

TOWN OF HEMPSTEAD

ONE WASHINGTON STREET

TOWN HALL PAVILION

HEMPSTEAD, NEW YORK 11550

APRIL 16, 2019

10:30 P.M.

BEFORE: LAURA A. GILLEN,

SUPERVISOR

APPEARANCES :

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

DEPUTY SUPERVISOR/COUNCILMAN BLAKEMAN

SENIOR COUNCILWOMAN GOOSBY

Page | 2

COUNCILMAN D'ESPOSITO

COUNCILMAN DUNNE, SR.

MAJORITY LEADER/COUNCILWOMAN KING-SWEENEY

TOWN CLERK CABANA

DEPUTY TOWN CLERK SEDACCA

TOWN ATTORNY RA

TOWN COMPTROLLER CONROY

RECEIVER OF TAXES CLAVIN

HEMPSTEAD TOWN BOARD 4/16/19

1 SUPERVISOR GILLEN: Welcome everyone to the
2 Hempstead Town Board Meeting. We will first have
3 Public Hearings followed by an Administrative
4 Calendar. Page | 3

5 There are meeting agendas available in the
6 rear of the Pavilion, if you would like to be
7 heard on any matter, please, fill out a form at
8 the back of the Pavilion and hand it to the Public
9 Safety Officer who will hand it in.

10 After the meeting is adjourned, we will
11 honor our tradition of three hundred and fifty
12 years and remain in session to hear any residents
13 that would like to be heard on other matters.

14 Madam Clerk, will you, please, call the
15 roll.

16 CLERK CABANA: Supervisor Gillen?

17 SUPERVISOR GILLEN: Here.

18 CLERK CABANA: Councilman Blakeman?

19 COUNCILMAN BLAKEMAN: Here.

20 CLERK CABANA: Councilman D'Esposito?

21 COUNCILMAN D'ESPOSITO: I am here.

22 CLERK CABANA: Councilman Dunne?

23 COUNCILMAN DUNNE: Here.

24 CLERK CABANA: Senior Councilwoman Goosby?

25 SENIOR COUNCILWOMAN GOOSBY: Here.

HEMPSTEAD TOWN BOARD 4/16/19

1 CLERK CABANA: Councilwoman King-Sweeney?

2 COUNCILWOMAN KING-SWEENEY: Here.

3 SUPERVISOR GILLEN: I will, now, ask Senior

4 Councilwoman Dorothy Goosby to lead us in the

Page | 4

5 Pledge of Allegiance.

6 SENIOR COUNCILWOMAN GOOSBY: Hand over

7 heart.

8 (Whereupon, Senior Councilwoman Goosby led

9 us in the Pledge of Allegiance. After, the

10 following ensued.)

11 SUPERVISOR GILLEN: I ask everyone to

12 remain standing, please, for a moment of silence

13 to honor Thomas DeFrancisci, who was honorary

14 Chief of the Bellmore/Merrick EMS.

15 He was a First Responder at 911 and died of

16 complications and illness to 911 injuries.

17 (Whereupon, a moment of silence was

18 observed in honor of Thomas DeFrancisci. After,

19 the following ensued.)

20 SUPERVISOR GILLEN: Thank you.

21 COUNCILMAN DUNNE: Madam Supervisor, can I

22 ask we remain standing, please, to remember the

23 three Marines from the Marine Corps Barracks on

24 Stewart Avenue that were killed last week, one

25 from Locust Valley, right, here in our County

1 of Nassau and those that were killed in total
2 eleven in Afghanistan last week and the two
3 Marines that died in the crash in Utah, just this
4 weekend. We remember them. Page | 5

5 (Whereupon, a moment of silence was
6 observed. After, the following ensued.)

7 COUNCILMAN DUNNE: Thank you.

8 SUPERVISOR GILLEN: Madam Clerk, will you,
9 please, call our first Public Hearing.

10 CLERK CABANA: Proposed Local Law Re:
11 "Regulations and Restrictions" to limit parking in
12 Baldwin, Hewlett, Oceanside, West Hempstead (To
13 amend Chapter 202 of the Code of the Town of
14 Hempstead)

15 SUPERVISOR GILLEN: I do not have any slips
16 on this Public Hearing, is there anyone that would
17 like to be heard?

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

20 SUPERVISOR GILLEN: Hearing none, may I
21 have a Motion.

22 COUNCILWOMAN KING-SWEENEY: Supervisor, I
23 move that the Hearing be closed and the item be
24 adopted.

25 COUNCILMAN D'ESPOSITO: Second the Motion.

HEMPSTEAD TOWN BOARD 4/16/19

1 CLERK CABANA: Supervisor Gillen?

2 SUPERVISOR GILLEN: Aye.

3 CLERK CABANA: Councilman Blakeman?

4 COUNCILMAN BLAKEMAN: Aye.

Page | 6

5 CLERK CABANA: Councilman D'Esposito?

6 COUNCILMAN D'ESPOSITO: Aye.

7 CLERK CABANA: Councilman Dunne?

8 COUNCILMAN DUNNE: Aye.

9 CLERK CABANA: Senior Councilwoman Goosby?

10 SENIOR COUNCILWOMAN GOOSBY: Aye.

11 CLERK CABANA: Councilwoman King-Sweeney?

12 COUNCILWOMAN KING-SWEENEY: Aye.

13 SUPERVISOR GILLEN: Madam Clerk, will you
14 call our next Public Hearing, please.

15 CLERK CABANA: Proposed Local Law Re:
16 "Parking or Standing Prohibitions" in (NR)
17 Bellerose Terrace, Hewlett, Inwood, Levittown,
18 Oceanside, West Hempstead (To amend Section 202-1
19 of the Code of the Town of Hempstead)

20 SUPERVISOR GILLEN: I do not have any slips
21 on this Public Hearing, is there anyone that would
22 like to be heard?

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

25 SUPERVISOR GILLEN: Hearing none, may

1 I have a Motion.

2 COUNCILMAN DUNNE: I move we close the
3 Hearing and vote on the item.

4 COUNCILMAN D'ESPOSITO: Second.

Page | 7

5 SUPERVISOR GILLEN: Madam Clerk.

6 CLERK CABANA: Supervisor Gillen?

7 SUPERVISOR GILLEN: Aye.

8 CLERK CABANA: Councilman Blakeman?

9 COUNCILMAN BLAKEMAN: Aye.

10 CLERK CABANA: Councilman D'Esposito?

11 COUNCILMAN D'ESPOSITO: Aye.

12 CLERK CABANA: Councilman Dunne?

13 COUNCILMAN DUNNE: Aye.

14 CLERK CABANA: Senior Councilwoman Goosby?

15 SENIOR COUNCILWOMAN GOOSBY: Aye.

16 CLERK CABANA: Councilwoman King-Sweeney?

17 COUNCILWOMAN KING-SWEENEY: Aye.

18 SUPERVISOR GILLEN: Madam Clerk, please,
19 call our next Public Hearing.

20 CLERK CABANA: Proposed Local Law Re:
21 "Arterial Stops" in East Meadow, Franklin Square,
22 West Hempstead (To amend Section 197-5 of the Code
23 of the Town of Hempstead)

24 SUPERVISOR GILLEN: I do not have any slips
25 on this Public Hearing, is there anyone that

1 would like to be heard?

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

4 COUNCILMAN DUNNE: I make a motion to close ^{Page | 8}
5 the Hearing and vote on the item.

6 COUNCILMAN BLAKEMAN: Second.

7 SUPERVISOR GILLEN: Madam Clerk?

8 CLERK CABANA: Supervisor Gillen?

9 SUPERVISOR GILLEN: Aye.

10 CLERK CABANA: Councilman Blakeman?

11 COUNCILMAN BLAKEMAN: Aye.

12 CLERK CABANA: Councilman D'Esposito?

13 COUNCILMAN D'ESPOSITO: Aye.

14 CLERK CABANA: Councilman Dunne?

15 COUNCILMAN DUNNE: Aye.

16 CLERK CABANA: Senior Councilwoman Goosby?

17 SENIOR COUNCILWOMAN GOOSBY: Aye.

18 CLERK CABANA: Councilwoman King-Sweeney?

19 COUNCILWOMAN KING-SWEENEY: Aye.

20 SUPERVISOR GILLEN: Madam Clerk, please,

21 call our next Public Hearing.

22 CLERK CABANA: Proposed Local Law Re: "U-

23 Turns Prohibited" in Wantagh (To amend Section

24 197-2 of the Code of the Town of Hempstead)

25 SUPERVISOR GILLEN: I do not have any

1 Slips on this Public Hearing, is there anyone that
2 would like to be heard?

3 (Whereupon, no response was heard. After,
4 the following ensued.) Page | 9

5 SUPERVISOR GILLEN: Hearing none, may I
6 have a Motion.

7 COUNCILWOMAN KING-SWEENEY: Supervisor, I
8 move the Hearing be closed and the item be
9 adopted.

10 COUNCILMAN DUNNE: Second.

11 SUPERVISOR GILLEN: Madam Clerk?

12 CLERK CABANA: Supervisor Gillen?

13 SUPERVISOR GILLEN: Aye.

14 CLERK CABANA: Councilman Blakeman?

15 COUNCILMAN BLAKEMAN: Aye.

16 CLERK CABANA: Councilman D'Esposito?

17 COUNCILMAN D'ESPOSITO: Aye.

18 CLERK CABANA: Councilman Dunne?

19 COUNCILMAN DUNNE: Aye.

20 CLERK CABANA: Senior Councilwoman Goosby?

21 SENIOR COUNCILWOMAN GOOSBY: Aye.

22 CLERK CABANA: Councilwoman King-Sweeney?

23 COUNCILWOMAN KING-SWEENEY: Aye.

24 SUPERVISOR GILLEN: Madam Clerk, will you
25 call our next Public Hearing, please.

HEMPSTEAD TOWN BOARD 4/16/19

1 CLERK CABANA: Proposed Local Law to be
2 entitled "Code of Ethics" (To repeal Chapter 38 of
3 the Code of the Town of Hempstead and other Town
4 Board resolutions relating to ethics and enact a ^{Page | 10}
5 new Chapter 38 of the Code of the Town of
6 Hempstead)

7 SUPERVISOR GILLEN: Felix Procacci?

8 FELIX PROCACCI: Felix Procacci. 1165
9 Barnes Street, Franklin Square, New York.

10 On Page 16 of this law, um, it says it will
11 periodically reviewed by the Ethics Board to
12 ensure it promotes public confidence, integrity.

13 I can tell you right, now the way it is
14 written, it will promote nothing.

15 It will be just a waste of paper, a waste
16 of law.

17 There are a lot of good things in it, but,
18 there are a lot of things that are so vague that
19 you can run a truck through it.

20 What is reasonable?

21 I don't expect any answers from this.

22 You will waste my time. How about, basing
23 a law for political gain?

24 Would that be a violation?

25 What is the unwarranted invasion of

1 Personal privacy?

2 I have been searching for that answer for
3 months.

4 Joe Ra said something about HIPA and I
5 inquired about it.

Page | 11

6 I couldn't find anything.

7 Now, Kovit is working on it and my FOIL
8 request.

9 Unwarranted invasion of privacy is in this
10 ethics law, but it is not defined.

11 What is defined?

12 The Ethics Board doesn't want to be defined
13 and therefore, nothing will get done because when
14 you have language, that is so vague you can't
15 enforce anything.

16 The Town Attorney is going to be part of
17 the Ethics Board. He is Executive Leader for the
18 Franklin Square Republican Club.

19 I mean conflict of interest, major conflict
20 of interest.

21 Once, again, nothing will get done.

22 Um, You know when you did public
23 inspections, when you did inspections or
24 investigation of the Animal Shelter and I asked
25 for those reports, you said, I couldn't examine

1 the reports.

2 I couldn't even be given the dates that
3 those reports were made.

4 They said everything invaded personal
5 privacy.

Page | 12

6 I don't know if anything got done. Give me
7 a number one and start date and end date.

8 I couldn't get that because it was invasion
9 of personal privacy.

10 I mean this law is a joke. It is really a
11 joke, not that there isn't great stuff in there,
12 but, you are going to give me some excuse because
13 I could write a lot.

14 I could go through the trouble writing the
15 things, complaints right, now.

16 There are a ton of stuff I could do right,
17 now and you could say it is an unwarranted
18 invasion of privacy.

19 It is no good. What you are saying is
20 wrong, but you wouldn't give any reason why it is
21 wrong, so, you are, basically, just, you know,
22 wasting the public's time with this, again.

23 Also, it was never brought to the public.

24 I was done behind closed doors.

25 I advocated for a public discussion of

1 this law way back when it was produced in
2 September that was never done.

3 So, you know, it is nice that you are
4 trying.

Page | 13

5 I think it is a ploy, a political ploy.

6 It will not do anything.

7 Thank you.

8 SUPERVISOR GILLEN: Mr. Procacci, would you
9 like Mr. Leventhal to address your concern about
10 unwarranted invasion of personal privacy?

11 FELIX PROCACCI: Yes.

12 SUPERVISOR GILLEN: Mr. Leventhal, do you
13 want to respond to that comment?

14 FELIX PROCACCI: Yes, thank you.

15 The term, "unwarranted invasion of personal
16 privacy," comes from the Public Officers Law.

17 The Public Officers Law is a statute that
18 sets - - that establishes a code of conduct for
19 State Officers and employees and in particularly
20 the Freedom of Information Act includes certain
21 categories of information that they can discuss in
22 executive session, among those, according to that
23 statute, are matters that would result in
24 unwarranted invasion of personal privacy if
25 disclosed.

1 So, it is true that a term like that
2 requires a degree of interpretation.

3 But, that is also the case with most laws.

4 There is judgment that is exercised in Page | 14
5 implementing them and enforcing them and that is
6 we have an Ethics Board that judges and interprets
7 laws and applies to a particular case and we have
8 a Board of Ethics that will also interpret this,
9 um, law if it is enacted and applied in particular
10 cases.

11 FELIX PROCACCI: Let me ask you a question
12 because I had seventeen seconds left.

13 First of all, you asked for my name and
14 address but, then, you redacted the address of the
15 people on the financial disclosure.

16 You are asking for people's public address
17 at this Hearing and making it available to the
18 public and yet that invasion of personal privacy
19 on the financial disclosure form and in addition,
20 in the Camp Anchor situation, the Town Officials
21 released the addresses of those children and, now,
22 they are arguing in Court that it wasn't an
23 invasion of personal privacy.

24 So, you have a double standard, here where
25 you are fighting a case, saying it wasn't

1 invasion of privacy releasing those addresses and
2 you are taking the other side by redacting the
3 addresses on the financial disclosure form.

4 So, which one is it?

Page | 15

5 And, you are going to have to make up your
6 mind, but it can't be both.

7 SUPERVISOR GILLEN: Thank you for your
8 comments, Mr. Procacci.

9 Valerie Lampe?

10 VALERIE LAMPE: Good Morning, Town of
11 Hempstead Board and Elected Officials.

12 I am in the best mood.

13 SENIOR COUNCILWOMAN GOOSBY: Nice mood.

14 VALERIE LAMPE: Thank you, Senior
15 Councilwoman Goosby.

16 I am, here, today for this segment to
17 strictly express my gratitude and my excitement
18 over this.

19 Councilman D'Esposito, um, I know for a
20 long time it has been actually since July, where I
21 believe it was brought to the public's attention
22 that there was a constituent, she came, here,
23 herself, her name is Bonnie Redashaw. (phonetic
24 spelling)

25 And, this constituent was also not just

1 a hardworking taxpayer of the Town of Hempstead
2 but she was a former Supervisor Gillen supporter
3 on her campaign trail.

4 One of the few, who, in addition to working ^{Page | 16}
5 9:00 to 5:00 in the City, commuting through the
6 LIRR, taking care of the fellow cat community, as
7 well as, her family, um, you know, she campaigned
8 and rallied and made every effort possible to help
9 Supervisor Gillen get elected.

10 So, I don't know exactly what her turning
11 point was, many of Supervisor Gillen's former
12 supporters had their turning points and they
13 varied but she did come here to express when she
14 could - - um, and took off of work to communicate
15 to you, Supervisor Gillen that she was
16 disappointed in her lack of progress and
17 commitment to the Animal Shelter, which is
18 something that many of us supported you on,
19 strictly on that issue.

20 So, the next thing we know she received a
21 memorandum at her job threatening her livelihood
22 naming you, Supervisor Gillen as the reason for
23 why she was given, asked not to participate in her
24 local government anymore, to not come here and
25 voice or even be able to express her concerns

1 and grievances.

2 And, this is the very fundamental basis of
3 our Constitution.

4 It is sad to me that this ethics law even ^{Page | 17}
5 has to be proposed.

6 I mean do we have to have a separate clause
7 to be enforced within America's largest and
8 greatest township?

9 Do we have to go one by one?

10 It is just unacceptable that it even has to
11 come to this.

12 So, it is not the first time we have seen
13 you attempt to silence other people, anyone that
14 criticizes your or disagrees with you.

15 You did it to the Receiver of Taxes when
16 you wouldn't allow his information to be posted on
17 the Town's website.

18 You did it to Councilman D'Esposito when he
19 released a Press Release, when he was bringing
20 attention and hopefully trying to end the parole
21 for a disgusting human being who threw a police
22 officer off a roof and you caboshed it and your
23 administration did not allow that to go into the
24 Town of Hempstead website.

25 That is shameful, that is un-American and

1 you did it to me.

2 (Whereupon, the three-minute bell rang.
3 After, the following ensued.)

4 VALERIE LAMPE: When I shouldn't sit next ^{Page | 18}
5 to Diane Madden or Lucille Defina because they
6 opposed you.

7 SUPERVISOR GILLEN: Thank you for your
8 comments.

9 Mr. Leventhal, I have a couple of
10 questions, um, with respect to the ethics code,
11 um, 38-3, I am sorry, actually, 38-2, the
12 definition of "relative," looking at the
13 definition of "relative."

14 It appears that this does not include, um,
15 a person's in-laws.

16 So, it appears to me that under this
17 definition of "relative," my father-in-law, my
18 brother-in-law, my sisters-in-law, all the people
19 that will be sitting at the Easter dinner table
20 and other people will be sitting at holiday dinner
21 tables, they are not related to me under this
22 definition, is that right?

23 ATTORNEY LEVENTHAL: They are not included
24 in this definition of "relative," that is right.

25 SUPERVISOR GILLEN: So, I can hire my

1 Father-in-law and supervise my Father-in-law
2 because he is not related to me under this
3 definition, is that correct?

4 ATTORNEY LEVENTHAL: Actually, the State Page | 19
5 law that governs ethics for local municipalities,
6 Article 18 of the New York Municipal Law does not
7 contain the definition of "relative" and, in fact,
8 expressly permits, um, the spouse, officer or
9 employee of a municipality to be hired by that
10 municipality.

11 The problem is not if a spouse or relative
12 works for the same municipality, the problem is if
13 one relative is in a position to set the terms of
14 employment of another to supervise them and to,
15 um, supervise authority with respect to their
16 relative and that is regulated by this code of
17 ethics.

18 SUPERVISOR GILLEN: But, I am asking you
19 about our Code, under our Code, your in-laws are
20 not your relatives?

21 ATTORNEY LEVENTHAL: Our Code, the
22 definition of "relative" does not include in-laws.

23 SUPERVISOR GILLEN: Does everybody on this
24 Board agree that your in-laws are not your
25 relatives, that your Mother-in-law, that your

1 Father-in-law, your sister-in-law, they shouldn't
2 be viewed as relatives?

3 ATTORNEY LEVENTHAL: It is already covered
4 in State law. Page | 20

5 State law does not define "relative," but
6 it permits the hiring of a spouse, officer and
7 relative.

8 COUNCILMAN D'ESPOSITO: Mr. Leventhal I
9 have a question, when was the final draft of the
10 ethics legislation shared with the Supervisor and
11 the Board?

12 ATTORNEY LEVENTHAL: Months ago, there was
13 a bipartisan news conference held at which it was
14 announced to the public and introduced.

15 COUNCILMAN D'ESPOSITO: Since - - sorry, go
16 ahead.

17 SUPERVISOR GILLEN: I was going to say we
18 have been discussing it since, then, but, this is
19 a change that I pushed for that I think is really
20 important.

21 The State law may not define "relative,"
22 but we are electing here in our Town Code to not
23 define "relative."

24 To me it is incomprehensible that my
25 Father-in-law and my sisters-in-law and my

1 Brothers-in-law are not my relatives.

2 (Whereupon, applause from the audience was
3 heard. After, the following ensued.)

4 SUPERVISOR GILLEN: So, nobody here has an ^{Page | 21}
5 answer to that?

6 You all think your Father-in-law, your
7 Mother-in-law, your sisters-in-law are not your
8 relatives?

9 COUNCILWOMAN KING-SWEENEY: Well, I don't
10 think this is a question of the definition of
11 "relative."

12 I mean my third cousin twice removed is a
13 relative of mine, but, it is whether or not we
14 need to legislate that role.

15 If anything, in-laws, at least, in my
16 family are often outlaws and we treat them more
17 harshly, so, I think we need to look at practical
18 reality - -

19 (Whereupon, applause from the audience was
20 heard. After, the following ensued.)

21 COUNCILWOMAN KING-SWEENEY: - - We have
22 the Atlantic Ocean between my in-laws but looking
23 at what is practical, there is no way the Town of
24 Hempstead is trying to state in-laws are not
25 relatives.

1 It is whether or not we need to legislate
2 that relationship.

3 SUPERVISOR GILLEN: Well, your third
4 cousin, I would agree with you, that is getting Page | 22
5 pretty far afield.

6 I think only when people take a Bar Exam
7 they really understand who is their second cousin
8 or first cousin, ten, once removed is vague but in
9 terms of Father-in-law, Mother-in-law, sister-in-
10 law, I think that is pretty close.

11 I think most people will be celebrating the
12 holidays this weekend, Passover, Easter and I
13 think, generally, on holidays like this, we
14 celebrate with our in-laws.

15 I mean, maybe some families don't get along
16 but the families that do, those are the people
17 that you celebrate with.

18 So, in terms of practical application of
19 the Ethics Law and people that are close in
20 familial relationship, I find it incomprehensible
21 that we are saying our in-laws and you don't have
22 to make it any in-law, Father-in-law, say, people
23 like your Father-in-law, Mother-in-law, sister-in-
24 law, brother-in-law, that certainly is something
25 that could be spelt out in this Code, since we are

1 choosing to define, "relative."

2 ATTORNEY LEVENTHAL: Well, there is no
3 uniformed definition of "relative," among
4 municipalities, so, while we can have a reasonable
5 discussion about where to draw the line in
6 defining "relative," I respectfully would say that
7 it is an overstatement to say it is
8 incomprehensible to not include in-laws.

Page | 23

9 There is no uniformed definition.

10 It is a question of what definition best
11 achieves the goals of the ethics program and what,
12 um, the policymakers deem necessary to achieve
13 those goals.

14 Um, the line is drawn in various places, in
15 various municipalities.

16 (Whereupon, "the answer is vague," was
17 called out from the audience. After, the
18 following ensued.)

19 COUNCILMAN DUNNE: I would like to move
20 that we pass that as is and if there is any other
21 issues, we can always amend this.

22 I have no in-laws working for the Town or
23 the County or the State or the Federal Government.

24 I have nobody of interest.

25 (Whereupon, calling out from the

1 Audience was heard. After, the following ensued.)

2 SUPERVISOR GILLEN: Please, stop yelling
3 from the galley.

4 COUNCILMAN DUNNE: We always end up with Page | 24
5 another thing to kick the can down the road and I
6 don't want to kick it down the road.

7 Let's pass this as we have it, now.

8 It has been agreed to from July all the way
9 to, now.

10 We finally got the law before us.

11 Let's pass it. If we want to amend it to
12 include in-laws and dogs after, whatever you want
13 to include in it, fine.

14 Let's do it all in one full swoop because
15 piece by piece we are going to miss out on
16 something and last minute bringing it up and I
17 have no interest in this at all, no part of my
18 family, not my in-laws in any municipality, so, I
19 think we should pass this as is.

20 A lot of time and effort went into this
21 since July, since before July and we finally got
22 it before us and we find another little bit.

23 You know what, let's pass on the thing.
24 Amend it later when we have everything together
25 and that is my recommendation.

1 I make a motion that we move the item as
2 is.

3 SUPERVISOR GILLEN: I am not suggesting at
4 all that we should kick this down the road. Page | 25

5 Certainly, this is something that I
6 advocated along with the - - not Senior
7 Councilwoman, with Councilwoman King-Sweeny, that
8 is the last thing I am suggesting.

9 We have been talking about making
10 amendments.

11 This is an amendment that I think is very,
12 very important.

13 COUNCILMAN DUNNE: It is last minute.

14 SUPERVISOR GILLEN: It is not last minute.

15 I don't know if you have been participating
16 in any of the discussions but this is an amendment
17 that we have been pushing for consistently and it
18 has just been flatly rejected.

19 And, I don't see any basis to not call your
20 Father-in-law and your Mother-in-law, a relative
21 or your sister-in-law, a relative and I don't know
22 why that is not in the Code and since my proposed
23 amendment to this provision, as well as to some of
24 the other nepotism provisions are not being
25 considered, I have to bring it up, here.

1 And, I have to ask Mr. Leventhal what is
2 the rational basis not to call your Mother-in-law
3 or your Father-in-law or your sister-in-law or
4 your brother-in-law your relative.

5 I haven't heard one articulated.

6 ATTORNEY LEVENTHAL: Well, it is not really
7 a legal question.

8 It is a policy question.

9 It is a question of where the Board wished
10 to draw the line.

11 SUPERVISOR GILLEN: I mean I could agree
12 with that.

13 I think it is a common-sense question, as
14 well.

15 ATTORNEY LEVENTHAL: I am reading from the
16 Nassau County Code of Ethics, the Nassau County
17 Code of Ethics, um, includes, in particular in-
18 laws; Mother-in-law, Father-in-law, sister-in-law,
19 brother-in-law and grandparents.

20 I am reading from the Town of Huntington
21 Code of Ethics, the Town of Huntington Code of
22 Ethics defines relative as spouse, child, step-
23 child, dependent, parent, step-parent, siblings or
24 step-siblings of a town officer or employee.

25 SUPERVISOR GILLEN: So, I am just

1 wondering, does anybody else on this Board think
2 that your Mother-in-law, your Father-in-law and
3 your sister-in-law and your brother-in-law should
4 be considered your relatives?

Page | 27

5 COUNCILMAN BLAKEMAN: I don't think that is
6 the issue.

7 I think the issue is that you can start out
8 not having an in-law and end up with an in-law
9 through marriage.

10 People meet people at work, whatever, um,
11 we certainly will take this under consideration,
12 but, I agree with Councilman Dunne.

13 We spent over a year on this and it has
14 been a bipartisan effort.

15 Your office has been intimately involved.
16 Senior Councilwoman Goosby has offered a lot of
17 input into this.

18 We finally have something that we all agree
19 on and if we decide down the road that it is
20 important to amend this, we will do it.

21 Just let's pass it the way it is.

22 I don't want to vote on any amendments
23 without thinking it through to see if possibly
24 there is some problem because we want it to be,
25 um, as clear as possible as to what is permitted

1 and not permitted.

2 People should know where the line is and if
3 somebody like I said ends up marrying somebody
4 that works for the Town or a brother marries
5 somebody works for the Town or a sister marries
6 somebody who works for the Town.

Page | 28

7 Um, I think you got to take it on a case-
8 by-case basis.

9 So, I think you should move this forward
10 and we will take it under consideration for the
11 future.

12 SUPERVISOR GILLEN: Thank you, Councilman.

13 I had a slip from Diane Madden.

14 DIANE MADDEN: Diane Madden, Hempstead.

15 Um, I have to agree, I would like to see
16 this passed, this resolution.

17 I especially have to thank you,
18 Councilwoman Erin King-Sweeny.

19 I know you basically gave birth to this a
20 long time ago and talked about ethics a lot and,
21 um, I think that was the path that has brought us
22 here.

23 Councilman D'Esposito, I want to thank you,
24 although I am a little unfamiliar with what you
25 contributed as far as to prevent another

1 Situation like what happened to Bonnie Radashaw,
2 could you, please, explain to me a little bit more
3 about it?

4 COUNCILMAN D'ESPOSITO: Sure, Section 38-16 ^{Page | 29}
5 is that correct, Rich, basically, it is a clause
6 to protect the free speech of Hempstead Employees,
7 Contractors and others to avoid what may or may
8 not have happened with Ms. Radashaw (phonetic
9 spelling) in regards to the memo that was possibly
10 sent to her place of work asking that she stop
11 criticizing the Supervisor.

12 DIANE MADDEN: I thank you for that.

13 What I would like to see and that is an
14 outreach is made to anyone else that may have been
15 victimized in the same way Ms. Radashaw was, um,
16 you know, that is important.

17 I happen to know that there are people that
18 were intimidated by Laura Gillen including Ryan Cook
19 from the SPCA.

20 Um, a few red flags went out even when
21 Samantha Levine no longer worked for the Town had
22 some very strange tweets following her
23 resignation, um, so, I think that there could be
24 other victims out there.

25 And, I think it is important to find

1 that out.

2 As far as this resolution, I agree that it
3 can be amended in the future.

4 In fact, I hope my proposal to Councilwoman ^{Page | 30}
5 Sweeney's office, in fact, I know it is continued
6 to be worked on with regard to anyone because I
7 believe it starts at the applicant level.

8 Um, I think the candidate that tries to get
9 a job, here, to me, it isn't the biggest concern
10 about who they are related to, it is the
11 qualifications.

12 It is the honesty and hiring process. Are
13 they ethical?

14 Do they have integrity?

15 That is the basis for hiring employees and
16 certainly, it is a concern about relatives,
17 absolutely, but, the only concern to me, as a
18 taxpayer, is if they are not qualified, if they
19 are highly qualified, then, I never have an
20 argument.

21 Again, please, do pass this. Let's get it
22 started and, um, I am sure you will be hearing
23 from other constituents on what they would like
24 amended.

25 And, thank you so much.

1 SUPERVISOR GILLEN: I do not have any other
2 slips on this Public Hearing, is there someone
3 that would like to be heard?

4 META MEREDAY: Meta J. Mereday, Baldwin
5 resident.

6 The fact that we have to discuss the
7 division and the breakdown and the family chain
8 calls to the forefront the problems that we have
9 had in this area, in this region with regard to
10 the nepotism, cronyism and patronage and applaud
11 the efforts going forward with this.

12 Um, but, I think that once, again, we are
13 putting something on the table that is not
14 prepared.

15 It is like putting raw meat on that table
16 and saying, yeah, okay, let's just deal with it
17 for, now as the worms are taking over your
18 insides, we will try to fix it later.

19 We really need to stop doing that.

20 It is too costly for residents, here.

21 You know, those people have to work two and
22 three jobs, where we have people saying we need
23 more people to come to these meeting in the middle
24 of the morning because they are on their second or
25 third job to address these types of issues.

1 It is disingenuous for them.

2 I agree with the statements that Felix made
3 earlier with regard to the lack of open discussion
4 and involvement from the public because we are the ^{Page | 32}
5 ones that are being impacted by all of this.

6 And, when Newsday catches up later with the
7 fact that the number of relatives, again, you can
8 have a family reunion just with the Town of
9 Hempstead or County of Nassau with the various
10 connections.

11 So, my questions have to do with the
12 oversight in all of these regulations because
13 clearly there haven't been any previously.

14 So, since we don't have that reinforced,
15 that is a problem for me.

16 I am definitely for something being done to
17 address this issue.

18 Um, but, in light of any - - every one of
19 the appointments that are coming up, the issue of
20 nepotism is not something that is going on and it
21 is not something that is going to speak to the
22 issue that we have a lack of diversity and
23 inclusion in this Township in all areas.

24 So, why can't we put this on hold until we
25 finally, for once, get something right?

1 We can't continue to do something halfway
2 and, then, say later on we will try to fix it.

3 And, then, when that later on comes up and
4 you, Supervisor Gillen, say, well, we talked about ^{Page | 33}
5 this, well, it was already voted and move on with
6 it.

7 We cannot keep pushing the crap under the
8 rug and thinking that the smell does not come up
9 over the top.

10 Thank you.

11 PEARL JACOBS: Pearl Jacobs, Uniondale,
12 President of the Nostrand Gardens Civic
13 Association.

14 Um, I do believe that this resolution
15 should tabled to further discuss the issue of, um,
16 nepotism, um, in the Town of Hempstead.

17 I have a background. My background is in
18 corporate America.

19 And, corporate America bylaws clearly state
20 that in-laws, Father-in-law, Mother-in-law,
21 sister-in-law, um, they are all relatives and we
22 need to really address this issue of nepotism and,
23 um, practice by the Town of Hempstead.

24 I do believe that everyone that comes for a
25 job anywhere should be considered solely on their

1 qualifications, not on their family connections.

2 Thank you.

3 SUPERVISOR GILLEN: Thank you, Ms. Jacobs.

4 All right, I do not have any other slips ^{Page | 34}_{on}

5 this Public Hearing, is there anyone else that
6 would like to be heard?

7 ATTORNEY LEVENTHAL: May I just add
8 something?

9 SUPERVISOR GILLEN: Sure.

10 ATTORNEY LEVENTHAL: It is important to say
11 and that is that this Code of Ethics if it is
12 adopted by the Board will be a vast improvement
13 over the existing Code of Ethics in this Town.

14 The existing Code of Ethics was originally
15 adopted - - well, what occurred in the 1960's the
16 State adopted the Statewide Code of Ethics,
17 Article 18 of the New York General Municipal Law.

18 It is a barebones statute.

19 It is really inadequate.

20 It authorized local municipalities to adopt
21 their own local codes and most municipalities like
22 the Town of Hempstead quickly did but generally
23 municipalities adopted a Code of Ethics that
24 really didn't do much more than State law.

25 The only really major, um, change to the

1 Code of Ethics that occurred over the years, since
2 not only the Town of Hempstead but elsewhere, as
3 well, was in 1990 with the adopt of financial
4 disclosure as a result of legislation enacted by ^{Page | 35}
5 the State in the late 1980's.

6 Um, this Code of Ethics has a whole variety
7 of sources.

8 It incorporates all the requirements of
9 State law.

10 It incorporates judicial decisions that
11 have been made.

12 It incorporates the literature by scholars
13 and commentators that have written about the
14 subject of government ethics over the year.

15 Um, it incorporates experiences that have
16 occurred in this Town and elsewhere and warrants
17 being addressed by the law.

18 It is organized in a way that is clear and
19 comprehensive.

20 It has a section dedicated to the Code of
21 Conduct, a separate section dedicated to
22 disclosure requirements and a final section that
23 establishes the powers and duties of the Board of
24 Ethics.

25 It is worth noting for the first time ever

1 in the history of this Town, there will be a
2 requirement of bipartisan membership on the Board
3 of Ethics for the first time, ever, in this Town.

4 The Board of Ethics will have authority to ^{Page | 36}
5 impose fines, ever, up to ten thousand dollars for
6 violations of the Code of Ethics.

7 This is a law that was vetted with, um, the
8 Supervisor's Office, the Senior Councilwoman's
9 Office, the Majority Caucus and the Town
10 Attorney's Office.

11 There were many meetings.

12 It went through several revisions.

13 This has been carefully considered and
14 developed and like all such laws, I think it
15 should be considered to be a work in progress.

16 We take a step forward. We keep our eyes
17 and ears open.

18 We determine what improvements can be made
19 in the future and we proceed and make improvements
20 and improve both Town Government and also the
21 services and advances of Town Government for the
22 residents and business people in the Town.

23 And, I think, um, I would respectfully ask
24 the Board to enact this law.

25 And, I think every single member of this

HEMPSTEAD TOWN BOARD 4/16/19

1 Board can feel very proud in having done so.

2 SUPERVISOR GILLEN: Thank you, Mr.
3 Leventhal.

4 Madam Clerk?

Page | 37

5 CLERK CABANA: Supervisor Gillen?

6 SUPERVISOR GILLEN: I would like to echo -
7 - I am sorry, did we have a Motion?

8 COUNCILMAN DUNNE: I put the Motion on.

9 COUNCILMAN BLAKEMAN: Second.

10 SUPERVISOR GILLEN: Madam Clerk?

11 CLERK CABANA: Supervisor Gillen?

12 SUPERVISOR GILLEN: Um, I echo your
13 sentiments, Mr. Leventhal.

14 Um, when I ran for this office, I noted
15 that the Ethics Code hadn't been updated since
16 1990.

17 It was disjointed.

18 Um, we did work together with your office.
19 I would like to thank Mitch Pitnick and Daniel
20 Algios, also from my office who, comprehensively
21 researched every Ethics Code in every municipality
22 across Long Island and other municipalities across
23 the State to make sure that we have the most
24 comprehensive Ethics Code draft possible.

25 Um, we did work together with Rich

1 Regina and Mr. Leventhal to come up with an Ethics
2 Code that is far more comprehensive than anything
3 that we had in the Town of Hempstead before.

4 I think everybody that was involved in this ^{Page | 38}
5 process.

6 I do think that there are things that could
7 be improved but this is a vast improvement over
8 what we had before and I vote yes.

9 CLERK CABANA: Councilman Blakeman?

10 COUNCILMAN BLAKEMAN: Yes and, um, I like
11 to say in case my wife is watching, I do consider
12 your Mother a relative, however, I am not giving
13 her a job.

14 (Whereupon, laughter was heard. After, the
15 following ensued.)

16 CLERK CABANA: Councilman D'Esposito?

17 COUNCILMAN D'ESPOSITO: Aye.

18 CLERK CABANA: Councilman Dunne?

19 COUNCILMAN DUNNE: Aye.

20 CLERK CABANA: Senior Councilwoman Goosby?

21 SENIOR COUNCILWOMAN GOOSBY: Aye, I like to
22 thank you, Mr. Leventhal.

23 You have a wonderful representation
24 throughout the entire State of New York with doing
25 this type of work.

1 So, I am happy we are able to have you and
2 I certainly thank my attorney that worked with me,
3 in addition to that, Steve Lester has worked with
4 everyone to make sure that everything was in place ^{Page | 39}
5 and no matter what, nothing ever is perfect, but,
6 at least, we have a guideline that we can go on
7 that I am very proud of, so, I certainly vote yes.

8 CLERK CABANA: Councilwoman King-Sweeney?

9 COUNCILWOMAN KING-SWEENEY: This has been a
10 long time coming, I like to vote yes and a special
11 thank you for putting up with us.

12 SUPERVISOR GILLEN: Madam Clerk, will you
13 call our next Public Hearing.

14 CLERK CABANA: Proposed "Handicapped
15 parking on public streets" in Baldwin, Bellmore,
16 Elmont, Hewlett, Uniondale (Baldwin Avenue, Leslie
17 Lane, Ludlam Avenue, Quay Avenue, Clarendon Road)

18 SUPERVISOR GILLEN: I do not have any slips
19 on this Public Hearing, is there anyone that would
20 like to be heard?

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

23 COUNCILWOMAN KING-SWEENEY: Supervisor, I
24 move that the Hearing be closed and the item be
25 adopted.

HEMPSTEAD TOWN BOARD 4/16/19

1 SENIOR COUNCILWOMAN GOOSBY: Second the
2 Motion.

3 SUPERVISOR GILLEN: Madam Clerk?

4 CLERK CABANA: Supervisor Gillen?

Page | 40

5 SUPERVISOR GILLEN: Aye.

6 CLERK CABANA: Councilman Blakeman?

7 COUNCILMAN BLAKEMAN: Aye.

8 CLERK CABANA: Councilman Dunne?

9 COUNCILMAN DUNNE: Aye.

10 CLERK CABANA: Senior Councilwoman Goosby?

11 SENIOR COUNCILWOMAN GOOSBY: Aye.

12 CLERK CABANA: Councilwoman King-Sweeney?

13 COUNCILWOMAN KING-SWEENEY: Aye.

14 CLERK CABANA: Councilman D'Esposito?

15 COUNCILMAN D'ESPOSITO: Aye.

16 SUPERVISOR GILLEN: Madam Clerk, please,
17 call our next Public Hearing.

18 CLERK CABANA: Proposed Revised Public
19 Parking Field Maps in Oceanside, (Fields 0-1 and
20 0-5)

21 SUPERVISOR GILLEN: I do not have any slips
22 on this Public Hearing, is there anyone that would
23 like to be heard?

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

HEMPSTEAD TOWN BOARD 4/16/19

1 SUPERVISOR GILLEN: Hearing none, may I
2 have a Motion.

3 COUNCILMAN D'ESPOSITO: I move that the
4 Public Hearing be closed and the proposed revised ^{Page | 41}
5 Public Parking Field Maps be adopted.

6 COUNCILMAN BLAKEMAN: Second.

7 CLERK CABANA: Supervisor Gillen?

8 SUPERVISOR GILLEN: Aye.

9 CLERK CABANA: Councilman Blakeman?

10 COUNCILMAN BLAKEMAN: Aye.

11 CLERK CABANA: Councilman D'Esposito?

12 COUNCILMAN D'ESPOSITO: Aye.

13 CLERK CABANA: Councilman Dunne?

14 COUNCILMAN DUNNE: Aye.

15 CLERK CABANA: Senior Councilwoman Goosby?

16 SENIOR COUNCILWOMAN GOOSBY: Aye.

17 CLERK CABANA: Councilwoman King-Sweeney?

18 COUNCILWOMAN KING-SWEENEY: Aye.

19 SUPERVISOR GILLEN: Madam Clerk, please
20 call our next Public Hearing.

21 CLERK CABANA: Application of Shady Point,
22 LLC, for a Special Exception (Public Garage) to
23 permit operation of an automobile repair shop -
24 Franklin Square - South side of Hempstead
25 Turnpike, 295.12 feet West of Claflin Boulevard.

HEMPSTEAD TOWN BOARD 4/16/19

1 ATTORNEY AVERTINE: Good Morning,
2 Supervisor Gillen, Members of the Board:

3 Appearing for the Board, Howard Avertine.
4 575 Underhill Boulevard, Syosset, New York. Page | 42

5 This is the application of Shady Point, LLC
6 for a Special Exception to permit operation of an
7 automobile shop at the premises in Franklin
8 Square.

9 The premises under application is located
10 on the southerly side of Hempstead Turnpike,
11 295.12 feet West of Claflin Boulevard in Franklin
12 Square.

13 It has a street address of 855, 863
14 Hempstead Turnpike and also known as Section 35,
15 Block 106, Lots 11 and 234 on the Nassau County
16 Land and Tax Map.

17 The premises has a frontage of 61.05 feet
18 on the southerly side of Hempstead Turnpike and
19 extends southerly to the northerly side of Liberty
20 Place.

21 The total lot area is 17,215.26 square feet
22 or approximately .4 acres.

23 The parcel of property under application is
24 zoned partially Business District and partially
25 Residence C District on the Town of Hempstead

1 Official zoning map.

2 The Business Zone portion is to a depth of
3 approximately, one hundred feet southerly from
4 Hempstead Turnpike.

5 It is developed with a two-story concrete
6 brick and stucco building and attached one-story
7 masonry building.

8 The two-story portion that is being
9 utilized for retail stores and offices and fronts
10 on the southerly side of Hempstead Turnpike.

11 The one-story concrete block, um, portion
12 is to the rear and utilized for automotive repairs
13 presently.

14 The existing structures have the benefit of
15 building permits and Certificates of Occupancies
16 issued by the Town of Hempstead.

17 The existing one-story concrete block
18 building behind the storefront portion of the
19 building was legalized by virtue of a
20 nonconforming approval by the Building Department
21 in 1987.

22 Um, the application is for that and
23 approval was attached to the application documents
24 filed with the Board.

25 That was under Application NC-87-81,

1 which represented a nonconforming application to
2 maintain a nonconforming commercial garage in the
3 one-story masonry building.

4 Page 2 of that decision states, "building ^{Page | 44}
5 permit Number 49205 was issued in 1947 for a rear
6 addition to the garage and extension of Business
7 use throughout the property."

8 As a result, the extension of Business use
9 approval covered the entirety of the property and
10 authorizes use of the entire parcel for business
11 purposes.

12 The applicant, now, seeks approval from
13 this Board authorizing general automotive repairs
14 to the premises within the one-story concrete
15 block building, in addition, any proposed addition
16 in accordance with the site plan and plans on file
17 with the Building Department and, of course, with
18 the Town Board.

19 Part of this application - -

20 COUNCILMAN BLAKEMAN: Excuse me, Counsel, I
21 have a few questions; first of all, there were
22 photographs taken by our Building Department that
23 showed, um, various auto parts outside, if this
24 application is approved, would the storage of
25 those auto parts be moved indoor?

HEMPSTEAD TOWN BOARD 4/16/19

1 ATTORNEY AVERTINE: Absolutely, there will
2 be no storage of any materials outdoors, that
3 situation, by the way, Councilman Blakeman, has
4 been remediated. Page | 45

5 COUNCILMAN BLAKEMAN: Will all the repairs
6 occur inside and no repairs outside?

7 ATTORNEY AVERTINE: That is correct.

8 COUNCILMAN BLAKEMAN: One other question,
9 um, you have a neighbor, the Franklin Square
10 Munson Park Volunteer Fire Department, I
11 understand through my assistant, Ms. Pugliese,
12 that they have endorsed your application, is that
13 correct?

14 ATTORNEY AVERTINE: Yes, sir, I have a
15 letter.

16 COUNCILMAN BLAKEMAN: You have the letter?

17 ATTORNEY AVERTINE: I have a letter.

18 COUNCILMAN BLAKEMAN: Can you make it part
19 of the record, please.

20 ATTORNEY AVERTINE: Certainly will.

21 COUNCILMAN BLAKEMAN: Is it a long letter,
22 can you read it.

23 ATTORNEY AVERTINE: I certainly can read
24 it.

25 It is a letter dated April 8, 2019

1 Addressed to the Town of Hempstead, Department of
2 Buildings.

3 It says, "To whom it may concern; On
4 behalf of the Board of Fire Commissioners of the Page | 46
5 Franklin Square and, Munson Fire District, I am
6 writing this letter in support of the application
7 for public garage to permit the operation of an
8 automobile repair shop for Shady Point, LLC., 855
9 through 863 Hempstead Turnpike, Franklin Square,
10 New York 11010.

11 "The Board has been notified of a Public
12 Hearing on April 16, 2019 at 10:30 a.m. Please,
13 contact me if you require additional information.
14 Respectfully signed by Joseph Tellegroso,
15 Chairman."

16 COUNCILMAN BLAKEMAN: Would you had that
17 in.

18 We want to be assured that there will be no
19 shady activity on the property.

20 (Whereupon, laughter was heard. After, the
21 following ensued.)

22 ATTORNEY AVERTINE: I can't speak to that.

23 I think it will be all in accordance with
24 the law.

25 I do have copies for the Board

1 Members of that letter, as well.

2 COUNCILMAN DUNNE: A quick question, if I
3 might, Bruce.

4 I don't see it on the map, we like - - we ^{Page | 47}
5 are losing men and women overseas in war and they
6 come home to their families, I don't see an
7 American Flag in the gas station.

8 ATTORNEY AVERTINE: Absolutely, the
9 American Flag will be proudly displayed on either
10 the façade of the building or on the roof of the
11 building where it will be as visible as possible.

12 COUNCILMAN DUNNE: Thank you.

13 ATTORNEY AVERTINE: You're welcome.

14 I also would like to submit a letter of
15 support from the abutting property owner directly
16 to the South at 856 Liberty Place.

17 It is dated April 1, 2019.

18 I won't read it into the record, but, it is
19 in full support of the application.

20 I will submit a copy of that, as well.

21 And, I do have photos that I would like to
22 hand in, um, these depict, um, the remediation
23 that I described, Councilman Blakeman to the
24 premises, so, when you review these photos, you
25 can be comfortable that the conditions about

1 which you were concerned of already, be taken care
2 of and I will submit copies for all the Board
3 Members, as well, of the photographs.

4 As far as the operation of the facility, Page | 48
5 um, just so you are aware, ninety-fiver percent of
6 the work will be repair of taxicabs.

7 The principal - - the applicant operates a
8 taxi business and, so, there will be primarily
9 repairs of their own vehicles.

10 There will be no auto sales at the
11 premises, no outside storage of vehicles.

12 COUNCILMAN BLAKEMAN: How many employees do
13 they currently have?

14 ATTORNEY AVERTINE: Sorry?

15 COUNCILMAN BLAKEMAN: How many employees do
16 they currently have?

17 ATTORNEY AVERTINE: Nine employees and
18 those who drive, there is an available municipal
19 field, I am sure the Board is aware, it is
20 directly to the North of the premises on the
21 northerly side of Hempstead Turnpike.

22 It is Field FS-1, which has, approximately,
23 one hundred and twenty spaces and, um, most of
24 which allow for twelve-hour parking, so, it is
25 ideal for the employees of the facility who do

1 drive to utilize it.

2 The hours of operation are proposed to be
3 7:00 a.m. to 6:00 p.m., Monday through Saturday.

4 Um - -

Page | 49

5 COUNCILMAN BLAKEMAN: Do they anticipate
6 hiring additional employees?

7 ATTORNEY AVERTINE: Not at this time, I
8 think the nine is probably what we expect, um, and
9 - -

10 COUNCILMAN BLAKEMAN: We would be very much
11 in favor of you hiring more employees if you
12 expand your business.

13 ATTORNEY AVERTINE: Actually, if the demand
14 requires it, I am sure my client would be happy to
15 do that.

16 I also like to address, at this time, if I
17 may Resolution Number 10279-18 of the Nassau
18 County Planning Commission in connection with this
19 application and it had a recommendation for
20 modifications.

21 I would just like to address those so that
22 the Board can consider that as part of its
23 deliberations on this application.

24 Um, the Planning Commission comments, um,
25 the first one says that the site plan show no

1 Off-street parking, so, the Planning Commission is
2 looking for provisions of some parking.

3 I respectfully submit, in light of the
4 available, um, municipal field, surrounding the Page | 50
5 premises and Mr. Sean Mulryan is here.

6 He will be briefly testifying about
7 available parking that is required on site.

8 COUNCILMAN BLAKEMAN: Do you want to make
9 that part of the record?

10 You don't have to read the whole thing.

11 ATTORNEY AVERTINE: The Resolution?

12 COUNCILMAN BLAKEMAN: The Resolution part.

13 ATTORNEY AVERTINE: Sure, I will submit a
14 copy.

15 In addition to the Planning Commission
16 suggested that the proposed addition be reduced in
17 size.

18 Unfortunately, to do that, it would really
19 diminish the ability of my client to effectuate
20 what he is intending to effectuate from the
21 project.

22 I will submit a copy of that resolution.

23 Um, as the Board may or may not be aware,
24 the facility that my client is relocating from to
25 come here was at 124 Covert Avenue in New Hyde

1 Park, that is a building that was, um, taken in by
2 eminent domain to accommodate the third track for
3 the Long Island Railroad.

4 The business is in a temporary facility, ^{Page | 51}
5 now and really needs to, um, complete this process
6 and hopefully if the Board is favorably inclined
7 in connection with this applicant can move this
8 process along so he can build his addition at his
9 operation, here.

10 In that regard, we would request if, at all
11 possible, that the Board take action on this
12 today, if it is feasible for the Board to do so.

13 We also have to go to the Board of Appeals
14 for certain variances including parking in the
15 event the Board is inclined to approve this
16 application.

17 At this time, if I may, I have Sean Mulryan
18 who will make a brief statement.

19 SENIOR COUNCILWOMAN GOOSBY: Before he makes
20 his statement - -

21 ATTORNEY AVERTINE: Sorry?

22 SENIOR COUNCILWOMAN GOOSBY: I would like
23 to know if you have any place there for flowers,
24 trees, planters so you can make the place nice?

25 What do you plan on doing there?

1 ATTORNEY AVERTINE: Well, there is really -
2 - don't know, Councilwoman Goosby, my client just
3 advised that in terms of the rear of the property
4 where the public really doesn't go, it is really ^{Page | 52}
5 just an area where the boys are, that is not
6 suitable for that.

7 It wouldn't have any positive impact, but,
8 on the Turnpike, there are existing trees and
9 there are beds of earth around those trees that
10 can be fortified with flowering plants and things
11 of that nature which my client would be happy to
12 provide, that would be acceptable.

13 SENIOR COUNCILWOMAN GOOSBY: It looks like
14 worn in front of the building, the sidewalks. It
15 doesn't look nice. Would you be able to do
16 something about that?

17 ATTORNEY AVERTINE: I am sorry, I couldn't
18 hear that.

19 SENIOR COUNCILWOMAN GOOSBY: In front of
20 the building.

21 ATTORNEY AVERTINE: In front of the
22 building, my client advises me the front of the
23 building on Hempstead Turnpike, I have some photos
24 that depict that it was recently done.

25 And, since we are on

1 Hempstead Turnpike, we would require State DOT
2 approval to do anything, to do the sidewalk in
3 front of the building.

4 I can submit these to you, Councilwoman
5 Goosby, a view of the front of the building.

Page | 53

6 It does create a positive aesthetics on
7 Hempstead Turnpike.

8 SENIOR COUNCILWOMAN GOOSBY: I don't see
9 what I am asking for.

10 ATTORNEY AVERTINE: Photos of the front of
11 the building on Hempstead Turnpike.

12 SENIOR COUNCILWOMAN GOOSBY: I am sorry,
13 this is your building? (Indicating.)

14 ATTORNEY AVERTINE: Correct.

15 SENIOR COUNCILWOMAN GOOSBY: Okay, okay, I
16 don't see any flowers. Can you put some planters
17 there.

18 ATTORNEY AVERTINE: We can certainly do
19 that.

20 SENIOR COUNCILWOMAN GOOSBY: You can do
21 that?

22 ATTORNEY AVERTINE: Absolutely, thank you.

23 COUNCILMAN BLAKEMAN: Just echoing what
24 Senior Councilwoman Goosby said, so, would you
25 make part of your application that you would

1 put planters in and maintain them in a healthy
2 state?

3 ATTORNEY AVERTINE: Of course.

4 COUNCILMAN BLAKEMAN: Thank you, because ^{Page | 54}
5 share Hempstead Turnpike and we are all trying to
6 improve that corridor.

7 I am glad that you brought that up, Senior
8 Councilwoman.

9 ATTORNEY AVERTINE: Absolutely.

10 SEAN MULRYAN: Good Morning. Sean Mulryan,
11 Engineering Offices at 1225 Franklin Avenue in
12 Garden City, New York.

13 I will try to keep this brief, one of the
14 things that I think that is coming up today is
15 that there is essentially two halves to this
16 building.

17 The front half is storefronts that are
18 directing on Hempstead Turnpike on the sidewalk,
19 in the rear of the property is an existing auto
20 repair building that the applicant is looking to
21 expand.

22 And, once, again, it is due to eminent
23 domain or a closure of the existing facility that
24 they use or use to use on Covert Avenue.

25 Covert is closed. It will be closed

1 for several months and that delay has been raised
2 in order to provide for construction of those
3 improvements.

4 The applicant does have repair, here.

5 It will continue that operation.

6 The operation has vehicular access onto
7 Hempstead Turnpike.

8 It, of course, has an access agreement so
9 the property that fronts on Hempstead Turnpike,
10 the driveway on Hempstead Turnpike has a cross
11 access agreement with the neighboring properties.

12 This site does have access onto Liberty
13 Place.

14 Liberty Place is one block South of
15 Hempstead Turnpike.

16 It leads directly into the firehouse.

17 The firehouse, now, subdivides Liberty
18 Place where the trucks will pull in from one side
19 and pull out the other side.

20 So, on this side of Liberty Place, the
21 trucks will exit and open their doors.

22 One is the entrance door and there are fire
23 truck doors on the opposite side of the building.

24 There are three doors and fire trucks can
25 pull straight in with the ambulance backing

1 into the building.

2 Access to the site is provided on Liberty
3 Place and through cross access directly onto
4 Hempstead Turnpike.

5 As is mentioned, this is primarily for the
6 vehicles that are operated by the applicant.

7 The applicant has several taxicab companies
8 that he operated.

9 This is the facility which those cars are
10 maintained, in order to maintain those cars, deal
11 with the schedule when they come and when they go,
12 so, he is able to control the traffic flow in and
13 out of the site.

14 He doesn't look to overburden his own
15 facilities so he has them come in, um, when lifts
16 and other mechanical equipment is available.

17 There are places on the site for vehicles
18 to park, however, they do not need the standard
19 criteria dimensions of standard parking spaces
20 that you have in a shopping center or somewhere
21 else, so, they are not included in our
22 calculations.

23 They are not provided as to site parking.

24 However, you can store cars in front of the
25 overhead doors and within the buildings.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

As we have mentioned - -

COUNCILMAN BLAKEMAN: None of your vehicles will block the ingress and egress of the emergency vehicles and fire vehicles?

SEAN MULRYAN: Absolutely not, that is a street that is behind our site, there are parking restrictions on that street and once, again, this is an existing operation that will expand but we are trying to maintain the same traffic flow in and out of that site and those trucks will be directly out onto Liberty Place behind the site and we haven't had any issues.

The applicants have been there over twenty years.

COUNCILMAN BLAKEMAN: In your opinion, would this application, if approved, have any deleterious effect on traffic?

SEAN MULRYAN: No, it would not.

COUNCILMAN BLAKEMAN: Thank you.

SEAN MULRYAN: Thank you.

ATTORNEY AVERTINE: That completes our application.

We have representatives of the applicant, Lawrence Blessinger, who is a principal of Shady Point, LLC.

1 We also have Anthony Depursio, who is the
2 project architect.

3 Unless the Board has any questions that
4 will complete the application. Thank you. Page | 58

5 SUPERVISOR GILLEN: Thank you.

6 Anthony Depursio?

7 ATTORNEY AVERTINE: He is the project
8 architect, if the Board has questions.

9 SUPERVISOR GILLEN: Okay, what about John
10 McCarthy?

11 JOHN McCARTHY: Hi, John McCarthy from the
12 MTA. 2 Broadway, New York, New York.

13 Um, I am just, here to provide background
14 on this application, um and in support of
15 consideration of this application.

16 Just a little background, just as you
17 heard, the relocation is, basically, um, because
18 of the, um, work we are doing on Covert Avenue in
19 order to replace what we consider at grade
20 crossing which is, at times, dangerous and
21 certainly causes loud noises, so, the applicant
22 has been working close with us and New York State
23 DOT and Nassau County and other entities to find
24 relocation.

25 We made a commitment at the beginning

1 of our project when we began grade crossings on
2 the third track on the mainline that we would, um,
3 completely have zero residential property takings
4 and limit any commercial property takings.

5 We have been fortunate to limit it only to
6 four full takings.

7 And, in case of this applicant, we are
8 taking a partial easement, um, a partial taking
9 and temporary easement to the building had to be
10 taken down and the business relocated, but, our
11 commitment is to keep this business in Nassau
12 County, Town of Hempstead and we respectfully
13 request you consider this application.

14 COUNCILMAN BLAKEMAN: Thank you, Mr.
15 McCarthy, I am glad you are here, today because it
16 gives me an opportunity to raise an issue with you
17 with the MTA.

18 The people of Elmont, Franklin Square and
19 North Valley Stream are without a train station.

20 It is a big hardship.

21 You're talking about a lot of people in
22 Elmont, Franklin Square and North Valley Stream,
23 probably close to seventy, eighty thousand people
24 without a train station.

25 We are one of the few communities that

1 do not have a train station.

2 You have a site at Belmont Park. I know
3 they are talking about developing it.

4 But, I would love if the MTA would consider Page | 60
5 whatever happens at Belmont Park that we get a
6 fulltime train station with dedicated parking for
7 the people of Franklin Square, Elmont, North
8 Valley Stream.

9 So, if you can bring that back to the MTA,
10 um, I would be very happy.

11 I know my constituents would.

12 JOHN McCARTHY: I appreciate that.

13 I will bring that back to the MTA and the
14 President.

15 It certainly is something that we are aware
16 of the needs in that area.

17 It is a very commutable area if you have
18 train service.

19 SUPERVISOR GILLEN: I think that is under
20 consideration right, now, is that correct?

21 COUNCILWOMAN KING-SWEENEY: We need to do
22 something about congestion pricing, you are taxing
23 the Town of Hempstead to death.

24 JOHN McCARTHY: I will also bring that
25 back.

HEMPSTEAD TOWN BOARD 4/16/19

1 COUNCILWOMAN KING-SWEENEY: Thank you.

2 JOHN McCARTHY: Councilwoman, we have a big
3 capital program coming up and there is a major
4 commitment to Long Island Railroad in that as you ^{Page | 61}
5 know, the existing commitment is there, six
6 million dollars over the last two capital
7 programs.

8 There is a lot of work. We hope the
9 result will be a terrific railroad.

10 COUNCILWOMAN KING-SWEENEY: We should have
11 had a terrific railroad to start off considering
12 the taxes that we pay here in the Town of
13 Hempstead with passing a four percent tax cut and
14 we live within our budget.

15 We hope the Governor would do so.

16 COUNCILMAN BLAKEMAN: Aren't you glad you
17 came here. Come back soon.

18 SUPERVISOR GILLEN: I do not have any slips
19 on this public hearing, is there anyone else that
20 would like to be heard?

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

23 SUPERVISOR GILLEN: Hearing none, may I
24 have a Motion.

25 COUNCILMAN BLAKEMAN: Yes, Supervisor, I

1 move that the Public Hearing be closed and the
2 item be adopted.

3 COUNCILMAN D'ESPOSITO: Second.

4 CLERK CABANA: Supervisor Gillen?

5 SUPERVISOR GILLEN: Aye.

6 CLERK CABANA: Councilman Blakeman?

7 COUNCILMAN BLAKEMAN: Aye.

8 CLERK CABANA: Councilman D'Esposito?

9 COUNCILMAN D'ESPOSITO: Aye.

10 CLERK CABANA: Councilman Dunne?

11 COUNCILMAN DUNNE: Aye.

12 CLERK CABANA: Senior Councilwoman Goosby?

13 SENIOR COUNCILWOMAN GOOSBY: Aye.

14 CLERK CABANA: Councilwoman King-Sweeney?

15 COUNCILWOMAN KING-SWEENEY: Aye.

16 SUPERVISOR GILLEN: Madam Clerk will you
17 call our next Public Hearing.

18 CLERK CABANA: Application of JAV GASOLINE
19 ENTERPRISES, INC., to convert an existing
20 automobile repair building to construct a canopy
21 over existing pump islands as well as maintain
22 existing i.d. sign & operate self-service station
23 - (nr) Island Park - northwest corner of Austin
24 Boulevard & Kingston Boulevard.

25 ATTORNEY O'BRIEN: Good Morning, Supervisor

1 Gillen, Honorable Members of the Board, Madam

2 Clerk:

3 SUPERVISOR GILLEN: Good Morning.

4 ATTORNEY O'BRIEN: Kevin O'Brien from the Page | 63

5 firm of Murphy, Bartol and O'Brien with offices at
6 22 Jericho Turnpike, Mineola, New York.

7 A quick side note, congratulations on the
8 adoption of the Ethics regulations. Great to see
9 the Board work together.

10 And, also, you know it is great to see.

11 SUPERVISOR GILLEN: Thank you, Mr. O'Brien.

12 ATTORNEY O'BRIEN: I also have, here, this
13 morning, Marc Pilotta, he is a licensed,
14 professional Engineer.

15 He is from Prime Engineering Design
16 Professionals that prepared the plans.

17 We are before the Board and if I may, this
18 is an application which involves an existing
19 gasoline service station which is located at the
20 northwest corner of Austin Boulevard and Kingston
21 in Island Park, also know as 4240 Austin Boulevard
22 in Island Park.

23 And, obviously, it is in the unincorporated
24 area giving the Board jurisdiction of this
25 location.

1 And, essentially, the applicant, who is the
2 owner of the property we are representing is here
3 to convert the existing bays to be used for repair
4 for motor vehicles and have a canopy over the
5 direct pump islands.

6 I would just like to give a brief overview,
7 a mini history of the location and certain why the
8 need - - why we are here for, essentially, it is
9 an existing service station, typically 1950's,
10 '60's station with eighteen hundred square foot
11 building, um, built in around 1960 located in the
12 underlying "X" Zoning District.

13 They did come before the Board in the
14 1980's, um, for a Town Board resolution including
15 the subject property within the GSS Zoning
16 District which is the correct zoning district for
17 gasoline service stations.

18 At that time, they made an application to
19 replace some of the existing underground service
20 storage tanks and, um, the premises that
21 operated pretty much with the similar operator
22 for quite an extensive period of time.

23 Um, it did get Sandy hit, did get damage to
24 a certain extent. Wasn't horrendous but it
25 wasn't good but, um, the operator of the

1 Service station, which is, essentially, operating
2 the, um, the quick lube facility, um, purchased
3 the property to the North, um, built a facility
4 for just, um, quick lube, okay, no gas station. ^{Page | 65}

5 This premises remained, um, he operated the
6 business to the North.

7 There is an existing gasoline service
8 station about two years ago in accordance with
9 the County's requirements to replace um, single
10 wall underground gasoline storage tanks with
11 double wall fiberglass storage tanks, two
12 underground storage tanks will be installed in
13 this location, one, thirty thousand gallons and
14 one, fifteen thousand gallons which is a
15 compartmentalized tank for both premium and, um,
16 diesel.

17 So, the premises is currently situated and
18 it is configured, um, as four pump islands, one
19 multi dispenser island for use of whatever grade
20 of motor fuel the motoring public would desire
21 including premium and including diesel.

22 Just a little bit more about the site, this
23 site has two curb cuts on Austin Boulevard with
24 one curb cut on the side street, which is
25 Kingston and actually behind us, um, there

1 is, um, actually three street frontages.

2 There is Industrial Place behind us and
3 sort of is the name, sort of restricting the
4 area, itself is principally a commercially
5 utilized and improved area.

6 So, mostly other businesses, um, like
7 across the street you have the Speedway, there
8 is another service station to the southeast of
9 us.

10 There is a restaurant and a lot of auto
11 body type of uses, auto related uses in this
12 typical area.

13 So, as I was mentioning, so the proposed
14 improvements in this location would be a canopy
15 over the existing pump islands.

16 There are four pump islands that will not
17 change and convert the interior into a, um, into
18 a retail space.

19 There will be no servicing of automobiles
20 in the proposed - - at this - - at this
21 location.

22 Um, we did say that there was an inspection
23 of the premises.

24 There were a couple of violations on site.

25 A number of them, I would just

1 categorize as paperwork and I tried to explain

2 this to my clients with limited success, in that

3 when the underground storage tanks were put in,

4 they never closed out the permits.

Page | 67

5 There is some closed out type of things,

6 um, and, then, I did notice, um, there were some

7 things with respect to in between the means of

8 ingress from the building.

9 They had storage of cardboard boxes and the

10 like, which could present as a hazard.

11 It has all been cleaned. I don't like to

12 see anything impeding the egress of a building,

13 so, we have addressed those concerns, also.

14 But I think there is some stuff cluttered

15 around some of the fire extinguishers and it has

16 all been addressed but that - - so that is

17 really what we are seeking to do in a nutshell.

18 The building, itself, the perimeter of the

19 building, itself, will remain the same.

20 We are not going to change that.

21 I have - - and one thing, a little bit of

22 work in progress, I am trying to work with the

23 architect on this.

24 This is just me and I could be wrong with

25 this one, inasmuch as we are approaching

1 Beach community over there.

2 My recommendation to the client in
3 connection with this is a hearty plant or
4 something like that, give a little bit, sort of ^{Page | 68}
5 a feel to it when you have sort of have multiple
6 layers recommending against a stucco type of
7 building, which you see a lot, typically, so, I
8 am working on that.

9 I think it would be a nice gateway into
10 Island Park over there in the beach community.

11 So, we are in that process. We are not
12 changing the physical aspect of the building,
13 but, I guess, I personally would like to see
14 some sort of architectural upgrade.

15 COUNCILMAN D'ESPOSITO: That would be
16 great.

17 Just a couple of questions.

18 ATTORNEY O'BRIEN: Sure.

19 COUNCILMAN D'ESPOSITO: So, the tenant to
20 the north, the applicant is also the owner of
21 that?

22 ATTORNEY O'BRIEN: Previously that owner
23 owned this particular piece of property.

24 COUNCILMAN D'ESPOSITO: Okay.

25 ATTORNEY O'BRIEN: Didn't own it, he was

1 a tenant at this piece of property.

2 He bought the property to the North, so, he
3 is no longer the tenant, here.

4 He independently owns and operates that
5 location to the North.

Page | 69

6 COUNCILMAN D'ESPOSITO: Okay.

7 ATTORNEY O'BRIEN: No relation to this
8 particular piece of property other than as
9 former tenant.

10 COUNCILMAN D'ESPOSITO: Now, in the
11 building, the parcel that we are discussing,
12 you're keeping the pro bays?

13 ATTORNEY O'BRIEN: Um, well, what we are
14 proposing on doing is eliminating all service
15 bays, all repairs and having the entire inside
16 of the building - - inside the building is
17 approximately, well, I should say, four corners
18 of the building is eighteen hundred square feet
19 when you get down to the interior space it is
20 utilized as a convenience utility room, restroom
21 and the like, so, probably end up with the
22 neighborhood of twelve hundred and fifty square
23 feet of usable retail space.

24 But, there will be no repairs or
25 lubricating of motor vehicles at this location.

1 COUNCILMAN D'ESPOSITO: How many pumps are
2 you keeping?

3 ATTORNEY O'BRIEN: There will be four
4 multi-product dispensers.

5 COUNCILMAN D'ESPOSITO: Same location as
6 they are, now.

7 ATTORNEY O'BRIEN: Same location.

8 COUNCILMAN D'ESPOSITO: Just a couple of
9 questions - -

10 SUPERVISOR GILLEN: I just wanted to ask a
11 few questions, you mentioned stucco for the
12 interior of the building, this structure, are
13 there plans to use and enhance the beauty and
14 appearance of this station?

15 I know Senior Councilwoman Goosby asked the
16 last applicant to put in planters, um, something
17 to could make this a little bit more attractive?

18 ATTORNEY O'BRIEN: Absolutely, what we are
19 looking at with our design professionals, like I
20 said, me, I kind of like the beachy sort of
21 thing.

22 In the corner, we can put some beach grass
23 or something like that.

24 I recognize and discussed this with our
25 design professional, we do have limited site

1 side and building, nevertheless, I still think he
2 will do something out the front and a little bit
3 towards the back and the landscaping between as
4 well as underneath the canopy, some have put Page | 71
5 some pots or stuff, he said needs sunlight.

6 COUNCILMAN D'ESPOSITO: We do like Palm
7 trees in Island Park.

8 ATTORNEY O'BRIEN: So, I think that on the
9 exterior of some of the pump islands, we
10 possibly - - those would in the pots, have
11 something there, but, certainly agree because it
12 makes all the difference in the World.

13 COUNCILMAN D'ESPOSITO: Just to address
14 some of the violations that are on the site,
15 right, now, I mean there is a bunch here, to go
16 through them all, are they being taken care of?

17 ATTORNEY O'BRIEN: They are all being
18 addressed.

19 Like I said, a number of them, for
20 instance, they said, we are operating a
21 convenience store; we do sell, quite frankly,
22 cigarettes and lottery tickets and Snapple.

23 To me - - but, we are here to address
24 that.

25 COUNCILMAN D'ESPOSITO: Especially,

1 the safety issues, I guess there was no fire
2 extinguishers, electrical hazards.

3 I am not sure if you are aware of this, less
4 than a year ago, there was a tanker fire
5 directly across the street from this location.

6 ATTORNEY O'BRIEN: I am very aware of that.

7 COUNCILMAN D'ESPOSITO: Yes.

8 ATTORNEY O'BRIEN: I saw the videos on
9 that, unfortunately.

10 The beauty of this day and age that we live
11 in right, now, is that technology is incredible,
12 so, now, that could have been devastating, now,
13 you have those breakaway hoses and all of that
14 stuff, so, that could have been devastating.

15 Actually, the Island Park Fire Department
16 did a tremendous job in taking care of that,
17 but, fortunately, nothing really happened.

18 I looked. It was the first thing that I
19 went to when I saw a violation.

20 Safety is, obviously, paramount.

21 There were fire extinguishers that were
22 there, but, there was stuff underneath them.

23 COUNCILMAN D'ESPOSITO: Okay.

24 ATTORNEY O'BRIEN: Three foot clearance.

25 COUNCILMAN D'ESPOSITO: As long as

1 the violations are getting taken care of.

2 Along that corridor of Austin Boulevard is
3 a tough area to keep clean.

4 I ask that, you know, local businesses do ^{Page | 73}
5 their best to maintain in front of their stores.

6 You are in an area where you have Jimmy
7 Haze next door. You have the Pearl Restaurant
8 that just opened across the street.

9 There is a Bran Paradiso. You are right in
10 the area of businesses, Artie's Collision,
11 Kumas, they all really do a great job keeping
12 their storefronts clean.

13 I know Industrial Boulevard that is
14 immediately to the rear, you guys there is an
15 issue.

16 We have trouble with the fire trucks
17 getting down there when there is a fire, so, my
18 office is pretty hard on Industrial Place.

19 So, you know, please don't keep cars back
20 there.

21 Please don't keep garbage back there.

22 And, do your best to keep the area clean,
23 have plants, flowers, you know, Island Park is a
24 beautiful community.

25 I was born and raised there.

1 I lived there my whole life. We encourage
2 new local businesses, but, we want to make sure
3 they are keeping our communities clean, the
4 sidewalks clear of obstruction, so, bike riders ^{Page | 74}
5 can make their way to Long Beach and enjoy the
6 boardwalk.

7 ATTORNEY O'BRIEN: Absolutely.

8 COUNCILMAN DUNNE: If I may, I know you are
9 short space, is there room for an American Flag?

10 ATTORNEY O'BRIEN: Already done, I already
11 got between eighteen and twenty foot pole and
12 flag.

13 COUNCILMAN DUNNE: God Bless you. Thank
14 you.

15 ATTORNEY O'BRIEN: Is there anything
16 further for myself or my expert, otherwise - -

17 COUNCILMAN D'ESPOSITO: I am sorry, one
18 more thing.

19 ATTORNEY O'BRIEN: Surely.

20 COUNCILMAN D'ESPOSITO: The clothing box.

21 ATTORNEY O'BRIEN: Believe it was removed,
22 if it wasn't, but, it will be.

23 COUNCILMAN D'ESPOSITO: I will pass by.

24 ATTORNEY O'BRIEN: I believe it was too
25 small, slightly noted, like I said, I

1 want this one to be the one that stands out and be
2 proud of.

3 COUNCILMAN D'ESPOSITO: It will be.

4 ATTORNEY O'BRIEN: Agreed. Thank you so ^{Page | 75}
5 much.

6 SUPERVISOR GILLEN: Thank you, gentlemen.

7 COUNCILMAN D'ESPOSITO: You know, I
8 mentioned before, it wasn't in the actual plan,
9 if you can submit it sometime in the future is
10 the landscaping plan, whenever you get a moment,
11 please, submit it, so we have it.

12 ATTORNEY O'BRIEN: I have over two hundred
13 and fifty signatures in support of the
14 application.

15 SUPERVISOR GILLEN: Please, submit it.

16 ATTORNEY O'BRIEN: Thank you.

17 SUPERVISOR GILLEN: Thank you.

18 I do not have any slips on this Public
19 Hearing, is there anyone else that would like to
20 be heard?

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

23 SUPERVISOR GILLEN: Hearing none, may I
24 have a Motion.

25 COUNCILMAN D'ESPOSITO: I move that the

1 Public Hearing be closed and we reserve decision.

2 COUNCILMAN BLAKEMAN: Second.

3 SUPERVISOR GILLEN: Madam Clerk?

4 CLERK CABANA: Supervisor Gillen?

5 SUPERVISOR GILLEN: Aye.

6 CLERK CABANA: Councilman Blakeman?

7 COUNCILMAN BLAKEMAN: Aye.

8 CLERK CABANA: Councilman D'Esposito?

9 COUNCILMAN D'ESPOSITO: Aye.

10 CLERK CABANA: Councilman Dunne?

11 COUNCILMAN DUNNE: Aye.

12 CLERK CABANA: Senior Councilwoman Goosby?

13 SENIOR COUNCILWOMAN GOOSBY: Aye.

14 CLERK CABANA: Councilwoman King-Sweeney?

15 COUNCILWOMAN KING-SWEENEY: Aye.

16 SUPERVISOR GILLEN: That concluded our
17 Public Hearings, Madam Clerk, will you, please,
18 call the Administrative Calendar.

19 CLERK CABANA: Yes, Supervisor, on the
20 Administrative Calendar, there are Items 10
21 through 43.

22 I also have a Resolution that is of an
23 urgent or emergency nature, this Resolution is a
24 Resolution authorizing the interim municipal
25 agreement with the North Merrick Fire

1 District for the purchase of a used 2006
2 Chevrolet, Trailblazer.

3 This will be Item 44 on the calendar.

Page | 77

4 SUPERVISOR GILLEN: Would any of the
5 Council Members like to sever any of the Items
6 on the calendar?

7 COUNCILMAN D'ESPOSITO: If I could give an
8 explanation of 44.

9 SUPERVISOR GILLEN: Sure.

10 COUNCILMAN D'ESPOSITO: Why it is an
11 emergency, Number 44 is an intermunicipal
12 agreement between the Town of Hempstead and the
13 North Merrick Fire Department to purchase one of
14 their old Chief's cars, um for our EMS
15 Department.

16 Um, they are in need of a car, a vehicle
17 and instead of purchasing brand new, this is
18 coming from the North Merrick Fire Department at
19 a cost of, I believe, twenty-five hundred
20 dollars and already has the, you know, stickers
21 and lighting on it, that it will need and with
22 the Summer season coming, we just don't like to
23 see the truck be sold to some other person or
24 municipality.

25 COUNCILMAN DUNNE: North Merrick Fire

1 Department is in my District and we are more than
2 happy to support this.

3 SUPERVISOR GILLEN: Okay, may I have a
4 Motion on the Administrative Calendar.

Page | 78

5 SENIOR COUNCILWOMAN GOOSBY: I move the
6 Administrative Calendar from 10 through 44 with
7 the exception of Item Number 20 which I move
8 adjourned without date.

9 COUNCILMAN D'ESPOSITO: Second.

10 SUPERVISOR GILLEN: I have a number of
11 slips that would like to be heard.

12 Valerie Lampe?

13 VALERIE LAMPE: Could you tell me what
14 number 23 is?

15 I am sorry, I was in the ladies room.
16 Thank you, so, I understand that, um, Mr. Thomas
17 Muscarella is up for appointment to take over
18 Mr. Ambrosino's seat, correct?

19 Is that happening, today?

20 SUPERVISOR GILLEN: Yes.

21 VALERIE LAMPE: Okay, um, I know that there
22 has been a lot of discussion in the past
23 regarding this very issue and special elections.

24 Um, I don't really have a clear
25 understanding in terms of the cost benefit

1 Analysis.

2 I do know that my Mother has, um, worked
3 for the Board of Elections every election for as
4 far back as I can remember and every location, ^{Page | 79}
5 know, they pay those people who work there all
6 day, right?

7 So, every location has, I don't know, how
8 many employees and I believe there is additional
9 cost after that for the counting of the votes,
10 right?

11 Can anyone tell me how much a special
12 election would cost in a District, ballpark?

13 SUPERVISOR GILLEN: Roughly, one hundred
14 thousand dollars per Councilmanic District.

15 VALERIE LAMPE: Okay and that usually
16 brings out how many voters, one hundred thousand
17 brings out how many?

18 No, we don't know?

19 I know it is a small turn out, right,
20 usually for special elections.

21 Okay, um, you know what, I have to say
22 this, I am not trying to insult anyone, here,
23 really, I am not.

24 I am just trying to give you kind of what I
25 think is a clip of reality.

1 Most people don't know who their local
2 representatives are, they don't.

3 And, I have this, um, weird approach that I
4 take and I just ask people random questions. Page | 80

5 I could be standing on line at CVS. I
6 could be walking into a meeting and I just ask
7 random people, I am curious, "do you know who
8 your local representatives are?"

9 Most people don't know who the Secretary of
10 State is or if you watch News 12, they ask, "Who
11 is the Vice-President?"

12 A lot of people don't know that, on the
13 highest level.

14 So, my point is, um, I hope the Board does
15 appoint him because what I don't think is good
16 for a Councilmanic District is to have no
17 representation.

18 And, if this is the option, then, I think
19 it is a good thing for people to have someone to
20 call and have someone to email and for me, I
21 would like to meet with Mr. Muscarella, assuming
22 he does get appointed, specifically, about the
23 Animal Shelter, even though it is not his
24 District, he will be voting on these things.

25 So, um, I am just saying, let's have the

1 representation in the District.

2 And, as far as everyone getting their name
3 out there, I am happy to talk to you about some
4 idea I have in terms of helping people know who ^{Page | 81}
5 you are.

6 Thank you.

7 SUPERVISOR GILLEN: Aubrey Philips?

8 AUBREY PHILIPS: Good Afternoon.

9 SUPERVISOR GILLEN: Good Afternoon. State
10 your name and address for the record, please.

11 AUBREY PHILIPS: Aubrey Philips, Elmont,
12 New York.

13 I am here as Vice-President of the Parkers
14 Civic Association a small civic association of
15 nine hundred families.

16 And, um, Ms. Joe Stone who left because she
17 had to do parking tickets - - not parking
18 tickets but, certainly parking - - filling
19 meters.

20 I am here on behalf of those families to
21 say that we reject the idea that you will
22 appoint Mr. Muscarella, a familiar family name,
23 in light of what we heard, Item 5 of the, um,
24 discussions earlier.

25 I would like to ask a question and the

1 question is if there is anyone sitting behind me
2 that is a Member or a resident of the 2nd
3 Councilmanic District, um, any of you voted for
4 any of the Members of this Board?

5 Okay, good, so, there is one.

6 The point, here, is I certainly and neither
7 did any or most of residents of my District did
8 not vote for any of you, whether we share some
9 kinship or not.

10 As such, we don't see how any of you can
11 decide for us who represents our District.

12 We understand that as a Body, you come
13 together and you make decisions for the Town of
14 Hempstead.

15 So, my job, here, today is to say that
16 since none - - I certainly have not asked or
17 had the ability to cast a vote for any of you as
18 an individual, I certainly am here, today to say
19 that, in addition to not having voted for any of
20 you as an individual, I want to make it clear
21 that as a collective body, I do not grant you
22 permission as a voter to tell me who should
23 represent me in my Councilmanic District.

24 Thank you.

25 SUPERVISOR GILLEN: Thank you, Mr. Philips.

1 Tammie Williams?

2 Tammie WILLIAMS: Good Afternoon. I am
3 Tammie Williams, also a Board Member of Elmont
4 Parker Civic Association. Page | 83

5 Um, just want to say good afternoon and
6 thank you for having me here, today, speaking on
7 Item Number 23, the appointment of Thomas
8 Muscarella, Council Person for the 2nd
9 Councilmanic District.

10 As you know, I speak quite fluently in the
11 language of gerrymandering.

12 Elmont has two Council Members representing
13 them, Councilman Blakeman and, um, no longer
14 with us, Edward Ambrosino.

15 Can we wait until November?

16 Yes, we can.

17 Do we need a special election?

18 No, we don't.

19 Why?

20 Because neither gentlemen represented
21 Elmont to the fullest because of partisan
22 gerrymandering.

23 If we need to get a problem resolved in the
24 Town in Elmont, we call the Commissioner
25 directly.

1 If we need our garbage picked up, we call
2 Sanitation directly.

3 We have a good-working relationship with
4 the Commissioners. Page | 84

5 If there is an issue in Elmont, can we rely
6 on our Councilmanic District representatives?

7 No, we cannot.

8 Gerrymandering has let us to one taxation
9 without representation.

10 Our Parks look bad.

11 Erin King Sweeney mentioned on her Facebook
12 that she is going to get two brand-new Parks.

13 Well, Elmont has not received one, that is
14 due to gerrymandering.

15 So, on special elections, you can save the
16 one hundred thousand dollars, maybe invest in
17 Elmont Park.

18 As far as representation, again, we can
19 wait.

20 You don't see a lot of us here because a
21 lot of our families work during the day.

22 Can you come to Elmont and ask them their
23 opinion?

24 Can you come to Valley Stream, North Valley
25 Stream and ask their opinion?

1 Come at nighttime when most people are
2 available and the ones that are not available is
3 because we are law enforcement. We have health
4 care workers.

5 We need a fair process.

6 Democracy is about fairness.

7 And, anyone who votes to appoint someone to
8 a Board lacks integrity in my eyes because I
9 have not seen the majority of this Board walk
10 through my community.

11 I have seen the Supervisor walk through my
12 community.

13 If I need something, I go to my Senior
14 Councilwoman, who doesn't even represent Elmont,
15 to get things done.

16 So, the realty is you haven't represented
17 us in decades.

18 Don't do us any favors by voting someone.
19 Either you can wait until November or wait to
20 fair districting and what you can do for the
21 last fifteen seconds that I have is fix the
22 Charter when it comes to fair districting.

23 Give people a voice. We have the
24 intelligence to pay our taxes.

25 We have intelligence to vote. Thank you

1 very much.

2 COUNCILMAN BLAKEMAN: Ms. Williams, I would
3 like to state, for the record, that I have no
4 recollection of you ever calling me to
5 accomplish any of the things that you would like
6 to accomplish.

Page | 86

7 Other people in Elmont have called me.

8 As a matter of fact, yesterday, I spent
9 five hours on Elmont talking about various
10 issues that concern the people in that
11 community.

12 And, by the way, we have spent millions of
13 dollars on Elmont Road Park, a place that I grew
14 up playing basketball in almost every day
15 because I lived in adjoining Valley Stream, so,
16 if you feel that you are not being represented,
17 pick up the phone, call my office.

18 I am happy to help you.

19 TAMMIE WILLIAMS: Okay, I am in Edward
20 Ambrosino's District because, as I stated before
21 - -

22 (Whereupon, the three minute bell rang.
23 After, the following ensued.)

24 TAMMIE WILIAMS: - - We are gerrymandered,
25 um, od you have a woman in your office that

1 Begins with the letter "D"?

2 COUNCILMAN BLAKEMAN: Yes, Debbie.

3 TAMMIE WILLIAMS: So, I have her email. I
4 actually did call your office in regards to Page | 87
5 Tudor Manor section, which you represented and
6 she was able to get the business owner to cut
7 the grass and landscaping.

8 Yes, that is one issue because I had to go
9 outside of my District, which is Ambrosino's
10 District and call your District to get someone
11 to maintain a certain property.

12 So, you and I can exchange our numbers and
13 we can have a conversation about Elmont, but, I
14 see just putting someone on the Board just to
15 have them on the Board is not fair
16 representation.

17 We have to handle gerrymandering first and
18 foremost so - -

19 COUNCILMAN BLAKEMAN: We can agree to
20 disagree on that, but, thank you so much and
21 feel free to contact me.

22 TAMMIE WILLIAMS: Got it, thank you.

23 SUPERVISOR GILLEN: Thank you.

24 Thomas Tweedy?

25 THOMAS TWEEDY: Good Morning. Thomas

1 Tweedy, Floral Park, New York.

2 SUPERVISOR GILLEN: You need to disclose
3 that you are a candidate for this seat.

4 THOMAS TWEEDY: I am the Democrat for
5 District Council 2.

6 Resolution 23 states that by reason of
7 Ambrosino's resignation, that a vacancy exists
8 on the Town Board.

9 The Resolution fails to mention that
10 however as a convicted felon, he was required to
11 vacate the office.

12 While they did not wait until his actual
13 sentencing, the fact is that his constituents of
14 our communities have not had someone qualified
15 to represent us for, at least, the last three
16 years.

17 To suggest that we cannot wait until
18 November for a full and fair election by "we the
19 people," is both erroneous and offensive.

20 One compromise would be to hold a special
21 election in conjunction with the June Primary
22 elections that are already scheduled and
23 budgeted for, so, there would not be the
24 expenses which the Board Members claim are not
25 the reason for holding such a special election.

1 "We the people," want to make our voting
2 decisions.

3 It is also disappointing that we are, once,
4 again, going to get another example of the same ^{Page | 89}
5 old nays and ayes being played out.

6 Demonstrating the nepotism, cronyism and
7 paid favoritism which is corrupt in our Town.

8 During this most Holy of weeks, the State
9 of this tainted site and this tainted process
10 will not be washed away, today, but "we, the
11 people," will raise up in November to win this
12 Town's long nightmare.

13 The Resolution goes onto say the temporary
14 appointee is qualified to fill the vacancy.

15 The record shows that he maybe the least
16 qualified person ever proposed to the Board
17 since six Council Districts were set up.

18 The review of his public statements and
19 engagements suggests that his most public
20 service is being involved in Little League
21 Baseball.

22 Tommy Lasorda said "there are those that
23 make it happen, those that watch it happen and
24 those who wonder what happened."

25 When it comes to stepping up

1 to the major leagues in the Board, the Republican
2 Candidate has, at best, been a disengaged
3 spectator to our important public discord.

4 Most of his public life, his adult life, Page | 90
5 unlike Teddy Roosevelt, he gets no credit for
6 being in the public arena.

7 The Republican candidate may have been a
8 fine Little League leader, but for the major
9 issues facing our Town of Hempstead, he has not
10 been in the Hearing Room, never mind the
11 microphone or in the middle of the debate.

12 The Republican candidate has been missing
13 in action. The fact is there are hundreds of
14 current and former elected officials within our
15 Town who have been fully scrutinized and go
16 through the election vetting process from Fire
17 Districts, Fire District Members and elections
18 and Village Mayors, State and Federal elections.

19 For the other Board Members to represent
20 us, someone who has not even been the president
21 of his neighborhood civic association is
22 pathetic.

23 I, again, implore you to consider the
24 compromise, special election in June - -

25 (Whereupon, the three minute bell

1 rang. After, the following ensued.)

2 THOMAS TWEEDY: With the great arbiter, the
3 ballot boxes, the voters opinions are heard.

4 SUPERVISOR GILLEN: Thank you, Mr. Tweedy. Page | 91

5 COUNCILMAN D'ESPOSITO: Mr. Tweedy, before
6 you step away, I have a couple of questions for
7 you.

8 On April 11th, you state "that every single
9 GOP Councilman on the Town of Hempstead Board
10 was placed there before being elected."

11 This is a quote from your FACEBOOK page.

12 "This is exactly why I am running for the
13 Town Council. We need to restore integrity to
14 local government. Laura Gillen was the
15 beginning of that restorative process. Elect me
16 in November and I will help that process along."

17 A day later the Supervisor described and
18 appointment to the Town Board as "disgraceful
19 and un-American."

20 You gave your comments today and you quoted
21 Tommy Lasorda and an important part of that
22 quote where you said "wonder what happened."

23 Well, I wonder what happened when you gave
24 that statement you failed to tell the community
25 you failed to tell the Town of Hempstead

1 and you failed to tell the people of the 2nd
2 District, that you, in fact, yourself was
3 appointed to the Floral Park Village Board, not
4 only were you appointed - - Page | 92

5 (Whereupon, applause from the audience was
6 heard. After, the following ensued.)

7 COUNCILMAN D'ESPOSITO: You were appointed
8 by Mayor Ann Corbin in May, 2001 and following
9 your appointment you rose through the ranks and
10 in April, 2011 you appointed Kevin Fitzgerald to
11 fill your unexpired term and, then, you ran,
12 again, in November, 2014, after Mary Grace
13 Tubecki resigned.

14 You then appointed, Lynn Pombonyo.

15 So, my question to you is in 2011 or I
16 should say 2001 when you were appointed to the
17 Village Board, obviously, it was a little
18 different because you were rising up in power.

19 You were gaining a seat and there were no
20 complaints.

21 Again, I find it erroneous and disgraceful
22 and un-American and quite frankly, completely
23 hypocritical - -

24 (Whereupon, applause from the audience was
25 heard. After, the following ensued.)

HEMPSTEAD TOWN BOARD 4/16/19

1 COUNCILMAN D'ESPOSITO: - - That you are
2 critical of this appointment.

3 THOMAS TWEEDY: May I respond?

4 COUNCILMAN D'ESPOSITO: Absolutely, I think Page | 93
5 the facts say it all.

6 THOMAS TWEEDY: There is a significant
7 difference from a two-term versus a four-year
8 term.

9 COUNCILMAN D'ESPOSITO: We are talking
10 about the appointment to a Board.

11 Let me finish, we are talking about the
12 appointment to a Board, okay, the months that
13 you were appointed, you were appointed in April.

14 Why not have a special election?

15 You were appointed. Why not have a
16 special election?

17 And, I know the Village Elections are
18 different than the General Elections.

19 THOMAS TWEEDY: Therefore the election is a
20 two-year process.

21 Dom Longobardi, for instance, was elected
22 in December - - I am sorry, in, um, March.

23 His two terms, each of those two terms, he
24 had a full Board.

25 In my situation with Ann Corbet, when she

1 was elected, I was not running for election, there
2 were no seats available to run for.

3 COUNCILMAN D'ESPOSITO: When you were
4 appointed, when you were appointed - -

Page | 94

5 SUPERVISOR GILLEN: Councilman D'Esposito,
6 let the gentleman finish.

7 THOMAS TWEEDY: This year, however, the
8 election was held in March, the first Monday in
9 April or when Village appointments are made at
10 that point, there was an opening in the Village
11 Board of two-year elections and I was appointed,
12 not an election, election.

13 COUNCILMAN D'ESPOSITO: You were okay with
14 the appointment, then?

15 THOMAS TWEEDY: I accepted the appointment.

16 COUNCILMAN D'ESPOSITO: Let's be clear, I
17 actually give credit to the Supervisor, because
18 she is against appointments, but, at least, she
19 owns it.

20 You do not.

21 You're against appointments when it doesn't
22 benefit you.

23 SUPERVISOR GILLEN: Since you said, "un-
24 American," for him to accept an appointment - -

25 COUNCILMAN D'ESPOSITO: I am quoting you

1 said it is disgraceful.

2 You said that. You said that accepting an
3 appointment is disgraceful and un-American, so
4 worded the Supervisor - -

5 SUPERVISOR GILLEN: I do believe you
6 misquoted me but, again, but you said it was
7 disgraceful.

8 We can look at the record. Maybe you can
9 read the record back.

10 COUNCILMAN D'ESPOSITO: No, I was quoting
11 you. I said it was completely hypocritical.

12 It is hypocritical, that he was being
13 appointed himself and appointing two people to
14 the Village Board but now because he is not the
15 one being appointed he is against it.

16 SUPERVISOR GILLEN: Hypocritical,
17 disgraceful and un-American, so, if it is
18 hypocritical, disgraceful and un-American then I
19 guess you will be voting against this
20 appointment since - -

21 COUNCILMAN D'ESPOSITO: Absolutely not, I
22 agree with appointing people to the Board and -
23 -

24 SUPERVISOR GILLEN: Because you were
25 appointed.

HEMPSTEAD TOWN BOARD 4/16/19

1 COUNCILMAN D'ESPOSITO: That is fine.

2 SUPERVISOR GILLEN: Supervisor Santino, you
3 Father was his Chief of Staff.

4 COUNCILMAN D'ESPOSITO: Okay, my Father Page | 96
5 didn't have a vote. I don't know what that had
6 to do with it.

7 SUPERVISOR GILLEN: We are talking about
8 being appointed to seats.

9 COUNCILMAN D'ESPOSITO: You said my
10 appointment, obviously you think that the terms
11 and office differ from appointments.

12 The issue is the appointment, that is the
13 issue and that is that.

14 (Whereupon, applause from the audience was
15 heard. After, the following ensued.)

16 SUPERVISOR GILLEN: Michael Turi is the
17 next slip.

18 (Whereupon, "that is what you get for
19 giving her a compliment," was heard yelling out
20 from the audience. After, the following
21 ensued.)

22 MICHAEL TURI: Hi, there, thank you very
23 much, Madam Supervisor.

24 SUPERVISOR GILLEN: Just state your name
25 and address.

HEMPSTEAD TOWN BOARD 4/16/19

1 MICHAEL TURI: Michael Turi, Woodmere.

2 Um, how many people sitting on this Board
3 were elected to their first election when they
4 filled they filled this office?

Page | 97

5 SUPERVISOR GILLEN: Two.

6 MICHAEL TURI: Show of hands, please.

7 SUPERVISOR GILLEN: She is not on the Town
8 Board.

9 She is the Town Clerk. Three people
10 sitting on the dais.

11 MICHAEL TURI: Town Board Members, how many
12 people?

13 SENIOR COUNCILWOMAN GOOSBY: Okay, I just
14 wanted to straighten you out. I got here
15 through a lawsuit that went to the Supreme Court
16 of the United States of America, that is how I
17 got here.

18 Are you familiar with that?

19 (Whereupon, applause from the audience was
20 heard. After, the following ensued.)

21 SENIOR COUNCILWOMAN GOOSBY: Are you
22 familiar with that?

23 MICHAEL TURI: I am, yes, the creation of
24 at large councilmanic districts, I am aware of
25 it.

1 SENIOR COUNCILWOMAN GOOSBY: That is how I
2 got, here, otherwise, I would not be here and
3 neither would they.

4 MICHAEL TURI: Okay, well, is the, um, Page | 98
5 potential incoming appointee in the room, today?

6 Is Mr. Muscarella, here?

7 We are asking the Board to vote on someone,
8 essentially, a job.

9 Did he show up?

10 SUPERVISOR GILLEN: I believe he is here.

11 COUNCILMAN BLAKEMAN: If he is approved by
12 this Board, he will be sworn in immediately.

13 He will take a seat and he will sit through
14 Public Comment.

15 MICHAEL TURI: But, he didn't feel a need
16 to sit through this public comment to hear from
17 people before he took an oath of office?

18 COUNCILMAN BLAKEMAN: I am confident that
19 he is watching or both, listening.

20 MICHAEL TURI: I am less confident.

21 COUNCILMAN BLAKEMAN: I have a little
22 better knowledge than you, let's say ninety
23 percent that he is either listening or watching.

24 MICHAEL TURI: Let me continue on.

25 How many people from the legislative

1 District that he will potentially be appointed to
2 have spoken already at this point, today, anyone
3 know? Right, you were asking their addresses.

4 SUPERVISOR GILLEN: I believe, two and Page | 99
5 maybe you.

6 MICHAEL TURI: I am not in his district.
7 I couldn't speak to that, per say.

8 SUPERVISOR GILLEN: Mr. Philips is from
9 Elmont.

10 SENIOR COUNCILWOMAN GOOSBY: Not in his
11 District.

12 SUPERVISOR GILLEN: Ms. Williams is from
13 Elmont and she said she was in Mr. Ambrosino's
14 District. Mr. Tweedy is here from the District
15 and I don't know if you are, Mr. Turi.

16 MICHAEL TURI: I am not.

17 I am from Mr. D'Esposito's district, so,
18 two people have been on record, maybe three that
19 will stand on the record about this potential
20 appointment.

21 How can we be talking about putting up
22 American Flags and yet enfranchisement about
23 what the American Flag stands for, does not seem
24 to be in the course of action when you fill
25 people to seats that they are about to be

1 or wish to be elected to.

2 I can say that someone will be elected to
3 it. I do believe that someone has incumbency
4 advantage prior to their election.

5 They are given an unfair layup into the
6 seat.

7 I fear that will happen with Mr.
8 Muscarella.

9 I don't know what his particular
10 qualifications are.

11 I believe he runs - - just what I read, he
12 runs an insurance company.

13 He is a Little League Coach.

14 Those are good qualities. I don't know
15 exactly how they make someone qualified to be a
16 Town Board Member.

17 That being said, I will stop it there.

18 The people have the right to choose who
19 their representative are.

20 They don't necessarily want people telling
21 them who they are going to have.

22 Finally, I just want to ask a question on
23 an item while I am here, Item 18 about North
24 Lawrence and Inwood Overlay, Mr. Blakeman, I was
25 fortunate enough to attend the Town community

1 Forum that was held at my kindergarten - -

2 (Whereupon, the three minute bell rang.

3 After, the following ensued.)

4 MICHAEL TURI: It says there is going to be Page | 101
5 a HUB hearing, was it on May 7th?

6 SUPERVISOR GILLEN: Yes.

7 MICHAEL TURI: So, the May 7th meeting as of
8 right, now, as is this one, as the one after it,
9 are all in the morning, would you say that the
10 majority of the residents that live - - who live
11 in that District can get off of work to come
12 here and put their opinion on the record for the
13 trans-overlay?

14 COUNCILMAN BLAKEMAN: Well, that is a very
15 good question and as you said, you were at the
16 meeting that we held, so, we held an evening
17 meeting.

18 MICHAEL TURI: That is right, it was very
19 informative.

20 COUNCILMAN BLAKEMAN: We are not required
21 by law, but, I thought it was important not only
22 did we hold a meeting in the evening, we went
23 the extra step and provided direct notice to the
24 surrounding community by sending them a letter
25 informing them of the meeting so that they

1 would be available.

2 We also had an evening meeting with key
3 stakeholders.

4 We met with, um, the MTA. We met with NICE Page | 102
5 bus.

6 We met with the Mayor of Lawrence.

7 We met with the Mayor of Cedarhurst. We
8 met with the Inwood Civic Association, the
9 Lawrence/Cedarhurst Fire Department, the Inwood
10 Fire Department and a variety of other
11 stakeholders in the community which we had at
12 night and we had a meeting.

13 At that point, we discussed it.

14 With respect to your specific question, we
15 have found that there is no material difference
16 whatsoever in attendance at meetings in the Town
17 Hall for regular Board Meetings, whether it be
18 at night or during the day.

19 It is usually the same amount or pretty
20 close to the same amount of people.

21 So, um, we did have evening meetings and,
22 um, the public has been informed and we have had
23 no secret about what we want to do.

24 I am happy that my unofficial poll is at
25 ninety-five percent of the people that live

1 in that community are for it.

2 MICHAEL TURI: Okay, I don't directly live
3 there, so, I couldn't speak to that, but, I will
4 say that I felt the meeting was informative. Page | 103

5 I appreciate that things were sent out to
6 inform the community of the meeting.

7 I guess would it be possible to send things
8 out to where - - all the residents about the May
9 7th Public Hearing so they could potentially come
10 to that, if they don't know about it already?

11 COUNCILMAN BLAKEMAN: Well, we will think
12 about that, but, we don't want to get in the
13 practice of doing that.

14 It is very expensive. We wanted to do it
15 one time before we have the Public Hearing so we
16 would get the community's input if we had to
17 tweak anything and we have tweaked some of the
18 plans based on some of the public comments.

19 If We start doing that, it would get too
20 expensive.

21 Every application you could say we should
22 mail to people and it is about, I think, .50
23 cents a letter.

24 So, it is kind of expensive. So, thank you
25 for bringing that up.

1 I appreciate it.

2 MICHAEL TURI: Thank you for taking the
3 time to hear me speak and have a lovely day.
4 Thank you.

5 COUNCILMAN BLAKEMAN: Thank you.

6 SUPERVISOR GILLEN: Thank you.

7 Mr. Conroy, would you, please come forward
8 for a moment.

9 Good afternoon, Mr. Conroy. So, I just
10 have a couple questions about some of the
11 personnel actions that are in this agenda and I
12 just wanted to confirm with you that all of the
13 personnel items that have been put forward by
14 the Parks Department, you signed off, that there
15 are no funds, is that correct?

16 COMPTROLLER CONROY: I did and I wanted to
17 add my responsibility is to determine if there
18 are funds available and it is limited to funds
19 available.

20 SUPERVISOR GILLEN: There are no funds
21 available for any of the personnel actions that
22 are proposed by the Parks Department?

23 COMPTROLLER CONROY: Right.

24 SUPERVISOR GILLEN: Also, I have brought
25 with me a copy of the budget.

1 Ms. Hanson, would you please hand this to
2 the Commissioner.

3 COUNCILMAN BLAKEMAN: Excuse me,
4 Supervisor, if I might interject, there are no
5 funds directly in the Parks Department, but, as
6 you explained at the last meeting, at the end of
7 the year we settle up between various
8 departments.

9 SUPERVISOR GILLEN: I didn't explain that,
10 maybe you explained that.

11 I didn't explain that.

12 COUNCILMAN BLAKEMAN: I didn't say "you,"
13 he did. He did. You explained that it is
14 normal operating procedure for most
15 municipalities to settle up at the end of the
16 year.

17 We are looking at various departments, some
18 will have a surplus, some will have a slight
19 deficit and we settle and we prepare the next
20 budget, correct?

21 COMPTROLLER CONROY: Correct.

22 COUNCILMAN BLAKEMAN: It is not we don't
23 have the money, it is just it might not be in
24 that particular place and if there is a need
25 that we didn't anticipate when we pass the

1 Budget, we shouldn't be paralyzed about that if
2 there are sufficient funds in, at least, that we
3 can settle up with at the end of the year, is
4 that correct? Page | 106

5 COMPROLLER CONROY: Yes.

6 SUPERVISOR GILLEN: But, is it fair to say,
7 Mr. Conroy, that the reason you develop a budget
8 is to project where you would like to be in and
9 the amount of money you like to spend each year
10 and as individual homeowners, as individuals, as
11 a municipality, we should try to live within a
12 budget because we set a budget because that is
13 the expectation of what you are supposed to be
14 spending each year?

15 COMPROLLER CONROY: A budget, Supervisor,
16 in all due respect is a projection.

17 It is exactly what you just laid out.

18 SUPERVISOR GILLEN: It is a projection,
19 yes.

20 COMPROLLER CONROY: It is a projection.

21 SUPERVISOR GILLEN: But, it is a
22 projection, do you make projections so you can
23 just say we don't care about these numbers and
24 spend and spend and spend and it doesn't matter?

25 COMPROLLER CONROY: Absolutely, no,

1 the Comptroller's Office puts forth a very
2 responsible projection, a budget, in fact, we
3 have been cited often as to our conservative
4 practices regarding our budget.

5 SUPERVISOR GILLEN: And, would you say it
6 is conservative to try to live within the
7 projections in your budget?

8 COMPTROLLER CONROY: I am sorry?

9 SUPERVISOR GILLEN: In the conservative
10 practices to try to live within the projections
11 that are in a budget, is that fiscally
12 responsible?

13 COMPTROLLER CONROY: That is fiscally
14 responsible based on how you laid out your
15 projections, things change during the course of
16 the year.

17 One thing we don't know, I don't have it in
18 front of me, how many retirements happened in
19 the Parks Department.

20 COUNCILMAN BLAKEMAN: If you could pause
21 for one moment, I think, Mr. Sammon delved into
22 the issue to determine whether there would be
23 money available.

24 Mr. Sammon, would you come forward and tell
25 us why you signed off on this?

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

DIRECTOR SAMMON: Good Afternoon,

Supervisor, Members of the Board:

I have been Director of Human Resources for
32 years.

Each year we have, obviously, um, approved
personnel changes to the current budget at the
time.

It has never been a problem historically
because as Councilman Blakeman just described,
there is a reconciliation that takes place at
the end of the year where money is moved around
to cover unanticipated expenses in the personnel
lines.

Life has a way of interfering with the best
laid plans and we adapt to them and we have
methods to adapt to it.

In this particular instance, there were
five resolutions from the Parks Department in
the Personnel Calendar.

I took a look at the retirements, so far to
date, I looked at the less savings that were
projected for the Parks Department, it was 1.4
million to date.

I believe there is almost eight hundred
thousand in retirements that have been realized

1 and we are not even halfway through the year.

2 SUPERVISOR GILLEN: In the Parks
3 Department?

4 DIRECTOR SAMMON: Right, so, I believe the ^{Page | 109}
5 Town of Hempstead will function correctly and
6 appropriately with having to amend the budget,
7 here and thereto meet the needs of the Park.

8 SUPERVISOR GILLEN: But under the concept
9 of less savings, we are taking money out of the
10 budget because people are retiring and we are
11 not supposed to be replacing those people, so, I
12 don't understand how you are saying because they
13 are retirements, there is additional money in
14 the budget because we are not supposed to be
15 spending the money under the theory of less
16 savings.

17 DIRECTOR SAMMON: Any of these amounts are
18 less than we are realizing from the retirements.

19 As, I said, historically, there is year-end
20 reconciliations.

21 To my knowledge, there has never been a
22 problem.

23 SUPERVISOR GILLEN: So, projections don't
24 really matter?

25 We don't have to live within a budget?

1 Let's throw everything out, there with
2 respect to the budget.

3 Ms. Hanson, do you have the budget?

4 Mr. Conroy, could you, please take a look Page | 110
5 at the budget.

6 I tried to flag the area.

7 Could you, please, tell me where in the
8 budget, if anywhere, a second Deputy
9 Commissioner in Senior Enrichment is budgeted
10 for?

11 This move was not discussed with my office.

12 The work order came over on Thursday.
13 Could you, please, tell me how there is funding
14 to support this move for Ms. Pugliese from
15 Councilman Blakeman's Office to become a Deputy
16 Commissioner in Senior Enrichment?

17 It was based on the current employees
18 fulltime payroll in Senior Enrichment is over
19 budgeted by three million dollars and because of
20 less savings, only 2.8, roughly is budgeted.

21 So, how can you say there is funding for
22 this move?

23 COUNCILMAN BLAKEMAN: Mr. Conroy - -

24 SUPERVISOR GILLEN: I am asking a question.

25 COUNCILMAN BLAKEMAN: I understand that.

1 And, certainly acknowledge your right to
2 ask that question.

3 I am sure he will answer, but beforehand, I
4 just like to set the stage for what occurred. Page | 111

5 First of all, um, Debbie Pugliese has
6 worked for me in excess of two years.

7 She worked more than forty-hour weeks.

8 She probably worked fifty to sixty-hour
9 weeks.

10 She is the lowest paid Chief of Staff or
11 Executive Assistant or whatever the title is for
12 any Member of the Board.

13 And, basically, um, I discussed with her a
14 raise and I discussed with her additional duties
15 and she indicated to me that it was her life-
16 long dream to work with our senior citizens.

17 And, that she had an affinity towards
18 working in Senior Enrichment.

19 As a matter of fact, unfortunately, a close
20 friend of hers that she took care of in the
21 community, I think she is ninety years old,
22 passed away.

23 Debbie was the primary care giver.

24 This is something that she wanted to do and
25 I enthusiastically support her, although,

1 I am going to be very disappointed and at a
2 disadvantage not having her working for me
3 because she was outstanding in her work,
4 especially constituent work, as Ms. Williams
5 indicated.

6 So, um, she had this dream. My
7 understanding was the money was available, that
8 the title was available and certainly people who
9 excel here in the Town of Hempstead should be
10 entitled to pursue their dreams and advancement.

11 So, I enthusiastically support it.

12 So, Mr. Conroy, you can answer the
13 question, but, that is the premise of why and I
14 will tell you she was by far the lowest paid
15 person doing the same work that anybody else did
16 on the 4th floor.

17 SUPERVISOR GILLEN: I will respond to that;
18 maybe all of that maybe true.

19 Certainly I support workers of the Town of
20 Hempstead seeing their dreams and their career
21 advancement fulfilled.

22 Eight Tozner people were rejected by this
23 Board last week.

24 Their dreams were not fulfilled because
25 they have been waiting for years to become

1 Fulltime from part-time.

2 And, um, in terms of Ms. Pugliese, this is
3 no comment on Ms. Pugliese.

4 She could be the most fantastic worker that ^{Page | 113}
5 we have here.

6 What I am asking is nowhere in the budget
7 is there a request for a second Deputy
8 Commissioner and I never heard anything about
9 these dreams until right, now.

10 And, this wasn't discussed with me until
11 Thursday when I got the paperwork for this.

12 Um, I do have to correct something, I think
13 I misspoke the current payroll in Senior
14 Enrichment is budgeted and projected to be over
15 three million dollars because of less savings
16 only 2.8 million is budgeted so we are adding
17 another employee.

18 So, I think I may have misspoke.

19 I just want to clarify that.

20 So, just if you could tell me is there
21 anywhere in that budget a salary for a second
22 Deputy Commissioner in Senior Enrichment
23 budgeted?

24 COMPTROLLER CONROY: Supervisor, can we
25 just go back to the numbers.

1 You just cited, I kind of disagree with
2 what you just said.

3 SUPERVISOR GILLEN: Could you, please, step
4 over. Thank you.

5 You can respond.

6 COUNCILMAN BLAKEMAN: Why don't you let him
7 answer and she can add.

8 COMPTROLLER CONROY: The total budget in
9 the Senior Enrichment for the labor dollars,
10 salary and wages, the grand total is three
11 million two hundred and eighty-seven thousand
12 dollars.

13 Part and parcel to that is less savings.

14 Less savings being retirements we
15 anticipate during the course of the year, that
16 we will avoid those salaries that is three
17 hundred and twenty thousand dollars.

18 Prior to less savings, had that not been
19 factored in, the total salary would be 3.6
20 million dollars.

21 I think you mentioned a number of 2.6.

22 I just wanted, for the record, to clarify
23 that.

24 COUNCILMAN BLAKEMAN: Mr. Sammon, will Ms.
25 Pugliese be the lowest paid Deputy Commissioner

1 in the Town of Hempstead?

2 DIRECTOR SAMMON: Yes, sir.

3 COUNCILMAN BLAKEMAN: Thank you.

4 SUPERVISOR GILLEN: It is not about her, Page | 115

5 what her pay is comparative to other Deputy
6 Commissioners, it is about whether or not if
7 this is something in the budget, whether this is
8 something we anticipated.

9 The Commissioner of Senior Enrichment
10 didn't say when we did the budgeting process, I
11 need a second Deputy Commissioner.

12 We are creating a position that is not
13 budgeted to fill Ms. Pugliese's dreams.

14 I have no problem with her having her
15 dreams fulfilled and moving over to Senior
16 Enrichment, but, we have to have the money for
17 it.

18 And, there has to be a position available.

19 Ms. Smith, can you speak to those numbers,
20 please.

21 (Whereupon, "use the microphone," was heard
22 calling out from the audience. After, the
23 following ensued.)

24 SUPERVISOR GILLEN: Mr. Sammon, would you
25 let Ms. Smith sit there, please.

1 MS. SMITH: Good Afternoon, Members of the
2 Board.

3 SUPERVISOR GILLEN: Please, speak into the
4 microphone, Ms. Smith. Page | 116

5 MS. SMITH: Sure, so, adopted budget has a
6 total budgeted payroll, now, payroll has several
7 components that are not budgeable; longevity,
8 part-time and, um, the buy backs, so, all of
9 that is included in the 3.2 million currently
10 budgeted for Senior Enrichment.

11 The line for fulltime, which is where we
12 are, um, adjusting for less savings because
13 presumably it is the fulltime folks that are
14 expected to leave.

15 That number was grossed in the budget at
16 3.17 with less savings which is three hundred
17 and thirty thousand.

18 The budgeted number, the new budgeted
19 number, is, now, 2.8 million looking at the
20 folks who are on staff, today, which will end
21 the year at three million, so, we are trending
22 to go over budgeted strictly on the fulltime
23 line.

24 So, now, if you take payroll, no, we are
25 not there, yet.

1 If you look at the fulltime, which is where
2 the less savings adjustments come from, you will
3 be over budgeted on the Senior Enrichment
4 fulltime line.

5 SUPERVISOR GILLEN: Thank you.

6 COUNCILMAN BLAKEMAN: So, Ms. Smith, I have
7 a question for you, you are the person
8 responsible for preparing the Supervisor's
9 budget, is that correct?

10 MS. SMITH: The Supervisor doesn't have a
11 different budget.

12 There is only one budget.

13 COUNCILMAN BLAKEMAN: No, the Supervisor
14 has to propose a budget under Town Code.

15 MS. SMITH: Correct.

16 COUNCILMAN BLAKEMAN: She will propose a
17 budget, correct?

18 SUPERVISOR GILLEN: In conjunction with our
19 Comptroller.

20 We work collaboratively with our
21 Comptroller and every Commissioner in the Town
22 of Hempstead to come up with a budget.

23 COUNCILMAN BLAKEMAN: Ms. Smith is your
24 representative in that group, correct?

25 SUPERVISOR GILLEN: Ms. Smith is my

1 Financial Advisor.

2 COUNCILMAN BLAKEMAN: Okay, let's not play
3 games, she is, right?

4 SUPERVISOR GILLEN: There are no games. Page | 118

5 COUNCILMAN BLAKEMAN: I am not just
6 questioning your qualifications; you are the one
7 that is responsible?

8 MS. SMITH: Sorry?

9 COUNCILMAN BLAKEMAN: You are the one that
10 is responsible to bring it all together, to put
11 forth the Supervisor's budget?

12 MS. SMITH: Not - - again, I work with the
13 Comptroller's Department, yes, to put it
14 together.

15 COUNCILMAN BLAKEMAN: Yes?

16 MS. SMITH: Yes.

17 COUNCILMAN BLAKEMAN: It is not a trick
18 question.

19 MS. SMITH: Okay.

20 COUNCILMAN BLAKEMAN: Basically, you
21 anticipate based on what you have seen so far in
22 the first four-plus months, that the Supervisor
23 will be proposing a tax increase or will the
24 Supervisor be proposing a flat tax?

25 MS. SMITH: I have no idea.

HEMPSTEAD TOWN BOARD 4/16/19

1 SUPERVISOR GILLEN: We are not preparing
2 our budget.

3 COUNCILMAN BLAKEMAN: Let me finish, if we
4 are in danger, do you anticipate that at the end ^{Page | 119}
5 of the year that the Supervisor will propose an
6 increase in taxes?

7 SUPERVISOR GILLEN: Ms. Smith, I will tell
8 you not to answer that question.

9 We are not going to make a guess.

10 COUNCILMAN BLAKEMAN: I am sorry, she got
11 up at the microphone.

12 SUPERVISOR GILLEN: And, she is talking
13 about the numbers in the budget.

14 COUNCILMAN BLAKEMAN: She is qualified.
15 Don't act as her lawyer.

16 (Whereupon, applause from the audience was
17 heard. After, the following ensued.)

18 COUNCILMAN BLAKEMAN: I am sure you can
19 answer the question.

20 MS. SMITH: With the adjustment of 8.1
21 million that was made by the Board, looking at
22 the payroll every week has been - - becoming
23 something that we are doing to make sure that
24 the Supervisor gets to what the Board has
25 restricted as the amount of payroll.

1 Um, that means, perhaps, she has to cut
2 back on some of the spending in order to get
3 there.

4 I don't - -

5 COUNCILMAN BLAKEMAN: Get where? Get
6 where?

7 SUPERVISOR GILLEN: Live with the less
8 savings budget that you put in the budget.

9 MS. SMITH: Live with the 8.1 million that
10 was adjusted to the amounts that total the
11 fulltime salaries, um, in October - -

12 COUNCILMAN BLAKEMAN: Do you know who the
13 rating agencies are?

14 (Whereupon, "oh, my God," was heard calling
15 out from the audience. After, the following
16 ensued.)

17 MS. SMITH: Um, are you speaking of
18 Moody's?

19 COUNCILMAN BLAKEMAN: Yes.

20 MS. SMITH: Yes, I am familiar.

21 COUNCILMAN BLAKEMAN: Their outlook was
22 positive.

23 MS. SMITH: Absolutely.

24 COUNCILMAN BLAKEMAN: Is there any reason
25 why you disagree with them?

1 Do you think we will have a positive
2 outlook this year?

3 MS. SMITH: Again, respectfully, you have
4 to manage the budget and part of what the Page | 121
5 Supervisor is doing is managing the budget.

6 The budget doesn't happen - -

7 COUNCILMAN BLAKEMAN: Excuse me, I am
8 sorry, I am interrupting - -

9 MS. SMITH: No, no, the Supervisor can't
10 just sign off, at least, I am the person that
11 gives her some guidance on financing matters.

12 She can't continue to sign off on positions
13 that were not budgeted and expect to be where
14 the Board would like her to be based on the
15 adopted budget.

16 SUPERVISOR GILLEN: Thank you, Ms. Smith.

17 COUNCILMAN BLAKEMAN: There is nothing
18 right, now, that is alarming, correct?

19 MS. SMITH: No, let's not say that.

20 COUNCILMAN BLAKEMAN: Other than the fact
21 that you know the State wanted to take four
22 million-dollars-worth of aid from the Town.

23 There is nothing that is alarming.

24 MS. SMITH: If we look on a departmental
25 basis, there are some departments because

1 of significant payouts that are in trouble,
2 frankly.

3 Hopefully spending, um, restrictions and
4 pending restrictions in other areas will get u ^{Page | 122}
5 to where we should be for the Town.

6 SUPERVISOR GILLEN: Thank you.

7 COUNCILMAN D'ESPOSITO: I just have a quick
8 question, if I may.

9 Mr. Conroy, obviously, knowing your
10 history, um, I have full faith in the work that
11 you do.

12 Ms. Smith, I don't know you that well. I
13 know from your resume you worked in other
14 Democratic Administrations, just asking both of
15 you, in the years in municipalities, practicing
16 municipal financing and putting together
17 municipal budgets, is end of year reconciliation
18 accepted practice?

19 COMPTROLLER CONROY: It is.

20 Can I make a few comments regarding what
21 has been said here in the last few minutes with
22 regard to less savings, it is interesting that
23 we bring that topic up, now, because I was going
24 over the numbers with my staff this morning,
25 less savings in the budget was 8.2 million

1 Dollars which is a reduction in the salary line,
2 what we anticipate to be retirements and/or
3 those who leave service with the Town of
4 Hempstead.

5 We are better than halfway home.

6 We are more than four million dollars in
7 voided salaries and that is only after the first
8 quarter of the year.

9 (Whereupon, applause from the audience was
10 heard. After, the following ensued.)

11 COMPTROLLER CONROY: I think and I argue
12 vehemently my budget process, the appropriate
13 thing to do is factor in less savings because we
14 know in the course of the year and we have
15 history in this regard, that we will have
16 retirements and the budget does not call for a
17 partial budgeting of a position.

18 It calls for the full year, so, less
19 savings is, in fact, the appropriate thing to
20 do.

21 SUPERVISOR GILLEN: Actually, Mr. Conroy,
22 when you prepared the budget with us, we took
23 less savings out.

24 COMPTROLLER CONROY: Right.

25 SUPERVISOR GILLEN: It was Mr. Mastromarino

1 who put less savings back in.

2 COMPROLLER CONROY: I agree with the
3 decision that he took then and I stand behind
4 that and the numbers will, in fact, prove it Page | 124
5 out.

6 In fact, in the prior budget 2018 budget,
7 which factored in ten million dollars for less
8 savings, the actual number and Supervisor, I
9 have a meeting with you next week, it is eleven
10 million dollars.

11 We did one million dollars better than we
12 had projected and that is in line with the
13 conservative budget practices.

14 SUPERVISOR GILLEN: That is because I was
15 managing the budget, that is, in fact, true.
16 Thank you, Mr. Conroy.

17 Thank you, Ms. Smith.

18 I like to thank you for keeping a careful
19 eye on payroll and trying to make us live within
20 our budget.

21 Thank you, Ms. Smith.

22 Mr. Procacci?

23 FELIX PROCACCI: Felix Procacci. 1165
24 Barnes Street, Franklin Square, New York.

25 Since we are talking about budgeted

1 positions, Edward Ra and his wife were both given
2 job positions that didn't exist in the budget
3 prior to their hire and his wife actually two
4 times when she got transferred to the Civil
5 Service Department.

6 That position did not exist, so, you know,
7 that is a fact.

8 Then, Mr. Blakeman, who represents anybody,
9 I called him five times during the budget week
10 and he didn't respond to any of the calls.

11 So, I am not represented any way, so that
12 is a fact.

13 And, I don't want to hear from you.

14 I don't want to hear from you.

15 COUNCILMAN DUNNE: You never called me or
16 my office, so, don't come here and lie.

17 Your credibility is shot.

18 SUPERVISOR GILLEN: Let Mr. Procacci
19 finish, please.

20 FELIX PROCACCI: Go away.

21 I agree with all the comments, Tammie an
22 Aubrey made, um, the cost of a special election
23 would be cost prohibited, especially, in this
24 case where there would be an election seat in
25 November.

1 The fact of holding onto Michael Deery for
2 an additional nine months, holding onto Cheryl
3 Petri, she has held four different positions, I
4 guess, in the last eighteen months, so, we don't
5 know where to put her, that was one hundred
6 thirty-five thousand dollars, one hundred and
7 fifty thousand.

8 At least, Michael Deery, not including the
9 benefits that more than paid for many special
10 elections, we can have, but we are only budgeted
11 for stuff that we care ab out and we don't care
12 about special elections.

13 And, as far as leaving it vacant, everybody
14 here was fine when Angie Cullen for six months
15 was absent without leave, so, the idea we care
16 about - -

17 COUNCILWOMAN KING-SWEENEY: Angie Cullen,
18 she has since passed away.

19 She was an amazing public servant. You are
20 out of line.

21 FELIX PROCACCI: I am not criticizing her.

22 COUNCILWOMAN KING-SWEENEY: You are out of
23 line.

24 FELIX PROCACCI: I am not criticizing her.

25 COUNCILWOMAN KING-SWEENEY: You are out

1 of line. Stop and apologize. She was sick.

2 FELIX PROCACCI: And, you replaced her in
3 July. You knew she was sick.

4 Anyway - -

5 COUNCILWOMAN KING-SWEENEY: The
6 Councilwoman Angie Cullin, there are HIPA law.
7 Please, be respectful. You have crossed the
8 line and you are rude.

9 SUPERVISOR GILLEN: I believe Mr. Procacci
10 was making the point her seat was vacant. I
11 don't think he was insulting Ms. Cullin.

12 COUNCILWOMAN KING-SWEENEY: It was not
13 vacant. She was there. She happened to be
14 going through some medical issues that were none
15 of your business.

16 It has nothing to do with you and she has
17 since passed away.

18 She was an amazing public servant. So,
19 stop being rude.

20 (Whereupon, applause from the audience was
21 heard. After, the following ensued.)

22 FELIX PROCACCI: The Gillen versus the
23 Town of Hempstead litigation that the Town is,
24 now, thinking about appealing is going to cost
25 tens of thousands of dollars, one hundred

1 thousand dollars.

2 This is more money that is not necessary
3 and erroneous about this.

4 The Town is, if they go ahead with this
5 appeal, they are going against their own
6 interests.

7 They are giving away something that was
8 never negotiated in a fair negotiation with the
9 CSEA. It was never a fair negotiation.

10 COUNCILMAN D'ESPOSITO: Are we still on the
11 Administrative Calendar?

12 FELIX PROCACCI: I am trying to speak,
13 please.

14 COUNCILMAN D'ESPOSITO: The contract is not
15 on the Administrative Calendar.

16 FELIX PROCACCI: No, no, we are talking ab
17 out the cost of special elections, that is the
18 statement made by - - in Newsday, people who
19 are for this - -

20 COUNCILMAN D'ESPOSITO: You are just
21 talking about - -

22 FELIX PROCACCI: Oh my God, oh, my God.

23 SUPERVISOR GILLEN: Mr. Procacci, please,
24 calm down.

25 COUNCILMAN D'ESPOSITO: Felix - -

1 FELIX PROCACCI: On the Ethics law - - just
2 shut up, just shut up.

3 COUNCILMAN D'ESPOSITO: Happy Easter.

4 FELIX PROCACCI: Go to hell.

5 SUPERVISOR GILLEN: Mr. Procacchi, speak out
6 like that one more time, I am going to have to
7 ask you to leave.

8 (Whereupon, "shut up," was heard yelling
9 out from the audience. After, the following
10 ensued.)

11 SUPERVISOR GILLEN: Please, let's behalf in
12 a civilized manner. Please, do not speak out
13 from the gallery.

14 If you scream out, once, you will get a
15 warning. If you scream out, again, you will be
16 asked to leave.

17 Barbara Thomas?

18 BARBARA THOMAS: Good Morning, Barbara
19 Thomas, Massapequa, New York.

20 And, I am here to support Ashley Behrens.
21 I am very excited about this, um, Resolution to
22 hire her at the Town of Hempstead.

23 She has a proven record of success. She is
24 also awesome with people.

25 She is awesome with animals and she

1 has a tremendous support system here on Long
2 Island and I support the resolution and I thank
3 you. She is awesome.

4 SUPERVISOR GILLEN: Thank you, Ms. Thomas. Page | 130

5 Brett Murray? Michael Lasore?

6 Meta Mereday?

7 META MEREDAY: Meta Mereday, Baldwin
8 resident.

9 We are on the Administrative Calendar?

10 SUPERVISOR GILLEN: We are on the
11 Administrative Calendar.

12 META MEREDAY: Yes, with regard to my
13 ongoing request, on these contracts that I asked
14 it is a simple, simple request for these
15 contracts that are being awarded, if we could
16 possible designate if it MBE, WBE, service
17 disabled owned business, so, I can, at least
18 have some hope that there is diversity.

19 With regard to the procurement process,
20 overall, I have a question about Number 28, I
21 just wanted to get some details.

22 SUPERVISOR GILLEN: So, on that Item
23 Number 28, you already approved, um the sale of
24 the property, subject to appraisal, we got
25 competing appraisals which came to fair

1 Market value.

2 The property is - - this is just correcting
3 the prior resolution that authorized the sale
4 and purchase of this land.

5 It did not specifically authorize anyone
6 else to execute the deed, so, this is just
7 giving authorization, the Board to do that, to
8 complete the sale.

9 META MEREDAY: Okay, the purchase and
10 everything, the transaction is already occurred?

11 SUPERVISOR GILLEN: Yes.

12 META MEREDAY: Okay and so the funding, the
13 funding for that is applied to what?

14 Is that considered a gain or - -

15 SUPERVISOR GILLEN: Mr. Ra, do you have a
16 recollection of what the price of the parcel
17 was?

18 Does anybody? Mr. Ra?

19 About fifty-five thousand dollars.

20 META MEREDAY: For thirty-two thousand - -

21 SUPERVISOR GILLEN: It is underwater
22 property.

23 META MEREDAY: As most of our residents are
24 aware - - and does that remove us from the
25 responsibility as to the taxes?

1 (Whereupon, "it is municipality property,"
2 calling out from the audience. After, the
3 following ensued.)

4 SUPERVISOR GILLEN: It is municipality
5 property and it is, now, going to be conveyed to
6 Long Beach.

7 (Whereupon, "it was never on the tax roll,"
8 was heard calling out from the audience. After,
9 the following ensued.)

10 SUPERVISOR GILLEN: It was never on the tax
11 roll.

12 META MEREDAY: Okay, okay, I encouraged
13 with regard to the upcoming overlay projects,
14 um, but, again, my request is consistent with
15 having procurement that is inclusive and
16 hopefully that is within the Code of Ethics
17 since the discussion is focused more so on
18 employment and family relations.

19 I am hoping that the vetting process is
20 under review, that the process entails that with
21 regard to procurement and that we look at
22 qualifications and diversity inclusion versus
23 the family relationships.

24 The upcoming Hearings, I am also very
25 encouraged by that and look forward

1 to working with all respective entities for the
2 Hearings on May 21st and those further as it
3 pertains to development efforts that are
4 inclusive of, um, other aspects, residents who
5 are trying to make a difference within the
6 community.

7 So, I am encouraged by all of that, okay.

8 Thank you.

9 COUNCILMAN DUNNE: Ms. Mereday, before you
10 leave, could you - - my aide is here, I would
11 like you to give her your phone number that we
12 can reach you and discuss further disabled
13 Veterans.

14 META MEREDAY: Sure, no problem.

15 I have a few second left, I would like to
16 say within these proceedings, at least, to give
17 residents who are not able to be here an I have
18 been one of those having more meetings in the
19 evening, more outreach.

20 Everyone is not going to the website.

21 We have to get a broader scope. I
22 appreciate the Town Clerk's efforts increasing,
23 las far as, multilingual, we need to address
24 that.

25 We need to make things a little more

1 Responsive to residents so that they can get here,
2 um and particularly including the - - give us an
3 opportunity to say that we do reflect the
4 diversity within the community because right, Page | 134
5 now, I don't see it.

6 But, I also appreciate your efforts with
7 regard to the budget.

8 SUPERVISOR GILLEN: Thank you, Ms. Mereday.
9 Diane Madden?

10 DIANE MADDEN: Diane Madden. I would also
11 like to speak on the Hearing of Ashley Behrens
12 from Brookhaven.

13 I do support this Resolution, um, I think
14 that many of us have been on the edge of our
15 seats because we were told that Christie Bronty
16 applied for this position.

17 I think this Board has come a long way and,
18 um, you know, I think, also that she is going to
19 need our continued support.

20 She is going to need authority.

21 Um, what I do like about Ashley is that she
22 ran a very cohesive volunteer program in
23 Brookhaven.

24 Um, it is quite an embarrassment not to me
25 but that the Union President had to come in

1 here and point out the bullying and the
2 intimidation as if she doesn't have enough to do
3 and enough to carry being the Union President,
4 that is quite an embarrassment.

5 However, I am glad it is addressed.

6 The lack of volunteers to support Ashley is
7 a little concerning but not surprising.

8 Um, of course, we are going to be looking
9 at immediately, at her philosophy.

10 She comes from a government shelter which
11 has pros and cons.

12 Sometimes people who come from government
13 shelters are use to the mindset of being
14 compensated to be successful for the failure of
15 other employees who do not do their job, such as
16 trainers.

17 Anyone that is not competent to do their
18 job - - I hope that is not her plan.

19 Um, I am hoping she is not going to
20 continue the pattern of sending her animals from
21 one cage to a crate to warehouse somewhere.

22 I am hoping hat her philosophy, um, matches
23 ours and that her standards and her expectations
24 and animal care an welfare are aligned with the
25 people that have come here since 20110 to speak

1 on their behalf.

2 I, um, I also hope that she would bring
3 even further transparency.

4 I am concerned that everything needs to be ^{Page | 136}
5 in the open.

6 Nothing should be in secrecy.

7 Nothing should be in the back out of the
8 hands of people that care about those animals.

9 That shelter should be transparent and it
10 should start tomorrow when she starts.

11 Hopefully, that is the direction I hope
12 this Board will go.

13 Um, I do hope that they will keep their
14 commitment if Ashley does the job that everyone
15 is expecting her to do to move Mr. Pastore out
16 of our animal shelter and move him.

17 I don't care where you move him.

18 I don't want to pay his salary and keep him
19 as far away from animals as far as you can.

20 Lastly, I, um, I hope that Ashley
21 understands that although the many people that
22 come here and speak about animals primarily
23 speak about dogs, they actually have cats.

24 We actually care about those cats. We want
25 those cats to have equal opportunity for

1 medical treatment, for placement and anything that
2 those cats need, equal to what the dogs have
3 been receiving. Thank you and I encourage you
4 to pass this resolution and look forward to
5 moving forward.

6 (Whereupon, the three-minute bell rang.
7 After, the following ensued.)

8 DIANE MADDEN: I hope Ashley will pick up
9 the phone first thing and demand there is no
10 politicizing our animal shelter anymore.

11 Number 2, that she gets on the phone with
12 two people that are out, right, now, that are so
13 distraught emotionally from what is going on at
14 that shelter, animal lovers and I hope she will
15 pick up the phone and say, I want you to return
16 because we are, now, on the upswing.

17 SUPERVISOR GILLEN: Mary Ellen Kreye?

18 MARY ELLEN KREYE: Mary Ellen Kreye. 436
19 Locust Avenue, Uniondale.

20 Two items, I never been in favor of the
21 appointments to political positions and so I
22 definitely oppose this particular appointment.

23 And, I think that the suggestion of putting
24 the special election or a special election with
25 a Primary, would work very well.

1 The other item is Number 27 which is about
2 the Saint Michael's home, we have been very much
3 involved.

4 I am in favor. Thank you.

5 SUPERVISOR GILLEN: Thank you, Ms. Kreye.
6 Ms. Defina?

7 LUCILLE DEFINA: Good Afternoon. I am also
8 here speaking about Item 32, about the hiring of
9 Ashley Behrens for the Assistant Director's
10 position.

11 Um, I do not know her.

12 I am just reading different comments about
13 here and listening to what people know of her
14 and it sounds very promising.

15 My concern is anytime you hire someone, how
16 is it going to work when you still have the
17 majority of people in there, who are working
18 against those policies, working against you?

19 How is someone going to come in and be
20 successful?

21 Just as when you came in, Supervisor
22 Gillen, we had high hopes for you too.

23 And, look what happened within a couple of
24 weeks.

25 It seems like your whole

1 Administration went against us and made us
2 suddenly the enemy, the people that were
3 fighting for the animals.

4 (Whereupon, applause from the audience was ^{Page | 139}
5 heard. After, the following ensued.)

6 LUCILLE DEFINA: For, ten, fifteen years
7 prior to you, how can - - I no longer have hope
8 in one person coming in because just like when
9 you came in, your Administration and your
10 liaison, everyone was brainwashed into thinking
11 inside people at the shelter that have the
12 control or always had the control of information
13 and feed people lines and brainwashed the entire
14 staff, is that going to happen, again?

15 So, I do not understand how anyone can be
16 successful under that roof until you removed the
17 poison that has taken over that shelter and it
18 starts with Pastore.

19 And, there is a couple of others, so, that
20 is just something I like everyone to think about
21 because what is going on in that shelter is far
22 more dangerous and to think that one person is
23 going to come in and try to fight against all
24 those people who are holding their ground and
25 are going to do everything to destroy her

1 will be impossible.

2 SUPERVISOR GILLEN: Thank you, Ms. Defina.

3 I do not have any other slips on the
4 Administrative Calendar, is there anybody else Page | 140
5 that would like to be heard?

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

8 COUNCILMAN BLAKEMAN: Supervisor, at this
9 time, I would like to move the Administrative
10 Calendar with the exception of Item 20 and that
11 be adjourned without date.

12 COUNCILMAN D'ESPOSITO: Second.

13 SUPERVISOR GILLEN: Madam Clerk, will you,
14 please, call the roll.

15 CLERK CABANA: Supervisor Gillen?

16 SUPERVISOR GILLEN: I vote yes on the
17 Administrative Calendar with the exception I vote
18 no on Item 23, as I stated very clearly I am not
19 supportive of appointments to the Town Board.

20 I don't care what other municipalities do,
21 but, I disagree with that practice, especially in
22 a Town like ours where we have Councilmanic
23 Districts.

24 Members of the Board select the
25 representatives for residents that they don't

1 represent is wrong, in my opinion, that is why I
2 put forward a resolution to call for a referendum
3 to let the voters decide if they want to bear the
4 costs of special elections in order to have the
5 benefit of choosing their own representative.

6 On further attempt to give the residents
7 their say, I put forward another Bill, which will
8 called for another appointment - - I put forward
9 another Bill which was to call for everyone to
10 agree not to appoint someone who was a declared
11 candidate for a seat, to not give a declared
12 candidate the power of incumbency.

13 Unfortunately, that proposal was voted
14 down.

15 Today, the majority has put forward, Mr.
16 Muscarella, a declared candidate for the Town
17 Council.

18 I urge all of the Members of this Board to
19 reconsider appointment - - by appointment is wrong
20 in many ways.

21 Business as usual should not happen.

22 Voters have the right to choose their
23 elected officials, not you.

24 Granting incumbency to someone already on
25 the ballot sends a message that this Town does

1 not want to change but our residents know and they
2 want better.

3 They will see through this move as they
4 have seen so many things things that are going on Page | 142
5 in Hempstead and the Administration that wants to
6 be accountable and transparent to residents.

7 I do not support this move to tip the
8 scales in November.

9 I also on Item Number 32, I vote yes to
10 everything except for all of the personnel actions
11 related to the Parks Department as the Comptroller
12 indicated, there is no money in the budget for
13 these, um, moves.

14 Um, I have the responsibility to administer
15 the budget and try to live within the budget that
16 we have.

17 The fact that we can move money around at
18 the end of the years is no comfort to me.

19 I also vote against the transfer of Ms.
20 Pugliese to the Senior Enrichment Department.

21 Again, I have no issue with Ms. Pugliese
22 and this is no comment on her work performance,
23 but, the Senior Enrichment Department has
24 projected to be overbudgeted on fulltime salaries.

25 This addition will put them further

1 Overbudget and all my discussion with the
2 Commissioner over the last year plus the
3 Department of Senior Enrichment has repeatedly
4 asked for us to help them, folks to deliver
5 services to our Seniors.

6 They asked for bus drivers.

7 They have asked for programing. They have
8 asked for people to deliver services to residents
9 and I agree with that focus.

10 The budget put forward by the Town Council
11 cut fulltime payroll and Senior Enrichment by
12 three hundred and thirty thousand dollars, making
13 it difficult for us to serve our Seniors as we
14 needed the monies going to be spent.

15 If we are going to be moving money around
16 after the fact, it should be spent on service
17 delivery staff, not unbudgeted management
18 positions, so, I vote no on that.

19 And, yes on everything else.

20 (Whereupon, applause from the audience was
21 heard. After, the following ensued.)

22 CLERK CABANA: Councilman Blakeman?

23 COUNCILMAN BLAKEMAN: Aye.

24 CLERK CABANA: Councilman D'Esposito?

25 COUNCILMAN D'ESPOSITO: Before I vote,

1 I just want to make another comment on the
2 appointment of Mr. Muscarella, much has been said
3 recently by Supervisor Laura Gillen and Mr. Tweedy
4 regarding the desirability of holding a special Page | 144
5 election to fill the vacant 2nd Councilmanic seat.

6 However, it is fair to ask the Supervisor
7 and Mr. Tweedy where they stood and what actions
8 they took on the issue of appointments to vacant
9 elected offices in the past.

10 Following are just some appointments we
11 have seen in the recent future, Veronica Lurvey
12 was appointed to the North Hempstead Town Board to
13 the 4th Councilmanic District seat in January of
14 2019 which was vacated by Anna Kaplan upon her
15 election to the State Senate.

16 Barbara Underwood was appointed Acting
17 Attorney General on May 8, 2018 when Attorney
18 General Eric Schneiderman resigned in disgrace.

19 Rather than attack a political appointment,
20 Supervisor Gillen congratulated Underwood in
21 tweets.

22 Kirsten Gillibrand was appointed to the
23 United States Senate by Governor Patterson in
24 January of 2009 to fill a vacancy created when
25 Hillary Clinton was appointed Secretary

1 of State.

2 Peter Zuckerman, North Hempstead Councilman
3 for the 2nd District was appointed to the North
4 Hempstead Town Board in January, 2004.

Page | 145

5 And, like I said before, I did leave a part
6 out, Ms. Gillen's running mate, Thomas Tweedy was
7 appointed to his first public office as a Floral
8 Park Trustee by former Mayor Ann Corbet in April,
9 2001, then as a Mayor, Mr. Tweedy not only
10 appointed two Members of the Village Board, as I
11 state earlier, one, Kevin Fitzgerald, April, 2011,
12 Second Lynn Pombonyo, who was appointed in
13 November of 2014, but there was a third to fill
14 the trifecta and that was Mr. Archie Cheng in
15 February of 2016 with and election - - Village
16 election just a mere one month away in March.

17 Quite hypocritical, Mr. Tweedy. I vote
18 aye.

19 SUPERVISOR GILLEN: I would like to point
20 out I am not the Governor of the State of New York
21 nor am I Supervisor of North Hempstead. I have no
22 control over what the Governor or the Supervisor
23 of North Hempstead does.

24 As you have acknowledged, Mr. D'Esposito, I
25 remain consistent with my position against

HEMPSTEAD TOWN BOARD 4/16/19

1 Appointing people to elected offices.

2 CLERK CABANA: Councilman Dunne?

3 COUNCILMAN DUNNE: Aye.

4 CLERK CABANA: Councilwoman King-Sweeney? Page | 146

5 COUNCILWOMAN KING-SWEENEY: Aye and
6 congratulations to Thomas Muscarella and his
7 beautiful wife, Rose.

8 It is a pleasure to see you and I look
9 forward to working with you - -

10 (Whereupon, applause from the audience was
11 heard. After, the following ensued.)

12 COUNCILWOMAN KING-SWEENEY: - - with our
13 tax cuts.

14 COUNCILMAN BLAKEMAN: Supervisor, I move we
15 adjourn the meeting and recess for twenty
16 minutes so people can use the restroom, get some
17 nutrition and our new Council Member could be
18 sworn in.

19 COUNCILMAN DUNNE: Second.

20 SUPERVISOR GILLEN: Madam Clerk?

21 CLERK CABANA: Supervisor Gillen?

22 SUPERVISOR GILLEN: Aye.

23 CLERK CABANA: Councilman Blakeman?

24 COUNCILMAN BLAKEMAN: Aye.

25 CLERK CABANA: Councilman D'Esposito?

HEMPSTEAD TOWN BOARD 4/16/19

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

COUNCILMAN D'ESPOSITO: Aye.

CLERK CABANA: Councilman Dunne?

COUNCILMAN DUNNE: Aye.

CLERK CABANA: Councilwoman King-Sweeney?

Page | 147

COUNCILWOMAN KING-SWEENEY: Aye.

(Whereupon, the official meeting of the
Hempstead Town Board was concluded.)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21

CERTIFICATE BY COURT REPORTER

I, do hereby certify that the foregoing
testimony in the matter of the Hempstead Town
Board Meeting held on April 16, 2019, consisting
of pages 1 through 148 inclusive is an accurate
transcription of my cryptic notes.

IN WITNESS WHEREOF, I SET MY HAND THIS DAY.



MDW

CERTIFIED COURT REPORTER

NORTH SHORE COURT REPORTERS

NOTARY PUBLIC - STATE OF NEW YORK