no response was heard.)

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1 After, the following ensued.)

2 SUPERVISOR SANTINO: Counselor?

3 ATTORNEY O'BRIEN: We think it is
4 reasonable.

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5 We think it will be an upgrade to the
6 area.

7 We listened to the Board's comments
8 and concerns and we will incorporate that
9 into the plans and we look for your favorable
10 decision.

11 SUPERVISOR SANTINO: Thank you,
12 Counselor.

13 No Member of the audience has signed
14 in.

15 Does anyone want to address this
16 particular matter?

17 (Whereupon, no response was heard.)

18 After, the following ensued.)

19 SUPERVISOR SANTINO: There being none,
20 I will accept a Motion.

21 COUNCILWOMAN KING-SWEENEY: Mr.
22 Supervisor, I move to close the Public
23 Hearing and reserve decision.

24 SENIOR COUNCILWOMAN GOOSBY: I second
25 the Motion.

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CLERK AHMAD: Supervisor Santino?

SUPERVISOR SANTINO: Aye.

CLERK AHMAD: Councilman Ambrosino?

COUNCILMAN AMBROSINO: Aye.

CLERK AHMAD: Councilman Blakeman?

COUNCILMAN BLAKEMAN: Aye.

CLERK AHMAD: Councilman D'Esposito?

COUNCILMAN D'ESPOSITO: Aye.

CLERK AHMAD: Senior Councilwoman
Goosby?

SENIOR COUNCILWOMAN GOOSBY: Aye.

CLERK AHMAD: Councilman Hudes?

COUNCILMAN HUDES: Aye.

CLERK AHMAD: Councilwoman King-
Sweeney?

COUNCILWOMAN KING-SWEENEY: Aye.

SUPERVISOR SANTNO: On the Decision
Calendar.

CLERK AHMAD: Supervisor, on the
Decision Calendar, application of BOLLA EM
REALTY, LLC. for variance from "GSS"
Ordinance to maintain an existing service
station & operate a convenience store as well
as area, sign and parking variance - ELMONT -
northwest corner of Hempstead

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1 Turnpike & Covert Avenue.

2 SUPERVISOR SANTINO: Can I have a
3 Motion, please.

4 COUNCILMAN BLAKEMAN: Mr. Supervisor,
5 I move that the application be granted.

6 COUNCILMAN HUDES: I second the
7 motion.

8 CLERK AHMAD: Supervisor Santino?

9 SUPERVISOR SANTINO: Aye.

10 CLERK AHMAD: Councilman Ambrosino?

11 COUNCILMAN AMBROSINO: Aye.

12 CLERK AHMAD: Councilman Blakeman?

13 COUNCILMAN BLAKEMAN: Aye.

14 CLERK AHMAD: Councilman D'Esposito?

15 COUNCILMAN D'ESPOSITO: Aye.

16 CLERK AHMAD: Senior Councilwoman
17 Goosby?

18 SENIOR COUNCILWOMAN GOOSBY: Aye.

19 CLERK AHMAD: Councilman Hudes?

20 COUNCILMAN HUDES: Aye.

21 CLERK AHMAD: Councilwoman King-
22 Sweeney?

23 COUNCILWOMAN KING-SWEENEY: Aye.

24 SUPERVISOR SANTINO: Call the
25 Administrative Calendar.

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1 CLERK AHMAD: Supervisor, on the
2 Administrative Calendar, we have Items 1
3 through 46.

4 SUPERVISOR SANTINO: Does any Member
5 of the Board like to sever any item on the
6 calendar?

7 COUNCILMAN BLAKEMAN: Not at this time
8 but I would like to ask questions on one of
9 the items.

10 SUPERVISOR SANTINO: Well, let's have
11 a Motion, please.

12 SENIOR COUNCILWOMAN GOOSBY: Mr.
13 Supervisor, I move the Administrative
14 Calendar in its entirety?

15 COUNCILMAN HUDES: Second the Motion.

16 COUNCILMAN BLAKEMAN: I would like to
17 ask questions with regard to Item Number 24.

18 SUPERVISOR SANTINO: Sure, again, we
19 will hear from the Public, first and then I
20 will be happy to entertain any questions from
21 the Board.

22 Mary Ellen Kreye?

23 MARY ELLEN KREYE: Mary Ellen Kreye.
24 436 Locust Avenue, Uniondale, New York.

25 Um, on Item Number 17, relating to

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1 Amending the contract for road improvements
2 on my street, um, my question is about
3 whether there is more road improvements
4 planned for our area?

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5 Because there is a particular spot
6 which I wonder about.

7 This Tri-State Paving, there is a
8 particular spot on Henry Street and Hudson
9 Place that keeps getting repaired improperly
10 and, then opens up, again.

11 SUPERVISOR SANTINO: So, your
12 question, then, is there any additional
13 roadwork planned for this particular locality
14 in Uniondale?

15 MARY ELLEN KREYE: That is correct.

16 SUPERVISOR SANTINO: Commissioner
17 Toobin, Deputy Commissioner Tierney.

18 COMMISSIONER: We are currently
19 reviewing streets to be added to the 2017
20 Budget.

21 Henry Street, I don't know if you are
22 familiar with that?

23 MARY ELLEN KREYE: Yes.

24 COMMISSIONER: That is high on the
25 list.

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1 MARY ELLEN KREYE: Thank you very
2 much, that corner on Emerson Place and Henry,
3 whatever they do there is inadequate and from
4 what I understand, the problem is during the
5 wintertime, they don't clean the pit before
6 they put the tar, as a result, it just gets
7 pulled up right away, very shortly after.

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8 It is a total waste of time.

9 SUPERVISOR SANTINO: A permanent fix
10 on that area is high on our list.

11 DEPUTY COMMISSIONER TIERNEY: Yes, a
12 total resurfacing project, as you know, we
13 are limited in the roads we can ultimately
14 choose, that is high on the list.

15 SUPERVISOR SANTINO: High on the list.

16 MARY ELLEN KREYE: Does that mean
17 2019?

18 COMMISSIONER: No, it is high on the
19 list.

20 SUPERVISOR SANTINO: Thank you.

21 MARY ELLEN KREYE: Item 34, what kind
22 of consultant?

23 SUPERVISOR SANTINO: Okay, is
24 Commissioner Muran, here?

25 COMMISSIONER MURAN: Good Morning,

HEMPSTEAD TOWN BOARD 2/7/17

1 Supervisor, Council Members.

2 SUPERVISOR SANTINO: Good Morning.

3 COMMISSIONER MURAN: We have had for
4 many years, we have had a consultant at
5 Greenfield Cemetery that helps us with
6 certain issues concerning burials and State
7 situations and so forth.

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8 SUPERVISOR SANTINO: Commissioner, the
9 operations of the cemetery are highly
10 regulated by State Law and procedures?

11 COMMISSIONER MURAN: Yes, this is a
12 change of price of a contract and we are
13 renewing a contract and it is very valuable
14 to the Town of Hempstead.

15 SUPERVISOR SANTINO: We lowered the
16 rate, approximately, in half, so, we
17 negotiated a downward amount, a lower amount
18 for this particular contract.

19 It has been in existence for a number
20 of years and in our broad effort to save
21 money to the taxpayers, we were able to
22 negotiate this downward.

23 MARY ELLEN KREYE: I see, so,
24 basically, he helps you work your way through
25 the regulations?

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1 SUPERVISOR SANTINO: He makes sure
2 everything that gets done at the cemetery is
3 done according to the State regulations which
4 are significant and are exacting and complex,
5 so, you need someone with a particular
6 expertise in order to do that.

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7 MARY ELLEN KREYE: And, do they change
8 a great deal over time?

9 SUPERVISOR SANTINO: No, each
10 circumstance they are always subject to
11 change but the circumstances are always - -
12 you need someone there that is very well
13 versed in the regulations, any particular
14 circumstance that would come up, we are in
15 conformity with State Law.

16 MARY ELLEN KREYE: So, I am just
17 trying to understand.

18 SUPERVISOR SANTINO: Yes, ma'am.

19 MARY ELLEN KREYE: Is this in relation
20 to the monuments that are put up?

21 SUPERVISOR SANTINO: No, the actual
22 burials, the whole cemetery but, primarily,
23 the burials.

24 MARY ELLEN KREYE: It is hard to
25 figure there would be a regular consultant

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1 but I am glad to hear that you managed to get
2 the contract down.

3 Thank you.

4 SUPERVISOR SANTINO: Thank you, Ms.
5 Kreye.

6 Okay, Margaret Siger. I am sorry if I
7 mispronounced that wrong, from Valley Stream.

8 Is there a Margaret? Okay, Good
9 Morning.

10 MARGARET SIGER: Good Morning.

11 SUPERVISOR SANTINO: Name and address
12 for the record, please.

13 MARGARET SIGER: Margaret Siger.

14 SUPERVISOR SANTINO: Good Morning,
15 sorry about that I couldn't read it.

16 MARGARET SIGER: Two questions.

17 SUPERVISOR SANTINO: Yes.

18 MARGARET SIGER: One, moving forward,
19 I am moving forward, would you consider
20 appointing a Member of the Valley Stream
21 residents to the Town of Hempstead IDA Board?

22 SUPERVISOR SANTINO: We consider
23 residents from all communities, so,
24 absolutely, we consider, you know, every
25 community in this township.

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1 MARGARET SIGER: Thank you, also, I am
2 wondering if you or somebody here could help
3 me to put together an educational forum for
4 the residents to better understand how the
5 PILOTS, which I know, but the taxes are
6 effected by that.

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7 SUPERVISOR SANTINO: That would be
8 something that the IDA, Industrial
9 Development Agency should do because that is
10 all within their purview but not ours but,
11 however, we can certainly make a suggestion
12 to them.

13 It is a good idea, good idea.

14 MARGARET SIGER: It would be helpful.

15 SUPERVISOR SANTINO: Thank you.

16 Catherine Garry?

17 CATHERINE GARRY: Good Morning, my
18 name is Catherine Garry. 109 Broadway in
19 Rockville Centre.

20 Um, I am here, um, to address issues
21 of the IDA as well.

22 Um, first of all, I, um, was in
23 support very much of the people in Valley
24 Stream protesting against the retail, um,
25 PILOT issue there that has so adversely

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1 effected their taxes, um, but, it brought
2 home a concern that I had for over ten, maybe
3 fifteen years with regard to the Village of
4 Hempstead.

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5 We were very, um, first of all, I am
6 an Editor of the Freedom Press.

7 I am Director of the Many Races
8 Cultural Foundation and I am a former
9 resident of Hempstead.

10 Um, my interest in Hempstead comes out
11 of my, um, being the Editor of the Freedom
12 Press and it centers on racial issues which
13 is the concern of the Many Races Cultural
14 Foundation.

15 And, it is through my investigations
16 that I found, um, not only the IDA of
17 Hempstead but other groups have given PILOTS,
18 um, at an extraordinary level to, um, which
19 has undermined the tax base of the Village of
20 Hempstead.

21 And, I was particularly concerned
22 recently about the wonderful Key Food which
23 is a retail, um, establishment.

24 And, yet, um, the PILOT was issued for
25 that particular area.

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1 The problem was that when I went to
2 the IDA Board and asked them about that, why
3 there were people opposing Green Acres on the
4 grounds that was retail but, then, the IDA
5 gave a retail PILOT to Key Foods and, um, the
6 response of the IDA Attorney, Mr. Ryan was
7 that, um, there is another, um, issue with
8 regard to retail, not only, um, as you know,
9 they claim that Green Acres was a tourist
10 attraction to justify the retail.

11 Obviously, Key Food is not a tourist
12 attraction, either.

13 So, he said that.

14 Um, there is also another issue and
15 that has to do with a depressed area and, um,
16 that, um, he had documentation that indicated
17 that Hempstead was considered a depressed
18 area and it was the only area in all of Long
19 Island that was considered a depressed area
20 and I said to him, um, first of all, I would
21 like to see the law that says that a
22 depressed area gets special consideration.

23 And, secondly, I would like to see the
24 documentation that zeroes in on Hempstead as
25 being a depressed area.

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1 And, um, so, he said - - I said, I
2 would like to get that under the FOIL
3 request.

4 He said yes, you can get that under
5 FOIL, so, I put a FOIL request in and I
6 received a letter, now, denying me that
7 information that he said publicly that he had
8 the information and that I could get it under
9 FOIL and, now, the agency is denying me.

10 So, I think you should be aware of
11 that.

12 Um, in a broader sense, if, in fact,
13 Hempstead is declared a depressed area or
14 distressed area, um, that is questionable,
15 Number 1.

16 Because the, um, area median income is
17 fifty-three thousand dollars.

18 It is not a totally depressed area.

19 It needs work, yes, but, it is not a
20 totally depressed area.

21 The businesses there are making money.

22 Um, the problem is, as I see it, is
23 that the, um, over the years, there have been
24 so many PILOTS for apartment buildings and
25 apartment buildings do not bring in

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1 jobs and they instead have depressed the area
2 economically because they bring in a lot of
3 people and they, um, ultimately cause the
4 taxes to go up and so, you give the breaks to
5 these apartment building owners, they don't
6 keep up the buildings, oftentimes and it is
7 depressing the area.

8 So, I wanted to present to you a, um,
9 study.

10 First of all, I want to give you a
11 copy of the letter from the IDA rejecting my
12 request.

13 And, I also would like to give you a
14 copy of the Freedom Press from 2009 which,
15 um, went into an extensive study of the, um,
16 the number of properties taken off the tax
17 rolls in Hempstead.

18 Um, as you will see back in 2009 - -
19 (Whereupon, the bell rang. After, the
20 following ensued.)

21 CATHERINE GARRY: It was already four
22 million - -

23 SUPERVISOR SANTINO: Wrap up.

24 CATHERINE GARRY: I will finish - -
25 four million dollars worth of tax

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1 revenue to the Village plus another, um,
2 eight to ten million to the School District
3 and this is in 2009 because of these
4 apartment building PILOTS.

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5 And, I find that the current Board is
6 totally insensitive to this and this is going
7 to effect the whole Town of Hempstead
8 because, now, with supposed new development,
9 which is quite controversial, they want to
10 bring in a City into the Center of Hempstead,
11 which affects the Town of Hempstead and bring
12 in another ten thousand people into that
13 community and the developer wants twenty-year
14 PILOTS on every single apartment building
15 that he wants to bring in, here.

16 So, this is very serious.

17 I am going to give you a special issue
18 - -

19 SUPERVISOR SANTINO: Please, give it
20 to the Clerk and we will make it apart of the
21 record.

22 CATHERINE GARRY: To each Member and
23 take it serious.

24 SUPERVISOR SANTINO: Thank you very
25 much.

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1 Ma'am, your time has expired. Thank
2 you very much.

3 Okay, Diane Madden.

4 DIANE MADDEN: Diane Madden,
5 Hempstead, New York.

6 Um, Item Number 28103.

7 SUPERVISOR SANTINO: Yes?

8 DIANE MADDEN: I just have some
9 questions about this social media policy.

10 SUPERVISOR SANTINO: Sure.

11 DIANE MADDEN: It seems like a place
12 where people can be discriminated against.

13 I was trying to find out the
14 consequences and they vary from nothing to,
15 um, being terminated.

16 So, who makes those decisions?

17 SUPERVISOR SANTINO: Well, Albina, if
18 you would come forward.

19 This is one of our Deputy Town
20 Attorneys that is involved in this area.

21 Albina, identify yourself for the
22 record.

23 DEPUTY TOWN ATTORNEY KATAEVA: Albina
24 Kataeva, Deputy Town Attorney, Town of
25 Hempstead.

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1 SUPERVISOR SANTINO: Can you explain
2 in brief, the policy, what it does.

3 DEPUTY TOWN ATTORNEY KATAEVA: Sure,
4 with any policy with the Town, we have to
5 give our employees notice, certain actions
6 that can be disciplined for.

7 One such area that has developed over
8 the years is social media and the use of
9 social media during working hours.

10 This policy applies to all of our
11 employees and with any other policy depending
12 on the nature of the infraction that is what
13 the discipline will depend on.

14 DIANE MADDEN: Who makes that
15 decision?

16 DEPUTY TOWN ATTORNEY KATAEVA: That
17 decision is made jointly with the Department
18 Heads and myself, as Labor Counsel for the
19 Town.

20 DIANE MADDEN: Okay and who monitors
21 these employees?

22 DEPUTY TOWN ATTORNEY KATAEVA: Well,
23 as with all our employees, we have
24 supervisors at all different levels, you have
25 middle management, the actual

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1 Commissioners, Department Heads, Division
2 Heads and they all come down and sit down
3 with me, the Labor Counsel.

4 DIANE MADDEN: So, what you are
5 saying, all those people that you named can
6 be on FACEBOOK all day monitoring the people
7 that they suspect are on social media?

8 DEPUTY TOWN ATTORNEY KATAEVA:
9 Absolutely not, it comes to our attention if
10 the employee is seen using their phones for
11 accessing social media.

12 This is not a policy to be put in
13 place to make sure that our employees are
14 being monitored on media sites, that is not
15 the purpose of it, whatsoever.

16 The purpose of it is that during
17 working hours, the employees, as Town
18 Employees, are expected to be working.

19 They are not free from distraction,
20 so, if they are walking around with their
21 cell phone on FACEBOOK posting and liking and
22 whatever else and that comes to our
23 attention, as it most often does, we have to
24 take action, just like we have to take action
25 for any other thing that we have

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1 seen, such as, the use of Town vehicles or
2 any other type of behavior that the employee
3 should not be conducting.

4 DIANE MADDEN: Okay, I am confused
5 because what you just said was that the use
6 of FACEBOOK and social media, that is a
7 little bit different than the content that
8 they are saying on social media.

9 DEPUTY TOWN ATTORNEY KATAEVA: If they
10 are working and it is during working hours,
11 which is what the social media policy goes
12 to, they should not be commenting or doing
13 anything on social media during those working
14 hours, that is the purpose of this policy to
15 give them notice that they are not to be on
16 social media while they are at work, during
17 working hours.

18 DIANE MADDEN: I am not getting that
19 from this.

20 I am getting it is more what they are
21 saying on social media.

22 DEPUTY TOWN ATTORNEY KATAEVA:
23 Considering it doesn't mention anything with
24 respect to what they are posting, it is
25 simply the policy is very clear on

HEMPSTEAD TOWN BOARD 2/7/17

1 its face.

2 It is very direct as to what we are
3 policing, which is when you are at work, you
4 are expected to work free from distraction,
5 that is the purpose of this policy.

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6 DIANE MADDEN: It goes a lot deeper
7 than that.

8 Does it apply to, um, contracted
9 employees?

10 DEPUTY TOWN ATTORNEY KATAEVA: Does
11 this apply to contracted employees?

12 DIANE MADDEN: Correct.

13 DEPUTY TOWN ATTORNEY KATAEVA: They
14 are independent contractors for a reason,
15 they are not employees.

16 DIANE MADDEN: Okay, they are not
17 contracted employees?

18 DEPUTY TOWN ATTORNEY KATAEVA: They
19 are not employees.

20 There is a difference there.

21 DIANE MADDEN: Well, they work for the
22 Town.

23 They are contracted with Hempstead.

24 DEPUTY TOWN ATTORNEY KATAEVA: They
25 are contracted to provide certain services

HEMPSTEAD TOWN BOARD 2/7/17

1 for the Town.

2 They are not employees. They are
3 different.

4 DIANE MADDEN: They are taxpayer-
5 funded contracts that work for the Town of
6 Hempstead, um, how do these reports come in?

7 Are they from the public?

8 DEPUTY TOWN ATTORNEY KATAEVA: It
9 varies, it is case-by-case situation, so,
10 there is really no one situation fits all.

11 It can come from the public.

12 It can come from different source.

13 It really depends.

14 DIANE MADDEN: Ultimately, you make
15 the decision, is that my understanding?

16 DEPUTY TOWN ATTORNEY KATAEVA: We make
17 it in conjunction with the Departments.

18 DIANE MADDEN: In other words, someone
19 could violate this twenty times and not have
20 any repercussions?

21 DEPUTY TOWN ATTORNEY KATAEVA:
22 Absolutely not true.

23 DIANE MADDEN: It seems like there is
24 no real planners, here.

25 DEPUTY TOWN ATTORNEY KATAEVA: Yes,

HEMPSTEAD TOWN BOARD 2/7/17

1 there are. It can lead to their termination
2 but like anything else with Labor Law, there
3 is progressive discipline and the Town is
4 very good at following progressive
5 discipline.

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6 DIANE MADDEN: It all depends who you
7 are.

8 DEPUTY TOWN ATTORNEY KATAEVA: No.

9 DIANE MADDEN: This is the person that
10 you have determining who the Behaviorist was?
11 God help us.

12 COUNCILMAN BLAKEMAN: Counsel, while
13 you are up there, I want to make it clear for
14 the record, that excludes employees that are
15 directed by their Supervisor or a Member of
16 the Town Board, for that matter, to do
17 research or communication on FACEBOOK or some
18 other social media outlet?

19 DEPUTY TOWN ATTORNEY KATAEVA: That is
20 directly in the policy.

21 It excludes that and the parameters
22 are posted and how it is being used on Town
23 time.

24 COUNCILMAN BLAKEMAN: If it is used
25 for Town purposes.

HEMPSTEAD TOWN BOARD 2/7/17

1 DIANE MADDEN: One more question,
2 since this is obviously an issue in the Town,
3 somehow, how about some kind of policy agency
4 or volunteers for different departments, has
5 that been something that the Town Board has
6 considered because that is part of the
7 problem.

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8 SUPERVISOR SANTINO: That is not
9 covered by this policy.

10 DIANE MADDEN: No, I understand.

11 SUPERVISOR SANTINO: It is not germane
12 to this moment right, now, that is not
13 something we considered at this time.

14 It is simply a policy to make sure
15 that employees, when they are here are
16 working for the taxpayers and it is just - -
17 it is analogous to someone who is sitting at
18 a desk with a deck of cards playing solitaire
19 or with a phone because, now, you can do it
20 on a phone or a laptop or an I-pad playing
21 Solitaire or some other game.

22 It is covered. It is designed to stop
23 Town employees who are at work being
24 employed, being paid by the taxpayers from
25 doing something other than the work

HEMPSTEAD TOWN BOARD 2/7/17

1 for which they are paid, am I right?

2 DEPUTY TOWN ATTORNEY KATAEVA: Yes.

3 SUPERVISOR SANTINO: Thank you very
4 much, Counselor.

5 Okay, thank you.

6 William McCabe.

7 WILLIAM McCABE: William McCabe. Post
8 Office Box 334, Rye Park, New York 11040

9 Members of the Town Board, Supervisor
10 Santino:

11 This is in regards to the free air
12 amendment that is coming up at a Hearing on
13 February 21st, has that - -

14 SUPERVISOR SANTINO: With respect to,
15 again?

16 WILLIAM McCABE: That is Number 33 and
17 Number 46.

18 SUPERVISOR SANTINO: Hold one second,
19 okay.

20 The only thing, obviously, the other
21 item is about scheduling of the Hearing.

22 Unless you have an issue with that
23 particular date, that is not germane at the
24 moment.

25 If you want to talk about the SEQRA

HEMPSTEAD TOWN BOARD 2/7/17

1 Negative Declaration, that is the only item
2 on the calendar at this moment on that item.

3 WILLIAM McCABE: Yes, Supervisor, I
4 understand that, thank you.

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5 SUPERVISOR SANTINO: Sure.

6 WILLIAM McCabe: What is the meaning
7 and can any background be given to us on
8 regard to 33, on that?

9 SUPERVISOR SANTINO: Town Attorney.

10 TOWN ATTORNEY RA: There are certain
11 actions taken by the Town Board that require
12 a SEQRA Resolution that says that the action
13 considered will not have an adverse impact on
14 the environment.

15 Just to be one hundred percent sure,
16 we are passing this.

17 It is doubtful whether or not this
18 particular item requires a SEQRA Resolution,
19 however, other than this, municipalities and
20 other places in the State have done that, so,
21 we are doing it just to make sure we are
22 covered.

23 And, so, we are saying that the new
24 law enacted would not have a negative impact
25 on the environment.

HEMPSTEAD TOWN BOARD 2/7/17

1 WILLIAM McCABE: Okay, what does that
2 stand for SEQR more or less?

3 TOWN ATTORNEY RA: State Environmental
4 Quality Review.

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5 WILLIAM McCabe: Are the results of
6 that published?

7 Can we FOIL?

8 TOWN ATTORNEY RA: It is called a Type
9 1 Action, yes, you can FOIL it.

10 WILLIAM McCABE: Okay, thank you and
11 in regards to the Hearing, where has it been
12 posted thus far, where the Hearing, you know,
13 when the Hearing is going to be held and
14 where?

15 TOWN ATTORNEY RA: It is posted on
16 today's calendar.

17 WILLIAM McCABE: Has it been put into
18 the business news, Long Island Business News?

19 TOWN ATTORNEY RA: I do not believe it
20 has been published, yet, because we are
21 passing it, today.

22 It probably will be published on
23 Friday.

24 WILLIAM McCABE: Will Trade
25 organizations be contacted?

HEMPSTEAD TOWN BOARD 2/7/17

1 TOWN ATTORNEY RA: It is on our WEB
2 site and it will be in the Long Island
3 Business News.

4 WILLIAM McCABE: Will Trade
5 organizations be contacted?

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6 TOWN ATTORNEY RA: We comply - - New
7 York State Law, when we do our Notices and we
8 will comply with State Law.

9 WILLIAM McCABE: Trade organizations
10 were contacted for the original law for March
11 29th.

12 SUPERVISOR SANTINO: He has answered
13 your question.

14 WILLIAM McCABE: Just clarifying it.

15 SUPERVISOR SANTINO: You can ask it as
16 many times as you want, he answered it.

17 WILLIAM McCABE: It didn't seem that
18 way. Thank you.

19 SUPERVISOR SANTINO: Thank you. Felix
20 Procacci.

21 FELIX PROCACCI: Felix Procacci. 1165
22 Barns Street, Franklin Square, New York.

23 I want to speak on Number 33 and 45,
24 um, I oppose both of these Resolutions for
25 the following reasons and, here, are the

HEMPSTEAD TOWN BOARD 2/7/17

1 reasons.

2 I oppose them because they refer to
3 the modifications the Town so called "free
4 air law."

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5 This law is currently under Court
6 injunction because the Town failed to follow
7 the Open Meeting Law, among other things.

8 Now, in an attempt to circumvent the
9 injunction, the Town is changing the law.

10 No changes to this law should be made
11 until the Courts made its decision.

12 Also, since there is pending
13 litigation on this matter, the Town Attorney
14 will invoke its policy of not commenting on
15 pending litigation except in cases in which
16 it concerns the Town Supervisor.

17 So, if these Resolutions are passed,
18 in two weeks, a Hearing will be held, in
19 which, the Town Attorney will claim that no
20 questions regarding this proposed law could
21 be answered due to the fact that there is
22 pending litigation.

23 And, for the second time in less than
24 a year, the Town will pass this
25 unconstitutional law without any

HEMPSTEAD TOWN BOARD 2/7/17

1 justification.

2 Even at the Hearing on March 29, 2016
3 when this law was first considered, the Town
4 refused to answer any detailed questions
5 regarding the legality of this law.

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6 This law preempted New York State
7 Business Law.

8 The Town's current legal argument is
9 because State Law cited on pricing and - -

10 SUPERVISOR SANTINO: You are talking
11 about merits of the proposal.

12 FELIX PROCACCI: I am opposing the
13 law. I am opposing the Resolutions even
14 being here and I am giving you the reasons
15 why I am opposing it.

16 And, it is a miscellaneous law and it
17 allows the Town to set a price for compressed
18 air.

19 These arguments are ridiculous.

20 There are many laws in New York State.

21 SUPERVISOR SANTINO: It sounds like
22 you are arguing the merits.

23 FELIX PROCACCI: No, I am not.

24 I am giving you the reason why I
25 oppose these Resolutions.

HEMPSTEAD TOWN BOARD 2/7/17

1 I have detailed it out.

2 I am not going to - -

3 SUPERVISOR SANTINO: You oppose the
4 SEQRA Negative Declaration for what reason?

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5 FELIX PROCACCI: For the same reason
6 it has to do with modifications of this law,
7 I oppose anything that changes this law.

8 And, I am giving you the reasons why I
9 oppose this law.

10 I wish you wouldn't interrupt me.

11 Now, you are using up my time.

12 FELIX PROCACCI: There are many laws
13 in New York State that mandates a business
14 who provides a product or service, New York
15 State Inspections, compressed air, but in
16 those situations, does the State mandate you
17 provide that service for free?

18 And, in no case does it mandate price
19 through zoning law.

20 Merely, after one year, the Town has
21 failed to explain why this health and safety
22 issue, which they claim is the reason they
23 are passing this free air law, they failed to
24 explain why it is a health and safety issue.

25 It appears that the Town Attorneys

HEMPSTEAD TOWN BOARD 2/7/17

1 feel if they say the same stupid thing over
2 and over again, eventually it becomes true.

3 The Town Supervisor says it is a
4 health and safety issue, but refuses to
5 explain why dropping three quarters in an air
6 machine can cause anyone any harm.

7 SUPERVISOR SANTINO: Okay, thank you
8 very much.

9 Councilwoman Goosby, you wanted to
10 address a particular issue?

11 SENIOR COUNCILWOMAN GOOSBYZ: Yes,
12 Supervisor.

13 We have Number 13 which I am
14 supporting proudly and I have had the
15 pleasure of interviewing the person who is on
16 there to be appointed to the Town's IDA
17 Board.

18 I had the pleasure of meeting her and
19 reviewing her qualifications.

20 She has an extensive education on Long
21 Island, a strong member of the Town's IDA
22 Board and will lookout for the interests of
23 our community's Public School Districts and
24 consider applications for IDA benefits that
25 may reduce the tax benefits for schools and

HEMPSTEAD TOWN BOARD 2/7/17

1 other tax districts effected by the IDA grant
2 of payments in lieu of taxes.

3 It is very important to me and my
4 community, all of the Town's communities,
5 especially since we have been through too
6 many problems which is affecting our schools.

7 So, I am happy with the appointment.

8 SUPERVISOR SANTINO: Thank you,
9 Councilwoman Goosby.

10 Councilman Blakeman, you had a
11 question about a matter?

12 COUNCILMAN BLAKEMAN: Yes, Item 24,
13 Mr. Supervisor, can someone answer questions
14 with respect to that?

15 SUPERVISOR SANTINO: Ask the question.

16 COUNCILMAN BLAKEMAN: Okay, what is
17 the purpose of the contract?

18 SUPERVISOR SANTINO: Commissioner
19 Pritchard from our Sanitation Department and
20 Superintendent Don Conroy.

21 COMMISSIONER PRITCHARD: The purpose
22 of the contract is to recycle mattresses and
23 save the Town some money in the process.

24 Our mattresses are currently picked up
25 in the price of around mid seventies dollars

HEMPSTEAD TOWN BOARD 2/7/17

1 per ton and this contract, we negotiated with
2 them to get the price down to forty.

3 COUNCILMAN BLAKEMAN: How many
4 mattresses do we collect in the Town on
5 annual basis?

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6 COMMISSIONER PRITCHARD: Thirty or
7 fifty a day which translates to three to five
8 hundred tons.

9 COUNCILMAN BLAKEMAN: So, with respect
10 to this particular contract, what happens to
11 the mattresses?

12 Is there a storage area in the
13 recycling facility that this company has?

14 COMMISSIONER PRITCHARD: Yes, they
15 have a facility in Oceanside where they
16 actually pull the mattresses apart and they
17 sell the by-products; fiber, steel from the
18 springs and the foam.

19 COUNCILMAN BLAKEMAN: How long have
20 they been in business?

21 SUPERINTENDENT CONROY: They have been
22 in business two years, now, that I am aware
23 of.

24 COUNCILMAN BLAKEMAN: And, who weighs
25 the mattresses to determine whether or not

HEMPSTEAD TOWN BOARD 2/7/17

1 the price we are paying is accurate?

2 SUPERINTENDENT CONROY: We will weigh
3 them on the way out.

4 They will weight them when they get
5 there but we weigh them on our way out.

6 All trucks are weighed on the way out.

7 COUNCILMAN BLAKEMAN: So, the
8 Sanitation Department is going to deliver the
9 mattresses to a facility in Oceanside, they
10 already had been weighed?

11 COMMISSIONER PRITCHARD: Yes.

12 COUNCILMAN BLAKEMAN: Where are they
13 weighed?

14 SUPERINTENDENT CONROY: In Merrick.

15 COUNCILMAN BLAKEMAN: So, they will be
16 consolidated in Merrick and delivered to
17 Oceanside to be weighed rather and the work
18 is actually performed where?

19 In Oceanside or is it contracted out
20 by the group we are doing business with?

21 SUPERINTENDENT CONROY: I don't know
22 if they contracted anything out.

23 When I was there, they were performing
24 the work there.

25 COUNCILMAN BLAKEMAN: Do they have a

HEMPSTEAD TOWN BOARD 2/7/17

1 License to do this?

2 SUPERINTENDENT CONROY: Yes.

3 COUNCILMAN BLAKEMAN: Have we seen the
4 license?

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5 SUPERINTENDENT CONROY: What?

6 COUNCILMAN BLAKEMAN: Have we seen the
7 license?

8 SUPERINTENDENT CONROY: I have not
9 seen it, personally.

10 They need a license from the DEC to
11 have.

12 COUNCILMAN BLAKEMAN: Are they bonded?

13 SUPERINTENDENT CONROY: Yes.

14 COUNCILMAN BLAKEMAN: How much is the
15 amount of this bond?

16 SUPERINTENDENT CONROY: I don't know.

17 COUNCILMAN BLAKEMAN: Do they have
18 insurance?

19 COMMISSIONER PRITCHARD: Yes, they do.

20 COUNCILMAN BLAKEMAN: How much is the
21 amount of the insurance that they have?

22 COMMISSIONER PRITCHARD: It is the
23 standard Town insurance limit, one and two or
24 liability but there is also a five million
25 dollar umbrella policy.

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1 COUNCILMAN BLAKEMAN: In this
2 contract, we are obligated to pay for
3 mattresses that are collected from outside
4 the Town, why is that?

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5 SUPERINTENDENT CONROY: Outside the
6 Town as far as what mileages?

7 COUNCILMAN BLAKEMAN: According to
8 the contract, it says, I believe, we are
9 obligated to pay them for mattresses
10 collected within the Town or within fifteen
11 miles of the Town boundary, why is that?

12 SUPERINTENDENT CONROY: I would
13 imagine there are Villages that drop
14 mattresses at our owner area.

15 COUNCILMAN BLAKEMAN: No, this refers
16 to - -

17 SUPERINTENDENT CONROY: We have
18 separate deals with different Villages.

19 COUNCILMAN BLAKEMAN: Okay, do we have
20 deals with Villages outside the Town of
21 Hempstead?

22 SUPERINTENDENT CONROY: No.

23 COUNCILMAN BLAKEMAN: It says for the
24 Town of Hempstead or fifteen miles of the
25 Town boundary will be accepted.

HEMPSTEAD TOWN BOARD 2/7/17

1 COMMISSIONER PRITCHARD: That won't
2 happen.

3 COUNCILMAN BLAKEMAN: That is what the
4 contract says.

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5 You want to take a look at it?

6 SUPERVISOR SANTINO: This is for
7 mattresses that we collect on our routes,
8 correct or that is delivered to us by a
9 Village within the Town of Hempstead with
10 which we have an appropriate agreement?

11 COMMISSIONER PRITCHARD: Town of
12 Hempstead - - Mr. Levy has an answer on
13 that.

14 MR. LEVY: Supervisor, the contract
15 was bid two ways, we asked those bidding to
16 provide prices in two circumstances, one in
17 which they come to our facility and collect
18 the mattresses, the other, where we deliver
19 the mattresses to their facility.

20 Their facility must be either within
21 the Town of Hempstead or within the fifteen
22 miles of a Hempstead Town boundary.

23 I think that maybe - -

24 SUPERVISOR SANTINO: So, Councilman,
25 is misreading what the contract says?

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MR. LEVY: I believe so.

COUNCILMAN BLAKEMAN: I can read it to you, Mr. Supervisor.

SUPERVISOR SANTINO: It has been explained to you.

Any other questions?

(Whereupon, no response was heard. After, the following ensued.)

SUPERVISOR SANTINO: Thank you very much.

Call the roll on the Administrative Calendar.

Thank you, Commissioner.

Call the roll, Madam Clerk.

CLERK AHMAD: Supervisor Santino?

SUPERVISOR SANTINO: Aye.

CLERK AHMAD: Councilman Ambrosino?

COUNCILMAN AMBROSINO: Aye.

CLERK AHMAD: Councilman Blakeman?

COUNCILMAN BLAKEMAN: Aye.

CLERK AHMAD: Councilman D'Esposito?

COUNCILMAN D'ESPOSITO: Aye.

CLERK AHMAD: Senior Councilwoman Goosby?

SENIOR COUNCILWOMAN GOOSBY: Aye.

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CLERK AHMAD: Councilman Hudes?
COUNCILMAN HUDES: Aye.
CLERK AHMAD: Councilwoman King-
Sweeney?
COUNCILWOMAN KING-SWEENEY: Aye.
SUPERVISOR SANTINO: Okay, now we will
take a motion, please.
SENIOR COUNCILMAN GOOSBY: Mr.
Supervisor, I move that we adjourn the
meeting.
COUNCILMAN HUDES: I second the
Motion.
CLERK AHMAD: Supervisor Santino?
SUPERVISOR SANTINO: Aye.
CLERK AHMAD: Councilman Ambrosino?
COUNCILMAN AMBROSINO: Aye.
CLERK AHMAD: Councilman Blakeman?
COUNCILMAN BLAKEMAN: Aye.
CLERK AHMAD: Councilman D'Esposito?
COUNCILMAN D'ESPOSITO: Aye.
CLERK AHMAD: Senior Councilwoman
Goosby?
SENIOR COUNCILWOMAN GOOSBY: Aye.
CLERK AHMAD: Councilman Hudes?
COUNCILMAN HUDES: Aye.

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CLERK AHMAD: Councilwoman King-
Sweeney?

COUNCILWOMAN KING-SWEENEY: Aye.

(Whereupon, the official meeting the
Hempstead Town Board was concluded. Time
noted: 11:50 a.m.)

HEMPSTEAD TOWN BOARD 2/7/17

CERTIFICATE BY COURT REPORTER

I, do hereby certify that the foregoing
testimony is the matter of the Hempstead Town
Board held on February 7, 2017 consisting of
pages 1 through 75 is an accurate
transcription of my cryptic notes.

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IN WITNESS WHEREOF, I SET MY HAND THIS DAY.

MDW

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