

**TOWN OF HEMPSTEAD**

**ONE WASHINGTON STREET**

**TOWN HALL PAVILION**

**HEMPSTEAD, NEW YORK 11550**

**MAY 21, 2019**

**10:30 P.M.**

**BEFORE: LAURA A. GILLEN,**

**SUPERVISOR**

**APPEARANCES :**

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DEPUTY SUPERVISOR/COUNCILMAN BLAKEMAN

SENIOR COUNCILWOMAN GOOSBY

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COUNCILMAN D'ESPOSITO

COUNCILMAN DUNNE, SR.

MAJORITY LEADER/COUNCILWOMAN KING-SWEENEY (ABSENT)

COUNCILMAN MUSCARELLA

TOWN CLERK CABANA

DEPUTY TOWN CLERK SEDACCA

TOWN ATTORNY RA

**HEMPSTEAD TOWN BOARD 5/21/19**

1 (Whereupon, the Town Board honored Mayor  
2 Robert Kennedy with a citation commending him for  
3 becoming the President of the New York State  
4 Conference of Mayors. After, the following  
5 ensued.)

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6 SUPERVISOR GILLEN: All right, good  
7 morning, everyone, welcome to this regularly  
8 scheduled Town Board Meeting.

9 For those of you who have never attended a  
10 meeting before, there are agendas available in the  
11 rear of the Pavilion, if you like to be heard on  
12 any matter, please, make sure you fill out a slip,  
13 indicate what you like to be heard on, a Public  
14 Hearing or if you would like to be heard on the  
15 Administrative Calendar, please, make sure you  
16 note that on your slip and you will be called to  
17 speak.

18 After the Meeting is adjourned, the Town  
19 Board will remain in session to hear Public  
20 Comment and any other matters.

21 Madam Clerk, will you, please, call the  
22 roll.

23 CLERK CABANA: Supervisor Gillen?

24 SUPERVISOR GILLEN: Here.

25 CLERK CABANA: Councilman Blakeman?

**HEMPSTEAD TOWN BOARD 5/21/19**

1 COUNCILMAN BLAKEMAN: Here.

2 CLERK CABANA: Councilman D'Esposito?

3 COUNCILMAN D'ESPOSITO: I am here.

4 CLERK CABANA: Councilman Dunne?

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5 COUNCILMAN DUNNE: Here.

6 CLERK CABANA: Senior Councilwoman Goosby?

7 SENIOR COUNCILWOMAN GOOSBY: Here.

8 CLERK CABANA: Councilman Muscarella?

9 COUNCILMAN MUSCARELLA: Here.

10 SUPERVISOR GILLEN: I, now, ask Councilman  
11 Dunne to, please, lead us in the Pledge of  
12 Allegiance.

13 COUNCILMAN DUNNE: Please, rise, face the  
14 American Flag, place your right hand over your  
15 heart and join me.

16 (Whereupon, Councilman Dunne led us in the  
17 Pledge of Allegiance. After, the following  
18 ensued.)

19 COUNCILMAN DUNNE: Thank you.

20 SUPERVISOR GILLEN: Madam Clerk, all the  
21 first Public Hearing.

22 CLERK CABANA: Proposed Local Law Re:  
23 "Regulations and Restrictions" to limit parking in  
24 (NR) Atlantic Beach, Bellmore, East Atlantic  
25 Beach, East Meadow, Hewlett (To amend Chapter

**HEMPSTEAD TOWN BOARD 5/21/19**

1 202 of the Code of the Town of Hempstead)

2 SUPERVISOR GILLEN: I do not have any slips  
3 on this Public Hearing, is there anyone that would  
4 like to be heard? Page | 5

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

7 SUPERVISOR GILLEN: Hearing none, may I  
8 have a Motion.

9 COUNCILMAN BLAKEMAN: I move that the  
10 Public Hearing be closed and the Local Law be  
11 adopted.

12 COUNCILMAN DUNNE: I second the Motion.

13 CLERK CABANA: Supervisor Gillen?

14 SUPERVISOR GILLEN: Aye.

15 CLERK CABANA: Councilman Blakeman?

16 COUNCILMAN BLAKEMAN: Aye.

17 CLERK CABANA: Councilman D'Esposito?

18 COUNCILMAN D'ESPOSITO: Aye.

19 CLERK CABANA: Councilman Dunne?

20 COUNCILMAN DUNNE: Aye.

21 CLERK CABANA: Senior Councilwoman Goosby?

22 SENIOR COUNCILWOMAN GOOSBY: Aye.

23 CLERK CABANA: Councilman Muscarella?

24 COUNCILMAN MUSCARELLA: Aye.

**HEMPSTEAD TOWN BOARD 5/21/19**

1 SUPERVISOR GILLEN: Madam Clerk, please,  
2 call our next Public Hearing.

3 CLERK CABANA: Proposed Local Law Re:  
4 "Parking or Standing Prohibitions" in Bellmore, Page | 6  
5 Franklin Square, Levittown, Oceanside, Uniondale  
6 (To amend Section 202-1 of the Code of the Town of  
7 Hempstead)

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

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

13 SUPERVISOR GILLEN: Hearing none, may I  
14 have a Motion.

15 COUNCILMAN DUNNE: I make a Motion to close  
16 the Hearing and vote the item.

17 SENIOR COUNCILWOMAN GOOSBY: Second the  
18 Motion.

19 CLERK CABANA: Supervisor Gillen?

20 SUPERVISOR GILLEN: Aye.

21 CLERK CABANA: Councilman Blakeman?

22 COUNCILMAN BLAKEMAN: Aye.

23 CLERK CABANA: Councilman D'Esposito?

24 COUNCILMAN D'ESPOSITO: Aye.

25 CLERK CABANA: Councilman Dunne?

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1 COUNCILMAN DUNNE: Aye.

2 CLERK CABANA: Senior Councilwoman Goosby?

3 SENIOR COUNCILWOMAN GOOSBY: Aye.

4 CLERK CABANA: Councilman Muscarella?

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5 COUNCILMAN MUSCARELLA: Aye.

6 SUPERVISOR GILLEN: Madam Clerk, please,

7 call our next Public Hearing.

8 CLERK CABANA: Proposed Local Law Re:

9 "Arterial Stops" in Merrick (To amend Section 197-  
10 5 of the Code of the Town of Hempstead)

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

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

16 SUPERVISOR GILLEN: Hearing none, may I  
17 have a Motion.

18 COUNCILMAN BLAKEMAN: I move that the  
19 Public Hearing be closed and the Local Law be  
20 adopted.

21 COUNCILMAN DUNNE: I second the Motion.

22 SUPERVISOR GILLEN: Madam Clerk.

23 CLERK CABANA: Supervisor Gillen?

24 SUPERVISOR GILLEN: Aye.

25 CLERK CABANA: Councilman Blakeman?

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1 COUNCILMAN BLAKEMAN: Aye.

2 CLERK CABANA: Councilman D'Esposito?

3 COUNCILMAN D'ESPOSITO: Aye.

4 CLERK CABANA: Councilman Dunne?

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5 COUNCILMAN DUNNE: Aye.

6 CLERK CABANA: Senior Councilwoman Goosby?

7 SENIOR COUNCILWOMAN GOOSBY: Aye.

8 CLERK CABANA: Councilman Muscarella?

9 COUNCILMAN MUSCARELLA: Aye.

10 SUPERVISOR GILLEN: Madam Clerk, please  
11 call the next Public Hearing.

12 CLERK CABANA: Proposed Local Law Re:  
13 "Traffic Regulations in the Vicinity of Schools,"  
14 in East Meadow, Franklin Square (To amend Section  
15 197-13 of the Code of the Town of Hempstead)

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

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

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

23 COUNCILMAN DUNNE: I make a Motion to close  
24 the Hearing and vote on the item.

25 COUNCILMAN BLAKEMAN: Second.



**HEMPSTEAD TOWN BOARD 5/21/19**

1 CLERK CABANA: Supervisor Gillen?

2 SUPERVISOR GILLEN: Aye.

3 CLERK CABANA: Councilman Blakeman?

4 COUNCILMAN BLAKEMAN: Aye.

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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: Councilman Muscarella?

12 COUNCILMAN MUSCARELLA: Aye.

13 SUPERVISOR GILLEN: Madam Clerk, please,  
14 call the next Public Hearing.

15 CLERK CABANA: Proposed first amendment to  
16 lease agreement to that certain lease agreement  
17 dated June 17, 2003 to maintain the existing  
18 mobile communications antennae on the Lido-Point  
19 Lookout elevated water storage tank and a 12 foot  
20 by 21 foot parcel on the accompany property and  
21 authorizing the modification of the antennae in  
22 the Lido-Point Lookout Water District - Point  
23 Lookout - Lido Boulevard - Department of Water  
24 (Sprint Spectrum Realty Company, LLC)

25 SUPERVISOR GILLEN: I do not have

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

3 (Whereupon, no response was heard. After,  
4 the following ensued.) Page | 10

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

7 COUNCILMAN BLAKEMAN: I move that the  
8 Public Hearing be closed and the amendment be  
9 adopted.

10 COUNCILMAN D'ESPOSITO: Second.

11 CLERK CABANA: Supervisor Gillen?

12 SUPERVISOR GILLEN: Aye.

13 CLERK CABANA: Councilman Blakeman?

14 COUNCILMAN BLAKEMAN: Aye.

15 CLERK CABANA: Councilman D'Esposito?

16 COUNCILMAN D'ESPOSITO: Aye.

17 CLERK CABANA: Councilman Dunne?

18 COUNCILMAN DUNNE: Aye.

19 CLERK CABANA: Senior Councilwoman Goosby?

20 SENIOR COUNCILWOMAN GOOSBY: Aye.

21 CLERK CABANA: Councilman Muscarella?

22 COUNCILMAN MUSCARELLA: Aye.

23 SUPERVISOR GILLEN: Madam Clerk, will you,  
24 please call the next public hearing.

25 CLERK CABANA: Application of Bolla EM,

1 Realty, LLC to include an existing gasoline  
2 service station within the "GSS" District and  
3 install two (2) storage tanks each with a capacity  
4 of 12,000 gallons located in Franklin Square - on <sup>Page | 11</sup>  
5 the southwest corner of Hempstead Turnpike &  
6 Scherer Boulevard.

7 Application of Bolla EM Realty, LLC to  
8 permit a change of zone for a portion of the  
9 property, the overall property is currently split  
10 zoned as Residence C ("R-C") and (GSS) in an  
11 underlying Business ("BUS X") zone to renovate and  
12 redevelop the overall property located in Franklin  
13 Square - on the southwest corner of Hempstead  
14 Turnpike & Scherer Boulevard.

15 SUPERVISOR GILLEN: Just to be clear to the  
16 Public, there are two Public Hearings scheduled  
17 for 6 & 8, companion applications, we will be  
18 hearing them together.

19 ATTORNEY ALTMAN: Good Morning, Madam  
20 Supervisor, Fellow Board Members:

21 For the Applicant, Dave Altman from the Law  
22 firm of Brown & Altman. 538 Broad Hollow Road,  
23 Melville, New York.

24 Good to see everybody. With me, today, as  
25 with our prior applications, Chris Tartaglia from

1 High Point Engineering.

2 Chris is the Project Civil Engineer. I  
3 also have with me, here, today, Harry Singh is  
4 with us, also and Andrew Villari from Stonefield <sup>Page | 12</sup>  
5 Engineering.

6 Andrew is an engineer licensed in the State  
7 of New York and is our traffic consultant.

8 And, finally, I have with me, today, John  
9 Breslin from Breslin Appraisals who has prepared a  
10 real estate report and will be submitting them  
11 into the record, as well.

12 Um, just to run through the application  
13 briefly, the property which is 1111 Hempstead  
14 Turnpike, Franklin Square, New York, also known by  
15 Nassau County Tax Map as Number - - Section 35,  
16 Block 15504.

17 It is situated on the southwest corner of  
18 Hempstead Turnpike and Scherer Boulevard.

19 It is noted in the property which is  
20 irregularly shaped and if you look at the video  
21 screens to both our right and left, you will note  
22 that the gas station is on the easterly portion of  
23 the site fronting along Hempstead Turnpike and  
24 Scherer Boulevard.

25 Then you will see a lot swath in green,

1 sort of a thumb that sticks out among the  
2 residential developments to our, um, South there  
3 and that is under developed and I will state for  
4 the record, right, now, it is the Applicant's  
5 intention to leave it undeveloped.

6 We will not be developing in any part of  
7 that sort of thumb, again, that extends to the  
8 residential zoning district and if you, again,  
9 look at the video display screens, you will see  
10 that everything is kept on the easterly part of  
11 the site closer to, again, Hempstead Turnpike  
12 within the area of the service of the existing  
13 development. For the most part - -

14 COUNCILMAN BLAKEMAN: Excuse me, let me  
15 interrupt you, Counsel - -

16 ATTORNEY ALTMAN: Sure.

17 COUNCILMAN BLAKEMAN: - - On that, so,  
18 what is the intention of the Applicant with  
19 respect to that portion that juts into the  
20 residential zone?

21 ATTORNEY ALTMAN: So, in connection, what  
22 we are doing, here, today, there is a small  
23 portion which we are going to use along that South  
24 line which is partially - - still slightly  
25 partially zoned Residence C.

1 We will make use of that and you will see  
2 that there is a planting buffer that we are  
3 proposing that runs along that entire lot line up  
4 to roughly the area where the convenience store is <sup>Page | 14</sup>  
5 on the site.

6 Other than that, we proposed to leave it as  
7 is.

8 And, in discussion with the Applicant,  
9 probably, post completion of this process, Mr.  
10 Blakeman, the idea is to possibly split it off and  
11 talk to the residents requiring a split off of the  
12 property because, frankly, there is no use of the  
13 gas station proper, itself.

14 COUNCILMAN BLAKEMAN: So, what is it being  
15 used for, now?

16 Is it just vacant parcel?

17 ATTORNEY ALTMAN: It is vacant and I will  
18 note if you look at the site plan, I think Chris  
19 will be able to talk to it in a little more  
20 detail than I, you will notice there are actually  
21 a few more shed light structures which are on  
22 there, those are not ours.

23 They are actual encroachments but that  
24 issue aside, um, we have no intention of  
25 developing it or making use of it in connection

1 with the gas station proper.

2 COUNCILMAN BLAKEMAN: So, that area would  
3 be landscaped, it would be - -

4 ATTORNEY ALTMAN: As is - -

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5 COUNCILMAN BLAKEMAN: Just as is, okay, as  
6 is right, now, it is grass?

7 ATTORNEY ALTMAN: Yep.

8 COUNCILMAN BLAKEMAN: I am trying to look  
9 at the picture, here, do you have a picture, here?

10 ATTORNEY ALTMAN: Yeah, we do have an  
11 aerial, I believe.

12 SUPERVISOR GILLEN: Could I ask next time  
13 you make an application, would you make enough  
14 books for all the Council Members.

15 We are sharing one. We only have two  
16 right, now.

17 All right, Mr. Ra, make sure the Town gets  
18 more books next time we have an application.  
19 Thank you.

20 ATTORNEY ALTMAN: Madam Supervisor, we are  
21 happy to provide them.

22 SUPERVISOR GILLEN: Thank you.

23 ATTORNEY ALTMAN: Mr. Blakeman, any other  
24 questions as it relates to that sort of  
25 undeveloped area?

1 COUNCILMAN BLAKEMAN: Yes, basically, it is  
2 grass, now?

3 ATTORNEY ALTMAN: Yeah, if you look at the  
4 area, now, you will see it is grass. Page | 16

5 It has a few trees on there, as I said,  
6 some of the abutting residences actually have new  
7 improvements that they sort of extend in, but that  
8 will be maintained as such.

9 COUNCILMAN BLAKEMAN: Okay.

10 ATTORNEY ALTMAN: Lot area is twenty-four  
11 thousand nine ninety-six or about .57 acres.

12 We have 138.82 feet of frontage on  
13 Hempstead Turnpike.

14 And, 97.07 feet of frontage on Scherer  
15 Boulevard.

16 The existing development right, now,  
17 consists of four, two sided MPD's, two single  
18 sided MPD's meaning fuel dispensers.

19 There is an attendant kiosk underneath the  
20 existing canopy, of course, an existing pump  
21 island canopy and three underground storage tanks  
22 which are, approximately, right, now, in their  
23 current condition to Scherer Boulevard, those are  
24 all going to be removed and replaced instead we  
25 are going to build up the site which is proposed



1 and as indicated on the site plan on the display  
2 screens.

3 I will note for the record, the site has  
4 been historically been used as a gasoline service <sup>Page | 17</sup>  
5 station now for a better part for fifty-seven  
6 years with a C of O having been initially issued  
7 February 1<sup>st</sup> of '62 and that C of O number is  
8 196105955.

9 Um, the C of O was issued for the current  
10 development as it currently stands, as the  
11 applicant proposed to raise on 3/26 of '93 and  
12 that CO number is 199300274.

13 The new development will consist of twenty-  
14 four hundred forty square foot convenience store  
15 along the westerly portion of the site.

16 It is shaded in yellow up on the display  
17 screen.

18 There will be eight parking stalls in front  
19 of the store - - twelve, I am sorry, two, twelve  
20 thousand gallon underground petroleum storage  
21 tanks.

22 Those are located, approximately, to  
23 Scherer Boulevard, split diesel and super.

24 There will be five fuel dispensers  
25 underneath a pump island canopy measuring

1 Seventy-three by thirty or twenty-one hundred and  
2 ninety square feet vacuum and air station removed  
3 from their current location which is, now,  
4 presently along that south lot line and closer to <sup>Page | 18</sup>  
5 Scherer Boulevard away from the residences' curb  
6 cuts on Scherer where there is currently two will  
7 be consolidated into one.

8 And, in terms of curb cuts on Hempstead, we  
9 are proposing one right in on the West and one  
10 right out on the East.

11 And, I will note for the record, we already  
12 received New York State DOT approval and a permit  
13 for developing along the right-of-way on Hempstead  
14 Turnpike.

15 As you will also note from the color  
16 rendering up on the display screens, there is a  
17 substantial amount of green space and I know the  
18 Board is very familiar with Bolla's brand and how  
19 it operates it stations, year round plantings,  
20 seasonal plantings.

21 This site will receive the traditional  
22 Bolla treatment in terms of those landscaping.

23 We are proposing landscaping, of course, at  
24 the corner of Scherer and Hempstead Turnpike along  
25 the Hempstead Turnpike frontage.

1 You can see additional landscaping at the  
2 westerly curb cut on Hempstead Turnpike at the  
3 ingress point.

4 There will be landscaping along the West <sup>Page | 19</sup>  
5 lot line behind the building and, then, along the  
6 South lot line, again and I believe these  
7 evergreen plantings, it will further screen the  
8 lot from view.

9 Um, there are a number of variances, here,  
10 that were reflected in the October 16, 2017 from  
11 the Town Building Department, as well as, the sign  
12 permit denial from September 19, 2017.

13 I asked that those be incorporated in the  
14 record rather than go through them individually.

15 Finally, the applicant is also asking for  
16 modification of certain C & R's which are sort of  
17 typically found inside of this and in the Town,  
18 um, in terms of relief from the condition which  
19 currently prohibits left turns out of the site  
20 onto Scherer.

21 We ask that condition be removed.

22 We have prepared a traffic safety study in  
23 that regard from Stonefield Engineering, that has  
24 previously been submitted.

25 And, also I mentioned, um, before

1 I began my comments this morning, we have Andrew  
2 Villari from Stonefield, here who can answer any  
3 questions that this Board may have relative to,  
4 um, traffic safety issues or traffic studies with <sup>Page | 20</sup>  
5 respect to the site.

6 Further, as I did mention, also,  
7 previously the New York State Department of  
8 Transportation has issued a permit, that permit  
9 dated 8/29/18 for work along Scherer Boulevard,  
10 permit number 20181062984.

11 COUNCILMAN BLAKEMAN: Counsel, why don't we  
12 hear from the traffic engineer concerning the  
13 modification of the C & R's with respect to the  
14 left turn.

15 ATTORNEY ALTMAN: Sure.

16 ENGINEER VILLARI: Good Morning.

17 SUPERVISOR GILLEN: Good Morning.

18 ENGINEER VILLARI: For the record, Andrew  
19 Villari. V-I-L-L-A-R-I.

20 I am project manager at Stonefield  
21 Engineering & Design located at 584 Broadway,  
22 Suite 310, New York, New York.

23 My office has prepared a traffic impact  
24 study that is dated, um, um, May 23, 2018.

25 It has been submitted to the Board.

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1 COUNCILMAN BLAKEMAN: Do you want to make  
2 it part of the record?

3 ENGINEER VILLARI: I think it is part of  
4 the record. Page | 21

5 ATTORNEY ALTMAN: It has already been  
6 submitted, Mr. Blakeman.

7 ENGINEER VILLARI: So, we looked at a  
8 number of things associated with that, um, with  
9 this application, specifically to answer your  
10 question about left in and out on Scherer  
11 Boulevard, what I want to say is there are two  
12 driveways on Scherer Boulevard.

13 The one that is furthest North which is,  
14 basically, on the intersection, um, in the  
15 future, the driveways will be consolidated to  
16 have one driveway centrally located along - -  
17 it will provide more spacing from the  
18 intersection which is a good thing.

19 Um, as I mentioned, the driveways, today,  
20 there are two of them, um - -

21 COUNCILMAN BLAKEMAN: You will have a North  
22 and South driveway currently on Scherer?

23 ENGINEER VILLARI: Correct, correct.

24 COUNCILMAN BLAKEMAN: And, eliminate one of  
25 them?

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1 ENGINEER VILLARI: That is right.

2 COUNCILMAN BLAKEMAN: Centrally located one  
3 driveway, approximate width?

4 ENGINEER VILLARI: Approximate width, I <sup>Page | 22</sup> can  
5 get that for you.

6 COUNCILMAN BLAKEMAN: I mean a car each  
7 way?

8 ENGINEER VILLARI: It is a 2-way thirty-  
9 three feet which is a standard.

10 COUNCILMAN BLAKEMAN: How far would that  
11 driveway be from a traffic control device on  
12 Scherer and Hempstead Turnpike?

13 ENGINEER VILLARI: It is thirty, thirty  
14 feet, about thirty-five feet about.

15 COUNCILMAN BLAKEMAN: Is that typical for,  
16 um, on an intersection like Hempstead and  
17 Scherer to have left turns allowable on a  
18 driveway that is thirty feet from the  
19 intersection?

20 ENGINEER VILLARI: I would say, yes, there  
21 are a number of intersections throughout the  
22 Town and County for commercial uses like this  
23 have been located at corner properties, at  
24 intersections with signalized control where  
25 there are driveways that allow for movement

1 access.

2 COUNCILMAN BLAKEMAN: So, typically, now,  
3 they would exit onto Scherer and make a right-  
4 hand turn? Page | 23

5 ENGINEER VILLARI: Correct, correct.

6 COUNCILMAN BLAKEMAN: Might do a U-turn,  
7 might make a right into the residential area.

8 ENGINEER VILLARI: You may end with adding  
9 traffic to a place where normally wouldn't be.

10 COUNCILMAN BLAKEMAN; It might be adding  
11 residential traffic.

12 ENGINEER VILLARI: Exactly, as part of this  
13 application, um, we do have a DOT permit and in  
14 accordance with the DOT standards, um, we did  
15 restrict access with sanders going for right in  
16 or one right in driveway and one right out  
17 driveway on the State Highway DOT, there is no  
18 access restrictions or signed access  
19 restrictions.

20 So, in theory, you can be making lefts in  
21 and out of Hempstead Turnpike.

22 It might not always be the best idea, um,  
23 for in this case with multiple lanes across the  
24 site frontage.

25 COUNCILMAN BLAKEMAN: So, what is the

1 restrictions going to be, if any, on Hempstead  
2 Turnpike, if you exit onto the Turnpike rather  
3 than onto Scherer?

4 ENGINEER VILLARI: You only would be  
5 allowed to turn right out onto Hempstead  
6 Turnpike.

7 COUNCILMAN BLAKEMAN: Right turns only?

8 ENGINEER VILLARI: Continue eastbound.

9 COUNCILMAN BLAKEMAN: Because that would be  
10 tough, right?

11 ENGINEER VILLARI: Exactly, so, one of the  
12 benefits of providing a full movement driveway  
13 on Scherer Boulevard is that if your car seeks  
14 to go to the West, um, you wouldn't be able to  
15 do that by using the driveway on Hempstead, you  
16 have to go out Scherer, make a left on Scherer  
17 and at the light, you can make a left to go West  
18 on, um, Hempstead Turnpike.

19 That is recognized throughout any  
20 municipality, any County, any State as being a  
21 safer maneuver occurring in a signalized  
22 intersection rather than occurring in an  
23 unsignalized, than just a driveway.

24 COUNCILMAN BLAKEMAN: Okay, thank you. Go  
25 ahead, Counsel.



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1 ATTORNEY ALTMAN: Mr. Blakeman, at this  
2 time, I will ask John Breslin to come up and  
3 give a few comments and submit his report into  
4 the record. John? Page | 25

5 APPRAISER BRESLIN: Good Morning, John  
6 Breslin, principal at Breslin Appraisal Company  
7 with offices at 44 Elm Street in Huntington.

8 Um, I was asked by the applicant to look at  
9 this proposal and give an opinion with respect  
10 to its impacts on real property values.

11 When you first look at it, the idea of the  
12 rear property being rezoned "Business" when you  
13 look at the site, it appears daunting.

14 However, when you understand that the  
15 applicant is not looking to develop the rear  
16 residential portion of the property is willing  
17 to restrict it as such, then, the idea of  
18 redevelopment of this site is limited in,  
19 essentially, to the area that is already a gas  
20 station.

21 So, the fact is that the influence on real  
22 property values and, in particular, this site,  
23 are already in place.

24 The commercial development along Hempstead  
25 Turnpike and, particularly the existing gas

1 Station are - - will be exactly the same as the  
2 conditions that will be going forward except it  
3 will be redeveloped into a more modern gas  
4 station, convenience store, um, as the Board has <sup>Page | 26</sup>  
5 seen, many times with the Bolla redevelopments  
6 of their sites.

7 It will also benefit the upgrading of  
8 lighting, landscaping and things which is  
9 somewhat helpful to the residents that are  
10 surrounding the property.

11 COUNCILMAN BLAKEMAN: Mr. Breslin, how many  
12 square feet is the residential portion excluding  
13 the part that you want to incorporate to the  
14 service station operation?

15 APPRAISER BRESLIN: About ten thousand.

16 COUNCILMAN BLAKEMAN: Okay, it is a  
17 buildable lot?

18 APPRAISER BRESLIN: Except I don't believe  
19 it has access.

20 COUNCILMAN BLAKEMAN: You have an access  
21 issue, otherwise it would be a buildable lot?

22 APPRAISER BRESLIN: Correct, if you look at  
23 it, you will see there have been intrusions onto  
24 that property by some residential neighbors on  
25 both sides of that land for various different

1 Encroachments.

2 The applicant has no intension of doing  
3 anything about that, however, other than not  
4 developing and using it in conjunction with the <sup>Page | 27</sup>  
5 request to rezone it, so, with those mitigating  
6 measures, if not using that portion of the  
7 property, it is my opinion that this  
8 redevelopment will not have an adverse impact on  
9 real property values or the character of the  
10 community.

11 Those were established long ago with the  
12 existing zone ordinance and the development of  
13 this site.

14 COUNCILMAN BLAKEMAN: So, Counsel, I just  
15 want to make sure I - - that I have it correct  
16 so, basically and correct me if I am wrong, did  
17 you state that you were in negotiations with the  
18 surrounding residents to let them use more of  
19 the property or just maintaining what they  
20 currently have?

21 ATTORNEY ALTMAN: We haven't undertaken any  
22 negotiations as of yet.

23 I mentioned I discussed with Mr. Singh  
24 prior to being, here, today, the potential for  
25 post completion of this aspect of the

1 Application to potentially subdivide this, split  
2 that thumb off and possibly if the residents  
3 have an interest, so, they can have ownership of  
4 the property - -

5 COUNCILMAN BLAKEMAN: You would be willing  
6 to sell it to them?

7 ATTORNEY ALTMAN: That is potentially under  
8 consideration.

9 SENIOR COUNCILWOMAN GOOSBY: Have you  
10 spoken to any of them around this area?

11 Are any of them involved?

12 ATTORNEY ALTMAN: I personally have not.

13 SENIOR COUNCILWOMAN GOOSBY: No one?

14 ATTORNEY ALTMAN: No.

15 SENIOR COUNCILWOMAN GOOSBY: I suggest that  
16 you do that.

17 ATTORNEY ALTMAN: I am sorry?

18 SENIOR COUNCILWOMAN GOOSBY: I suggest you  
19 get involved.

20 Normally, that is the right thing to do.

21 ATTORNEY ALTMAN: We intend to do so as we  
22 always do.

23 COUNCILMAN BLAKEMAN: Sorry, Mr. Breslin.

24 APPRAISER BRESLIN: Essentially, the  
25 conclusion, here, the redevelopment has

1 a slight intrusion going back which is only a few  
2 feet, um, otherwise it is essentially the same  
3 as it exists, today.

4 Um, so, by virtue of that redevelopment, <sup>Page | 29</sup> it  
5 is not going to really change anything, um,  
6 except redeveloping to a more modern facility by  
7 that redevelopment.

8 It wouldn't give an adverse impact on real  
9 property values in particular the residential  
10 community, um, the commercial development is  
11 consistent with the development and would be  
12 expected along Hempstead Turnpike.

13 In fact, there is a Speedy's gas station  
14 immediately next door to the West with the same  
15 level of intrusion, if you will, to the South,  
16 as proposed, here.

17 SUPERVISOR GILLEN: Counselor, I know there  
18 was an inspection and there are a number of  
19 violations, have you corrected those?

20 ATTORNEY ALTMAN: There were two items,  
21 Madam Supervisor, both will be addressed in  
22 connection with the redevelopment.

23 They will be taken care of.

24 SUPERVISOR GILLEN: Thank you.

25 COUNCILMAN DUNNE: One quick question, if

1 I may.

2 ATTORNEY ALTMAN: Yes.

3 COUNCILMAN DUNNE: We suggested in the past  
4 the erection of a flagpole, an American Flag Page | 30  
5 affixed to it and maintained and illuminated at  
6 night.

7 ATTORNEY ALTMAN: We intend to do so,  
8 Councilman Dunne.

9 We already made provisions for that.

10 COUNCILMAN DUNNE: It is a matter of  
11 record, now.

12 SUPERVISOR GILLEN: It is in the plan.

13 ATTORNEY ALTMAN: It is in there.

14 COUNCILMAN DUNNE: Thank you.

15 ATTORNEY ALTMAN: That concludes our  
16 comments.

17 SUPERVISOR GILLEN: Thank you, gentlemen.

18 ATTORNEY ALTMAN: Thank you very much.

19 SUPERVISOR GILLEN: This item, I have a  
20 slip from S. Vagnini?

21 S. VAGNINI: Good Morning, everyone, my  
22 name is S. Vagnini.

23 SUPERVISOR GILLEN: Good Morning.

24 S. VAGNINI: I live on 24 Scherer  
25 Boulevard. My concern is, one, so much

1 traffic there, now, that Scherer Boulevard is  
2 incredible.

3 My other concern is we have a lot of - - a  
4 lot of fumes there from these two gas stations. Page | 31

5 As you know, I live there almost sixty  
6 years and, um, it use to be a diner and, then,  
7 they come in with the two gas stations and I  
8 feel that my opinion is concern that we don't  
9 need additional taking of the property or  
10 additional tanks or whatever the case may be.

11 Now, as far as the left turn, there, it is  
12 so congested, now and I don't know where the  
13 engineer is or whose idea, if you make a left  
14 turn on Scherer Boulevard, okay, there are  
15 people coming in, it blocks the road all the way  
16 down to 5<sup>th</sup> Street, okay.

17 And, there are fumes all day long, okay and  
18 I think that isn't right to do that, that they  
19 should turn off Hempstead Turnpike, even though  
20 they are doing, it now.

21 SUPERVISOR GILLEN: Mr. Villari, would you  
22 like to address some of the concerns.

23 Come forward to address the concerns.

24 This is the gentleman that did the traffic  
25 study.

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1 COUNCILMAN BLAKEMAN: Before you do that,  
2 if I may interrupt, Supervisor, sir, so, we can  
3 get a fix where your home is, are you on the  
4 East side of Scherer or the West side of  
5 Scherer?

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6 S. VAGNINI: I am on the West side.

7 COUNCILMAN BLAKEMAN: Does your property  
8 abut that property in the back?

9 S. VAGNINI: No, it is almost at the end.

10 COUNCILMAN BLAKEMAN: So, you are further  
11 South?

12 S. VAGNINI: Yes.

13 ENGINEER VILLARI: Andrew Villari,  
14 Stonefield, as part of the Traffic Impact Study  
15 that we submitted to the Board, we did a  
16 thorough analysis how traffic currently moves  
17 through the intersection, today, so, it is part  
18 of the study.

19 We were at the site on Wednesday, March 29,  
20 2017, some time has passed since 2017, we did  
21 some additional observations at the intersection  
22 and that was about two weeks ago on Thursday,  
23 May 9, 2019.

24 And, what we saw, specifically, regarding  
25 traffic operations on Scherer Boulevard is that



1 when the light is red directly northbound, there  
2 is a cue that forms that would block the  
3 driveway.

4 There would be a cue that blocks the  
5 driveway.

6 However, um, we do have a great  
7 understanding of how, um, the State's Traffic  
8 Signal Timing Directive works.

9 Um, and what we have observed on numerous  
10 occasions, is every time the light turns green,  
11 um, the cue that is formed clears meaning that  
12 there is no cars left over once the light turns  
13 red, again, and that instant left turns out  
14 would be permissible, um, and in terms of the  
15 way the intersection operates, um, the amount of  
16 time that the light is red for on Scherer  
17 Boulevard which means maybe someone wouldn't be  
18 able to turn out.

19 Um, there is enough time, the remaining  
20 period to make left turns out.

21 Additionally, I have something else I want  
22 to note is that where the future driveway would  
23 be located, as I mentioned, further South,  
24 where the northerly driveway is currently, today  
25 from that advantage point, you have to have

1 sufficient site lines to see traffic on Herman  
2 Boulevard which is Scherer Boulevard.

3 COUNCILMAN BLAKEMAN: Is a continuation of  
4 Scherer Boulevard. Page | 34

5 ENGINEER VILLARI: North of Hempstead  
6 Turnpike, you can see traffic coming South  
7 behind there.

8 You can see people making a left turn  
9 towards you, um, eastbound right turns which  
10 wrap around the site frontage, those right turns  
11 on red are restricted.

12 So, you won't have the instance where you  
13 could be making left turns out and someone makes  
14 a right turn on red, that is not the case, here.

15 Um, and, then, in terms of making a left  
16 out, you could see far enough to your right and  
17 left to properly make that turn safely.

18 COUNCILMAN BLAKEMAN: I am very familiar  
19 with the area.

20 When I was in College, I dated a girl on  
21 Herman. I was on that road a lot. I  
22 contributed to the traffic.

23 (Whereupon, laughter was heard. After, the  
24 following ensued.)

25 SUPERVISOR GILLEN: Counsel is there anyone

1 that could address the issue, the concerns about  
2 fumes?

3 ATTORNEY ALTMAN: Yes.

4 ENGINEER TARTAGLIA: Good Morning, Chris Page | 35  
5 Tartaglia. I am from High Point Engineering.  
6 521 Conklin Street, Farmingdale, New York.

7 Um, when the gentleman said, "fumes," I  
8 presume he means from the traffic that is  
9 probably cued at the light, um - -

10 SUPERVISOR GILLEN: Is that what you mean,  
11 sir, are those the fumes that you are concerned  
12 about?

13 S. VAGNINI: Yes, also from the gas  
14 stations, too, not only from traffic that is a  
15 lot, but, also from the gas station.

16 ENGINEER TARTAGLIA: Okay, I am glad you  
17 brought that to our attention.

18 So, we will be relocating the vents from  
19 the underground tanks to the roadway frontage  
20 along Scherer Boulevard.

21 I believe, today, right, now, they are in  
22 the back of the property.

23 Um, again, I am not sure, um, that there is  
24 a significant enough problem that if he lives  
25 much further South, he is actually getting gas

1 fumes from the vents.

2 COUNCILMAN BLAKEMAN: If you move that,  
3 that would reduce the fumes for the residents,  
4 who live on Scherer, around Scherer?

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5 ENGINEER TARTAGLIA: Indeed, Councilman  
6 Blakeman, we typically will do that on a  
7 rebuild.

8 We like to put them away from the  
9 residences, absolutely.

10 COUNCILMAN BLAKEMAN: Any other questions  
11 of this gentleman?

12 S. VAGNINI: Not really, I think I said it  
13 all, as far as the fumes and as far as the left  
14 turn and I think the left turn to me is very  
15 important.

16 It will cause a lot more traffic and  
17 congestion.

18 There is no question a bout it, if you come  
19 there in the morning, okay, and you come there  
20 at night from 5:00, 5:30, then, they will see  
21 what is happening there. Thank you.

22 COUNCILMAN BLAKEMAN: Thank you, sir.

23 SUPERVISOR GILLEN: Thank you, sir.

24 Bryan Rivera?

25 BRYAN RIVERA: Good Morning.

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1 SUPERVISOR GILLEN: Good Morning.

2 BRYAN RIVERA: It is a long statement, so,  
3 I would like to submit it.

4 COUNCILMAN BLAKEMAN: Sure.

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5 SUPERVISOR GILLEN: Thank you.

6 COUNCILMAN BLAKEMAN: Again, my name is  
7 Bryan Rivera. I live at 16 Scherer Boulevard,  
8 the second house in from the gas station, um,  
9 and I just want to thank the Supervisor and  
10 Councilman Blakeman your offices responded very  
11 quickly to the email that I sent Sunday night  
12 and also thank you.

13 Um, the reason me and my neighbors are here  
14 this morning to respectfully ask that you  
15 adjourn this Hearing to allow us time to review  
16 this application so that we may determine for  
17 ourselves how it may affect our quality of life  
18 and our property values.

19 I did not hear about this Hearing until  
20 this past Friday when my neighbor knocked on my  
21 door to tell me she received something in the  
22 mail.

23 I didn't get a notice from the Post Office  
24 until Saturday that they tried to deliver a  
25 certified mail for a Public Hearing, today.

1 Um, we bought the house, me and my wife  
2 purchased the house in 2009 from her  
3 grandparents.

4 One of the concerns being this house was Page | 38  
5 near a gas station and the property in the rear,  
6 um, but those concerns were allayed when we  
7 heard about the restrictions on the property,  
8 so, we went ahead.

9 We are very lucky to have very nice  
10 neighbors.

11 It is a little loud in the front on Scherer  
12 and Hempstead Turnpike but we have a little  
13 peace and quiet in the back which is great.

14 Some of the concerns that we have were  
15 addressed, um, so, I will just go through  
16 quickly.

17 My concerns, at least, are, um, what  
18 exactly - - one of the questions I have is  
19 about the Bolla Market and what is - - what are  
20 they looking to do there?

21 The Bolla Market on Covert Avenue and  
22 Hempstead Turnpike has a Burger King.

23 Are they planning to put foot service, hot  
24 food, cold food, just groceries?

25 I would be concerned about that, about

1 smell, litter, trash, etc.

2 And, plus we already have a lot of twenty-  
3 four hour stores in the neighborhood, do we  
4 really need another twenty-four hour grocery  
5 store?

6 Um, I am concerned this will become a  
7 hangout spot for kids when it is nice outside.

8 Now, it is not unusual to hear kids walking  
9 up and down the block late in the evening to go  
10 to the convenience store, to go to Dunkin Donuts  
11 or to go to the Plattduetsche that they have in  
12 the back.

13 I am also concerned about the increased  
14 traffic coming in and out of the property onto  
15 Scherer Boulevard.

16 We are a residential block, that is used as  
17 a cut through to Hempstead Turnpike and Franklin  
18 Avenue.

19 Accidents at the intersection are not an  
20 unusual site.

21 People are constantly speeding to make a  
22 right at Hempstead Turnpike.

23 I have three children, two of them use - -  
24 cross over Scherer Boulevard to get to the bus  
25 stop in the morning so and there is no

1 Stop sign at that - - it is a Phoebe and Scherer  
2 Boulevard, there is no Stop sign.

3 So, I am concerned about the increased  
4 traffic.

5 Let's see, parking on the street, there is  
6 a funeral home across the way, it has something  
7 in the back and the Plattduetsche has something  
8 going on just on - - just when it is nice, the  
9 Plattduetsche - -

10 COUNCILMAN BLAKEMAN: Sir, can I stop you  
11 for one second, can we get the Traffic Engineer  
12 to comment on the Stop sign and whether or not  
13 that is something that your, um, eliminate the  
14 concerns this gentleman has whether another Stop  
15 sign - - what intersection?

16 BRYAN RIVERA: Phoebe Street, it is the  
17 first street off, um, South of Hempstead  
18 Turnpike, so, my kids go on Phoebe and Scherer.

19 COUNCILMAN BLAKEMAN: Between Franklin and  
20 Hempstead, how many Stop signs are there?

21 BRYAN RIVERA: There is probably three Stop  
22 signs and it is used as a cut through, a lot of  
23 traffic, even though it says "No truck traffic"  
24 - -

25 (Whereupon, the three-minute bell rang.)



1 After, the following ensued.)

2 BRYAN RIVERA: - - Even though it says, "No  
3 truck Traffic," and, this is something that is  
4 on enforcement. Page | 41

5 There is already a lot of traffic on this  
6 block.

7 SUPERVISOR GILLEN: Mr. Rivera, it seems  
8 like you have a number of concerns and we will  
9 look at your submission and share it with Bolla,  
10 as well.

11 I think it might make sense right, now, I  
12 know Bolla has usually tried hard to work with  
13 residents to address their concerns because it  
14 is better for everybody, I think we can agree  
15 and they can move forward with community  
16 support.

17 I would suggest that, perhaps, if you would  
18 speak with the representative, here, from Bolla,  
19 perhaps, maybe, if we do reserve decision and  
20 you can get together and have a meeting, they  
21 can allay some of your concerns and work  
22 together.

23 BRYAN RIVERA: Yes. My last concern is  
24 just one of public safety, um, the convenience  
25 store at the gas station was robbed

1 a couple of years ago at gunpoint, um, I am  
2 concerned about having a more attractive, um,  
3 target bringing more customers, more money on  
4 site.

5 Um, again, I have three little kids that I  
6 want to make sure that they are safe.

7 Those are my major concerns.

8 COUNCILMAN BLAKEMAN: Well, sir, I think it  
9 is a reasonable request on your part and the  
10 neighbors that you have a little time to review  
11 and to discuss with the applicant, um, ways in  
12 which they maybe able to reduce your concerns,  
13 so, at the close of the Hearing, um, the Town  
14 Board will recommend that we reserve decision to  
15 give you guys an opportunity.

16 BRYAN RIVERA: Thank you.

17 COUNCILMAN BLAKEMAN: We will do that but  
18 before you leave, let's just, if you don't have  
19 an answer yet because you didn't look at it, we  
20 can have our traffic department look at it.

21 Are you familiar with that intersection  
22 where the Stop sign would make sense?

23 We will have our traffic department - -

24 BRYAN RIVERA: Yeah, a few years ago when  
25 my kids started taking the bus, I put in the

1 request. It was denied.

2 I am concern if this goes through,  
3 essentially, there will be more traffic, just  
4 things have changed.

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5 COUNCILMAN BLAKEMAN: My Assistant is here  
6 taking copious notes, as I am sure, the  
7 Supervisor is, as well and they will send  
8 somebody out to look at that Stop sign  
9 situation.

10 The thing with Stop signs, just to let you  
11 know, we all think they are great but the fact  
12 of the matter is and the traffic experts can  
13 tell you, sometimes it is a false sense of  
14 security if it is located in the wrong place and  
15 it is not the right thing to do, so, we let the  
16 professionals go out and make recommendations.

17 BRYAN RIVERA: I know, I worked in Village  
18 government for many years.

19 COUNCILMAN BLAKEMAN: Okay, which Village?

20 BRYAN RIVERA: Roslyn Estates.

21 SUPERVISOR GILLEN: Mr. Altman is right  
22 behind you. You can speak with him about  
23 coordinating a meeting - -

24 BRYAN RIVERA: Sure.

25 SUPERVISOR GILLEN: - - To address your

1 concerns and Mr. Reed, where is Mr. Reed?

2 Is Mr. Reed, here?

3 He is in charge of traffic for us, you can  
4 speak with him directly about that Stop sign. Page | 44

5 Thank you.

6 SENIOR COUNCILWOMAN GOOSBY: May I suggest  
7 that you call Mr. Reed when the community gets  
8 involved.

9 ATTORNEY ALTMAN: Oh, definitely.

10 SENIOR COUNCILWOMAN GOOSBY: Okay, you can  
11 do that.

12 SUPERVISOR GILLEN: Thank you.

13 Next I have Eugene Zayas?

14 EUGENE ZAYAS: Good Morning, Eugene Zayas.  
15 120 Scherer Boulevard.

16 And, in my yard they have the parking right  
17 behind my yard.

18 As Bryan, I got two little girls that will  
19 start school next year and, um, I am not - - I  
20 just - - my main concern is that they never  
21 maintained the back.

22 I have been cutting the grass trying to  
23 keep it low.

24 SUPERVISOR GILLEN: You're talking about  
25 the thumb area that we were describing?

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1 EUGENE ZAYAS: Yeah, right behind.

2 Not only that, when there is a snow storm,  
3 their main concern is to clean the driveway for  
4 cars coming to get gas and get out. Page | 45

5 They don't clean the sidewalks. I work all  
6 types of shifts at my job, when I work  
7 overnight, I drive into work.

8 I work in the City, when I got mornings, I  
9 take the M-6 bus, because it is cheaper for me.

10 I pay for parking but when there is a  
11 storm, I got to go over that sidewalk on Walton  
12 Street with the crazy traffic.

13 SUPERVISOR GILLEN: So, your concern is  
14 there is not sufficient maintenance on that part  
15 behind the home, is that accurate in terms of  
16 mowing the lawn and keeping the sidewalks clean?

17 EUGENE ZAYAS: I keep it clean because the  
18 bottom line is nobody is going to do it.

19 SUPERVISOR GILLEN: Mr. Altamn, would you  
20 address those concerns.

21 I am sure you want to be a good neighbor,  
22 Mr. Singh?

23 APPLICANT SINGH: Harry Singh of Bolla.  
24 809 Stewart Avenue, Garden City, New York.

25 The reason we are not able to

1 maintain the property line, the house, we don't  
2 have access to the sheds in back.

3 There is no way for us to cut the grass or  
4 anything like that.

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5 They have been using the property,  
6 obviously, they are maintaining it. There is no  
7 access.

8 Of course, a landscaping crew comes and,  
9 basically, cleans the property and does  
10 everything, because there is the piece of  
11 property used by the neighbors for years.

12 We are trying to apply to them to figure  
13 out a way to start taking back ownership of the  
14 property and refencing the property.

15 We are willing to work with them, actually  
16 to figure out a way they can actually, legally  
17 use the property.

18 COUNCILMAN BLAKEMAN: Mr. Singh, so, Mr.  
19 Singh your organization is willing to sit down  
20 with them to talk about that back lot and  
21 whether it is giving them easements or deeding  
22 it to them or if they don't want it, you would  
23 be willing to enter into Covenants and  
24 Restrictions that would maintain it to a certain  
25 high level?

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1           APPLICANT SINGH: Absolutely, as long as we  
2           have access to the property, we have no issue  
3           whatsoever maintaining it.

4           SUPERVISOR GILLEN: This is something that <sup>Page | 47</sup>  
5           if you have that community meeting - -

6           APPLICANT SINGH: We definitely would like  
7           to sit down and arrange a date and hear  
8           everyone's concerns and try to come up with a  
9           most reasonable solution that we can come up  
10          with.

11          SUPERVISOR GILLEN: So, are you going to  
12          sit down with the owner and talk about how to  
13          acquire title to that property or give them  
14          access to maintain the property?

15          EUGENE ZAYAS: Yes, they should maintain  
16          the whole gas station.

17          Like I said, when storm removal comes, they  
18          should clean it up.

19          APPLICANT SINGH: Let me address that we  
20          have twenty-five trucks. I am not aware of any  
21          issue on that site, so, people can walk and when  
22          the bus comes, when snow storms come, we will  
23          definitely take that under advisement and take  
24          and make sure that is not the case.

25          I am not aware of it.

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1 COUNCILMAN BLAKEMAN: They are willing to  
2 work that out and make sure that is cleaned out,  
3 if the application is granted, whether it is  
4 granted or not, do it any way.

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5 ATTORNEY ALTMAN: Yes.

6 COUNCILMAN BLAKEMAN: Thank you, sir.

7 SUPERVISOR GILLEN: Thank you, sir.

8 Next we have John Celentano?

9 JOHN CELENTANO: Good Morning, Madam  
10 Supervisor and Council Members:

11 I am John Celentano. I am a homeowner at  
12 12 Scherer Boulevard.

13 I am directly next to the gas station on  
14 Scherer Boulevard.

15 Um, my only concern, I will be very brief  
16 is home prices, home values.

17 Certainly purchasing a property on a main  
18 road or near a main road, um, there is a  
19 certain, um, value to that or lack of value to  
20 that.

21 The gas station for the most part is a  
22 quiet gas station compared to a gas station that  
23 has a Burger King in it and parking spaces.

24 So, my biggest concern is what is this  
25 going to do to the value of my home?



1 I know one of the experts said it is not  
2 going to happen, any impact of the value to the  
3 home.

4 I find it very difficult to come to terms <sup>Page | 49</sup>  
5 with being next to a quiet gas station being  
6 next to a twenty-four hour convenience store  
7 with a Burger King and hot food, it smells, with  
8 lights and sound.

9 It just changed everything, um, but, we  
10 will certainly address that with Mr. Singh and  
11 his representatives - - no issues there at all?

12 My other concern on the graph was the, um,  
13 the area on the South part of the gas station  
14 property that goes from the back of the lot  
15 heading East to Scherer Boulevard, I notice that  
16 green area was highlighted.

17 And, again, I will discuss with Mr. Singh  
18 and his representatives what the plan is for  
19 that development.

20 COUNCILMAN BLAKEMAN: I think, sir, I  
21 think, sir, they have a landscaping plan for  
22 that, is that correct?

23 APPLICANT SINGH: That is correct.

24 COUNCILMAN BLAKEMAN: You will share the  
25 landscaping plan with the neighborhood?

1 APPLICANT SINGH: Sure.

2 JOHN CELENTANO: As far as the existing,  
3 um, um, arrangement with overall maintenance, I  
4 maintain my area. Page | 50

5 My neighbors have maintained their area of  
6 the irregular lot and I don't think there is any  
7 issue continuing to do that.

8 Certainly, that is not an issue at all. I  
9 just wanted to bring that to Mr. Singh's  
10 attention, also.

11 That's it.

12 SUPERVISOR GILLEN: Thank you so much.

13 Andrew Villari?

14 (Whereupon, "I pass," was heard calling  
15 out. After, the following ensued.)

16 SUPERVISOR GILLEN: Rubin Komasha?

17 (Whereupon, "I pass," was heard calling  
18 out. After, the following ensued.)

19 SUPERVISOR GILLEN: Michael Holeknecht?

20 Please, sit down for a second and state  
21 your name and address for the record.

22 MICHAEL HOLEKNECHT: My name is Michael  
23 Holeknecht. I live on 20 Sherwood Avenue, not  
24 Scherer.

25 SUPERVISOR GILLEN: Thank you.

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1 MICHAEL HOLEKNECHT: I never got a Notice  
2 on this.

3 I know, if you see, the leg that comes  
4 down, there is all kinds of wildlife in there, <sup>Page | 51</sup>  
5 rabbits. There are woodpeckers there, possums  
6 that are eating the ticks and everything else  
7 but, they constantly - - it has been barren for  
8 so long, why do they need that property?

9 There are two gas stations right next to  
10 each other. Why do they have to have that  
11 little piece of land behind six different  
12 houses?

13 SUPERVISOR GILLEN: I think the discussion  
14 they are talking about potentially dedeed that  
15 to the homeowners.

16 MICHAEL HOLEKNECHT: That would be fine.

17 SUPERVISOR GILLEN: That is something that  
18 is going to be discussed at the meeting, is that  
19 right?

20 You can confirm that?

21 APPLICANT SINGH: Yes.

22 MICHAEL HOLEKNECHT: They are complaining  
23 about the turns on Scherer, that is fine, our  
24 block is a cut-thru, Sherwood, they go around,  
25 they miss all the lights.

1           There is more traffic on our block which is  
2 one lane than on Scherer.

3           I just wanted to state that land should be  
4 left alone. Page | 52

5           You could deed it or rent it to the people  
6 or charge the people for the property, but - -

7           COUNCILMAN BLAKEMAN: I think we all agree  
8 that would be - -

9           MICHAEL HOLEKNECHT: That should be left  
10 alone.

11           COUNCILMAN BLAKEMAN: - - Maintained as  
12 open space.

13           MICHAEL HOLEKNECHT: Yes.

14           SUPERVISOR GILLEN: Thank you.

15           Anthony Gallo, Jr.?

16           ANTHONY GALLO, JR.: Basically, what I was  
17 worried about, I thought the tanks were going on  
18 that space that is behind the houses, not on the  
19 property, so, I am fine.

20           SUPERVISOR GILLEN: Okay, thank you. Dennis  
21 Valet?

22           DENNIS VALET: Good Morning. Dennis Valet.  
23 308 West Main Street, Suite 100, Smithtown, New  
24 York, I represent the Muscarella's.

25           The Muscarella's own 2125 Sherwood.

1 Those are lots 312, 313 and 314, they abut  
2 the subject property on the southwest corner.

3 The main concern for my property is that  
4 the proposed plan seems to increase the existing <sup>Page | 53</sup>  
5 footprint.

6 The existing footprint of the current  
7 property, right, now, the property is bounded by  
8 a white fence on the South side and West side  
9 and the existing plans seem to expand that  
10 footprint.

11 COUNCILMAN BLAKEMAN: How much does it  
12 extend?

13 DENNIS VALET: We don't know because I  
14 haven't seen them at all.

15 COUNCILMAN BLAKEMAN: Can someone come up  
16 and answer that question.

17 ATTORNEY ALTMAN: The area is pretty good,  
18 um, the area there, um, where the trash  
19 enclosure is that would be the southwest corner,  
20 um, that area is, now, a green space.

21 In fact, there is less intrusion or less  
22 intensity.

23 We are actually adding green space to this.

24 We can do this afterwards with the layout.

25 The building is moving to the westerly

1 lot line and there is an area between the building  
2 and the green space that is there, now, that is  
3 actually being enhanced, so, that area is more  
4 plantings and least pavement.

5 DENNIS VALET: My client needs to have a  
6 meeting to discuss if there is going to be an  
7 expansion of the existing footprint.

8 She has a claim of adverse possession.  
9 This space has been used and openly for forty  
10 years by all the neighbors, so, any expansion of  
11 the existing footprint is going to meet with  
12 resistance from my client.

13 She will be losing any property she  
14 currently owns right, now.

15 We can review the surveys and I ask that  
16 you hold decision in abeyance until this meeting  
17 is concluded, that way my client can properly  
18 understand exactly what she stands to lose in  
19 this proposal.

20 COUNCILMAN BLAKEMAN: Sir, exchange cards  
21 with their attorney and discuss it with them, I  
22 am sure that an amicable resolution is much  
23 cheaper than litigation on this.

24 It doesn't sound to me like it is a big  
25 parcel of land that you guys would be

1 Arguing over.

2 DENNIS VALET: Councilman, I agree. I am  
3 just making sure her rights are protected.

4 COUNCILMAN BLAKEMAN: It is duly noted, Page | 55  
5 sir, but, I think you should get his card and  
6 you guys should talk.

7 DENNIS VALET: Thank you.

8 SUPERVISOR GILLEN: Joseph Boswell?

9 JOSEPH BOSWELL: Hello, my name is Joseph  
10 Boswell. I am a resident on Sherwood Avenue,  
11 um, 29 Sherwood Avenue and, um - -

12 SUPERVISOR GILLEN: Could you pull the mic  
13 a little closer to you.

14 JOSEPH BOSWELL: Sorry and my points were  
15 just reinforced, what exactly is happening, now,  
16 if you take a step back and see what is  
17 happening.

18 I received a letter from Mr. Altman on - -  
19 was it May 11<sup>th</sup> dated May 8<sup>th</sup>, so, we were given  
20 no advance Notice of this.

21 Half the residents didn't even know about  
22 this or their letters were sitting in the Post  
23 Office.

24 So, my concerns are after I received a  
25 letter on Monday evening, there is nothing

1 I can do when I come home from work and Tuesday I  
2 immediately put in a FOIL request to determine  
3 the scope of this change.

4 I spoke to several different people.

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5 I called, um, the Councilman's Office. I  
6 was told to call, the Attorney in Charge was  
7 Charles Kovit. I am not sure, that is probably  
8 accurate.

9 And, I was told to directly reach out to  
10 Brown & Altman and ask them if they could  
11 provide information in regards to this issue.

12 I spoke to a Jackie and I was informed that  
13 they would get right back to me.

14 They did not.

15 They did not provide any information and it  
16 is pretty obviously why they didn't because  
17 there would be more, basically, there is an  
18 unanimous decision among the neighbors that we  
19 all oppose this, um, they say it wouldn't affect  
20 property values, that is interesting.

21 Look at the layout of where they want to  
22 put this building, it is directly in between the  
23 two blocks.

24 You will have a substantial amount of foot  
25 traffic and it will even more adversely



1 affect Scherer, the first few houses.

2 It is going to be like in a stadium all  
3 day. There is actually no way, just the eye  
4 test alone, no one wants to live in a house that <sup>Page | 57</sup>  
5 has a massive amount of customers coming in  
6 twenty-four hours a day.

7 Their property values will decline.

8 The area will decline.

9 Um, in addition to that, they have  
10 substantial piece of property that is zoned  
11 Commercial.

12 Why can't they utilize their existing  
13 commercial property.

14 They have to take a small piece of  
15 residential property and convert it to  
16 commercial.

17 If you saw the designs, what is the purpose  
18 of that?

19 Couldn't they fit or couldn't they design  
20 their proposal around the constraints of the  
21 existing zoning?

22 That zoning protects the neighborhood.

23 If you open up this pandoras box, who knows  
24 what is going to happen.

25 One question is that who area behind the

1 Houses, are they attempting to rezone that whole  
2 area to commercial - -

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

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5 COUNCILMAN BLAKEMAN: No, sir.

6 So, you raise some very good points, I  
7 think it is important that you also attend that  
8 meeting because it seems to me that the ten  
9 thousand square feet back there that is  
10 currently residential and can be maintained as  
11 residential but you want to control what happens  
12 to that in the future, that the residents come  
13 to maybe some agreement as to will be, which  
14 will make our decision-making much easier if it  
15 comes to an amicable resolution as to what is  
16 going to happen in that residential area.

17 But they are not, as part of this  
18 application, trying to rezone that area but your  
19 concern about what may happen in the future is a  
20 very valid concern and it is one that we,  
21 obviously, will take into consideration, that is  
22 Number 1.

23 Number 2, is do you recall who you talked  
24 to in my office?

25 JOSEPH BOSWELL: Steven.

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1 COUNCILMAN BLAKEMAN: Steven, okay.

2 JOSEPH BOSWELL: On Friday.

3 COUNCILMAN BLAKEMAN: I will direct my  
4 office from now on that they should do whatever <sup>Page | 59</sup>  
5 they can to get the plan ahead of time. I  
6 apologize for that.

7 JOSEPH BOSWELL: Let's just say my wife is  
8 pregnant and this caused a whole lot of stress.

9 We moved in the area seven years back. It  
10 is a nice residential area and we are already  
11 dealing with the traffic from the Plattdeutche,  
12 which they already encroach across Hempstead  
13 Turnpike.

14 There has been issues and other issue, as  
15 well. There have been the rat issue. There are  
16 things that haven't been addressed, here.

17 This is a big change.

18 You're positioning a building in between  
19 the blocks and they are saying it is not going  
20 to impact property values.

21 Anyone of you sitting in one of these  
22 houses, how would you vote?

23 COUNCILMAN BLAKEMAN: Well, sir, let me  
24 tell you what goes into out thought process, we  
25 have to take all of this information and

1 then figure out what is best and what best is not  
2 always perfect for everybody, but, what is best  
3 is if you and the other neighbors get together  
4 and take an active part in what the proposal Page | 60  
5 will eventually be.

6 Right, now, it is just a proposal and you  
7 will have input with them on how we go forward  
8 with this particular proposal.

9 But the reality is one of the things that  
10 Senior Councilwoman Goosby said is absolutely  
11 true of all the operators we get; this one works  
12 with the community the best and produces the  
13 most beautiful operations as far as increasing  
14 the aesthetics responding to issues.

15 We don't want a bad operator in there  
16 because then it could be something bad for you  
17 and the neighborhood.

18 Try to talk with them and work out a  
19 reasonable resolution to your concerns.

20 It makes it easier for us because we have  
21 to take into consideration everything you said.

22 We have to take into consideration what  
23 might occur if somebody else were to operate  
24 there that didn't have a track record being a  
25 good neighbor and good citizen, that is

1 a dilemma that we have.

2 You can help us out with that.

3 JOSEPH BOSWELL: I appreciate your position  
4 on that.

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5 However, everything that has happened up  
6 until this point has been contrary to what you  
7 have said.

8 We have had last-minute Notices in probably  
9 hopes that no one shows up.

10 And, this is a holiday week.

11 This has been going on since October 17<sup>th</sup>,  
12 three months.

13 They could have given us one month. We  
14 could have seen everything and we could address  
15 some of this ongoing situation, but, the  
16 question remains if you bring up their  
17 schematics, I just saw, we need more information  
18 on that.

19 Why do they need to change the residential  
20 to commercial for such a small piece of  
21 property?

22 Is it for an overall future change?

23 COUNCILMAN BLAKEMAN: I think it addresses  
24 a legal issue with respect to the opportunity of  
25 operating the service station, but, we are

1 going to reserve decision.

2 You will meet with them. They will answer  
3 the questions and, then, it will be reported  
4 back to us by our staff, whether or not there <sup>Page | 62</sup>  
5 was an amicable resolution of the concerns.

6 SUPERVISOR GILLEN: Thank you, Mr. Boswell  
7 for sharing your concerns.

8 Please, coordinate with Mr. Altman right  
9 behind you and with Mr. Rivera, who is another  
10 representative, coordinate the date for all of  
11 you to meet, to try to resolve some of these  
12 issues.

13 JOSEPH BOSWELL: Okay, thank you.

14 SENIOR COUNCILWOMAN GOOSBY: I suggest that  
15 you try to meet with them about your concerns.

16 JOSPEH BOSWELL: Sure, it has a lot of  
17 ramifications, it is probably half of the  
18 ramifications are not even going to be touched  
19 on at this meeting.

20 Thank you, everyone for your time.

21 COUNCILMAN BLAKEMAN: Is this your first  
22 child?

23 JOSEPH BOSWELL: It is my second.

24 COUNCILMAN BLAKEMAN: Congratulations.

25 JOSEPH BOSWELL: I appreciate that,

1 thank you.

2 SUPERVISOR GILLEN: I do not have any other  
3 slips on this Public Hearing, is there anybody  
4 else that would like to be heard? Page | 63

5 MICHAEL TURI: Hi, Madam Supervisor,  
6 Members of the Board:

7 Michael Turi. This is not the original  
8 thing that I wanted to speak on but just very  
9 quickly what the community is coming here and  
10 doing in front of you, I applaud your efforts,  
11 you show up when things are important to you,  
12 that is what you do.

13 Um, very quickly, the person came up here  
14 and asked about a "Muscarella" and representing  
15 one, Mr. Muscarella, welcome to the Town Board.

16 Do you have any fiduciary or financial  
17 connection to this individual or family?

18 COUNCILMAN MUSCARELLA: No.

19 MICHAEL TURI: Fantastic, that was my only  
20 question.

21 SUPERVISOR GILLEN: Thank you, sir.

22 Is there anybody else that would like to be  
23 heard on this Public Hearing?

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

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

3 COUNCILMAN BLAKEMAN: Yes, Supervisor, I  
4 move that the Public Hearing be closed and that <sup>Page | 64</sup>  
5 the Town Board reserve decision.

6 SENIOR COUNCILWOMAN GOOSBY: Second the  
7 Motion.

8 SUPERVISOR GILLEN: Madam Clerk?

9 CLERK CABANA: Supervisor Gillen?

10 SUPERVISOR GILLEN: Aye.

11 CLERK CABANA: Councilman Blakeman?

12 COUNCILMAN BLAKEMAN: Aye.

13 CLERK CABANA: Councilman D'Esposito?

14 COUNCILMAN D'ESPOSITO: Aye.

15 CLERK CABANA: Councilman Dunne?

16 COUNCILMAN DUNNE: Aye.

17 CLERK CABANA: Senior Councilwoman Goosby?

18 SENIOR COUNCILWOMAN GOOSBY: Aye.

19 CLERK CABANA: Councilman Muscarella?

20 COUNCILMAN MUSCARELLA: Aye.

21 SUPERVISOR GILLEN: Madam Clerk, please,  
22 call our next Public Hearing.

23 CLERK CABANA: Application of Isaihah and  
24 Eulah Moultrie for rezoning from Residence "B"  
25 and Business District to the Urban Residence



1 "C" District located in Inwood - on the northwest  
2 corner of Bayview Avenue & Russel Banks Place.

3 ATTORNEY BROWNE: Good Morning, Madam  
4 Supervisor, Members of the Board:

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5 Christian Browne from Sahn, Ward,  
6 Coshignano, PLLC., 333 Earle Ovington Boulevard,  
7 Suite 601, Uniondale, appearing for the  
8 applicant in this application that concerns  
9 property known as 360 through 370 Bayview Avenue  
10 in Inwood.

11 Um, as you know, this is an application to  
12 rezone the subject property from a split zone,  
13 where there is currently split zoning between  
14 the Business zone and the Residence B zoning  
15 running along Bayview Avenue.

16 The purpose of the application is to pave  
17 the way for the potential redevelopment of this  
18 site.

19 We will hand up - - the staff has hand-ups,  
20 a series of photographs showing the present  
21 conditions of the site.

22 This would be the first step in a process  
23 to clear the way, as I said, for the  
24 redevelopment of this site, which is, now, um,  
25 merely a blighted site, which that is

1 a jumble of different non-conforming and  
2 otherwise, I would say, illegal or dilapidated  
3 buildings.

4 They include some non-conforming multi-  
5 family dwellings; um, a burnt out church, a  
6 large open area that has been used over the last  
7 many years, improperly storing old vehicles.

8 So, it is a derelict site overall.

9 And, what we propose to do is redevelop it  
10 with a new, multi-family, um, um, housing, um,  
11 development, um, that would also have an area  
12 for parking in a separate lot to be East, I  
13 believe, it is, um, on Bayview Avenue across  
14 from Russell Banks Place.

15 So, there are two pieces of property before  
16 you that, as you know, from the plans that the  
17 Board has already reviewed, one site would be  
18 developed with a proposed five-story multi-  
19 family, um, housing development that would  
20 include, um, an area for parking on grade, um,  
21 four apartments on that ground floor and, then,  
22 four stories above that, each of those stories  
23 having eleven units apiece.

24 There would also be an open area.

25 COUNCILMAN BLAKEMAN: Excuse me, what is

1 the average square footage of the apartments?

2 ATTORNEY BROWNE: The average square  
3 footage and Mr. Moultrie, could you answer this,  
4 this is the applicant. Page | 67

5 Just put your name and address on the  
6 record.

7 Could you, please, give the average square  
8 footage of the apartments.

9 APPLICANT MOULTRIE: Isaihah Moultrie. 216  
10 Cedar Avenue, Hewlett, New York.

11 The square footage is about one thousand  
12 square footage, some smaller apartments run in  
13 the nine hundred range.

14 The larger run a thousand.

15 COUNCILMAN BLAKEMAN: So, Mr. Moultrie,  
16 what is the mix going to be, one bedroom, two  
17 bedrooms, studios?

18 APPLICANT MOULTRIE: Yes, it is a complete  
19 mix from studios, one, two, maybe some three  
20 bedrooms in there.

21 COUNCILMAN BLAKEMAN: Will you have three  
22 bedrooms in there?

23 APPLICANT MOULTRIE: Yes.

24 ATTORNEY BROWNE: That would be the  
25 concept, also, we could adjust the actual

1 numbers as necessary.

2 The three bedrooms would be the minority,  
3 the majority would be studios, one and two  
4 bedrooms.

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5 COUNCILMAN BLAKEMAN: So, Counselor - -

6 ATTORNEY BROWNE: Yes.

7 COUNCILMAN BLAKEMAN: - - We just rezoned  
8 the area right near this.

9 ATTORNEY BROWNE: Yes.

10 COUNCILMAN BLAKEMAN: And, part of that  
11 rezone, we have an Architectural and  
12 Beautification Advisory Committee.

13 ATTORNEY BROWNE: Yes.

14 COUNCILMAN BLAKEMAN: Would you voluntarily  
15 submit your architectural plans to the committee  
16 for review?

17 ATTORNEY BROWNE: Yes, we would.

18 I think that would be - - it is an  
19 excellent mechanism. I was going to propose a  
20 series of general conditions that would either  
21 be incorporated by this Board or by the Zoning  
22 Board because we would need a series of  
23 variances to build this, as well if this Board  
24 were to rezone it, we would address the use  
25 issue, only the use as a multifamily.

1 But, I think that a very appropriate  
2 mechanism would be to use the new Board, that  
3 will review applications and the new zoning.

4 COUNCILMAN BLAKEMAN: Because I think there <sup>Page | 69</sup>  
5 is a little work you can do on your landscaping  
6 plan.

7 ATTORNEY BROWNE: Yes, yes, we are prepared  
8 to offer to the Board before any final approval  
9 is given, either, here at the zoning building  
10 permit stage that we would provide landscaping,  
11 lighting and streetscape plan to the Board, as  
12 well as an architectural, you know, review  
13 process.

14 We have renderings in your packet.

15 COUNCILMAN BLAKEMAN: I saw them, they are  
16 pretty nice, but, we have this Architectural  
17 Review Committee, so, it is a couple of blocks  
18 away where we rezoned, so, it might be just  
19 better to let them work with you guys and, just  
20 let them make the recommendations to the Board  
21 because, you know, they have been given the  
22 assignment for the whole area and this is part  
23 of the whole - -

24 ATTORNEY BROWNE: Yes.

25 COUNCILMAN BLAKEMAN: - - Whole area.

1 And, although this falls outside the zone,  
2 it is part of the overall plan for the  
3 neighborhood.

4 ATTORNEY BROWNE: Yes and we would - - we <sup>Page | 70</sup>  
5 would agree to that.

6 And, I think that is actually an excellent  
7 suggestion because I know that those types of  
8 site plan concerns are quite relevant to this  
9 Board and the Town, the other Boards that have  
10 jurisdiction in the Town, so, um, that would be  
11 a very good way to proceed.

12 I would note that, um, this is sort of in  
13 keeping with the new zone.

14 Obviously, this application began before  
15 the new zone was under consideration and  
16 adopted.

17 So, we chose to request rezoning to the  
18 Urban Renewal C zone, one, because it is clearly  
19 a blighted section and that is what that Urban  
20 Renewal zoning was intended to address and  
21 because that exact zoning lies directly across  
22 Bayview Avenue where, um, the Town has housing  
23 development-type projects, um, just on the South  
24 side of Bayview Avenue.

25 So, all the Board would be doing, here,

1 in terms of the rezoning aspect is pulling that  
2 line across the street to the North to encompass  
3 this parcel and that the zoning that is across  
4 the street, that would clear the way to allow <sup>Page | 71</sup>  
5 for this type of development as a use because,  
6 as you know, in the Residence B or Business  
7 zone, you can't have, by right, those types of  
8 developments.

9 The Business, you can do it in the Business  
10 zone would maybe to do one or two, two-family  
11 homes and I am not sure that really, really  
12 accomplishes - -

13 COUNCILMAN BLAKEMAN: Basically, what you  
14 are saying is that if you don't permit the  
15 rezone, that it would not be economically  
16 feasible to clear up the blight with a new  
17 development because you won't get enough density  
18 in return.

19 ATTORNEY BROWNE: Right, it would create a  
20 large, legal hurdle, also, to begin with,  
21 because to do this, you have to seek - -  
22 basically, he has to ask the Zoning Board of  
23 Appeals to waive the entire Ordinance to allow  
24 for this kind of development if this Board  
25 rezones it to the, um, "C" Renewal District,

1 then, multi-family uses would be permitted by  
2 right.

3 We would have to seek variances for blight  
4 and density, um, and, we would go through the <sup>Page | 72</sup>  
5 site plan architectural review process that you  
6 outlined, Councilman, but, I also would note  
7 that the application does meet the parking  
8 requirements, um, that - - that would apply to  
9 this development.

10 So, we have, um, um, thirty-one parking  
11 spots that we are proposing on that easterly  
12 portion and, then, under the building, itself,  
13 would be an additional fifteen parking spaces.

14 So, we would not need relief for parking.

15 COUNCILMAN BLAKEMAN: How many per unit?

16 ATTORNEY BROWNE: I believe it is two per  
17 unit.

18 COUNCILMAN BLAKEMAN: Two per unit?

19 ATTORNEY BROWNE: Yes.

20 COUNCILMAN BLAKEMAN: If we could help you  
21 out a little bit with the parking, would you do  
22 more landscaping and greenery?

23 ATTORNEY BROWNE: Of course, we would work  
24 with the Board, um, however, you know, the Town  
25 Board - -



1 COUNCILMAN BLAKEMAN: I can't imagine the  
2 situation where the studio apartment is going to  
3 need two spaces.

4 We will talk about that later.

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5 ATTORNEY BROWNE: I agree with you, the  
6 Codes - - all the Codes still, I think are a  
7 bit over the top on the parking requirements,  
8 um, but we are willing to look at the units.

9 Anyway, as I said, the purpose of this  
10 application is simply to pull that line across  
11 the street so that this type of development can  
12 move forward on a uses basis.

13 We would still go for review at the Zoning  
14 Board and at the Architectural Review Board, so,  
15 we would be willing to work with you on  
16 fashioning any type of those conditions if the  
17 Board so see fits to grant the application.

18 And, we, then, we could move to the next  
19 step of the process.

20 SENIOR COUNCILMAN GOOSBY: You have five  
21 stories in this building?

22 ATTORNEY BROWNE: Yes.

23 SENIOR COUNCILWOMAN GOOSBY: What are the  
24 total apartments?

25 APPLICANT MOULTRIE: There are forty-eight.

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1 ATTORNEY BROWNE: Forty-eights.

2 SENIOR COUNCILWOMAN GOOSBY: Forty-eight?

3 ATTORNEY BROWNE: Yes.

4 SENIOR COUNCILWOMAN GOOSBY: How many three <sup>Page | 74</sup>  
5 bedrooms?

6 APPLICANT MOULTRIE: As it stand, now, I  
7 believe three, three bedrooms per floor, so, it  
8 leaves a total of twelve, yeah, I believe, not  
9 on the first floor, second, third and fourth and  
10 fifth story of three-bedroom apartments, make a  
11 total of twelve, three-bedroom apartments.

12 SENIOR COUNCILWOMAN GOOSBY: I assume you  
13 have an elevator?

14 ATTORNEY BROWNE: Yes, there is an  
15 elevator.

16 SENIOR COUNCILWOMAN GOOSBY: How many  
17 elevators?

18 APPLICANT MOULTRIE: Two elevators on the  
19 South side of the building.

20 ATTORNEY BROWNE: Two elevators on a single  
21 floor, the entrance to the building would be on  
22 the side, on Russell Banks Place.

23 There would be, um, um, landscaping, new  
24 streetscape on the Bayview Avenue side.

25 Every apartment would have a terrace.

1           There is open space on the rear, um, for  
2 recreation, um, that runs into what is, now,  
3 part Business and part Residence B zone and  
4 there would be landscaping from the parking area<sup>Page | 75</sup>  
5 and the Russell Banks Place area, where, again,  
6 you would have your entrance there for the  
7 residence and there would also be a curb cut  
8 there to allow for people to pull into the  
9 parking spaces that are underneath the building.

10           There is no digging down for a garage or  
11 anything of that nature.

12           So, you would enter the parking lot on the  
13 East side, um, on Bayview Avenue.

14           You would enter the parking lot under the  
15 building, itself, on Russell Banks Place.

16           SUPERVISOR GILLEN: Mr. Browne - -

17           ATTORNEY BROWNE: Yes.

18           SUPERVISOR GILLEN: There is a photograph  
19 in here of - -

20           ATTORNEY BROWNE: Oh, yes, I would mention  
21 that, um, Mr. Moultrie's Father, who is a long-  
22 time resident of Inwood, Mr. Moultrie, you grew  
23 up in Inwood.

24           Reverend Moultrie raised his family there.

25           They owned property through out, um, the

1 Inwood area for many, many years.

2 So, it is nice to know, I think that these  
3 are local people who are really - - yes, they  
4 are looking to, you know, develop but they are <sup>Page | 76</sup>  
5 looking to develop in a way that is also good  
6 for their hometown, their home community.

7 COUNCILMAN BLAKEMAN: Not to counter the  
8 Senior Councilwoman, um, but I know what Dennis  
9 Dunne is thinking because we are part of the  
10 Marine Family as Father's now, my step-son is  
11 serving in Cherry Point, United States Marine  
12 Corp, in the Aviation Bureau.

13 It is not a solider, it is a Marine,  
14 correct?

15 ATTORNEY BROWNE: Correct.

16 COUNCILMAN BLAKEMAN: Is that right,  
17 Dennis?

18 COUNCILMAN DUNNE: Yes, Boot Camp, 1953,  
19 here, is the picture.

20 SUPERVISOR GILLEN: Thank you for your  
21 service.

22 COUNCILMAN BLAKEMAN: There is no such thing  
23 as a former Marine, once a Marine, always a  
24 Marine.

25 REVEREND MOULTRIE: Always a Marine.

1 Thank you for being able to be out, here,  
2 my family grew up in Inwood and the first  
3 politician died and we own his house.

4 We grew up in his house on Morris Avenue Page | 77  
5 and, um, Inwood was a nice place and still is a  
6 nice place and if you just work with us, it  
7 would be even nicer.

8 Families would enjoy life there and, um, I  
9 want you to know I enjoy the Country as a Marine  
10 and I enjoy that.

11 And, certainly we can have a beautiful,  
12 country.

13 America is the best, not second, America is  
14 the best and we thank God for being in a place  
15 like this.

16 Um, I want to say to you, thank you for  
17 this opportunity, um, I like my wife to come up,  
18 here. Sixty-three years I have been married.

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

21 REVEREND MOULTRIE: We had a beautiful time  
22 in Inwood and we want Inwood to stay that way,  
23 our family grew up there and they played  
24 together and grew up together and I thank you so  
25 much.

1 Um, Mr. Pete DeSibio and Nick, his son,  
2 such beautiful people and when we needed them,  
3 they were right there and we had cultural Black  
4 and White, Italian, beautiful and we certainly <sup>Page | 78</sup>  
5 thank God for being in such a place like that.

6 COUNCILMAN BLAKEMAN: Reverend, I just want  
7 to say thank you very much, that is one of the  
8 things that makes Inwood so special is that it  
9 is multi-cultural.

10 It is diverse people getting along and  
11 supporting each other and they care about each  
12 other and I see that your son is doing what my  
13 son is doing, taking the microphone away from  
14 you.

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

17 COUNCILMAN BLAKEMAN: So, listen, I just  
18 want to say, God Bless you. Thank you for your  
19 service to America.

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

22 COUNCILMAN BLAKEMAN: Is that your  
23 application, Counsel?

24 ATTORNEY BROWNE: Yes, it is.

25 COUNCILMAN DUNNE: Historically, the

1 Reverend, he stated that he envisioned Inwood as a  
2 place to help fellow Veterans, as well as,  
3 providing quality housing for the community, so,  
4 not just Veterans, but for the whole community,<sup>Page | 79</sup>  
5 but, particularly, Veterans.

6 And, I love that part and we need housing  
7 for the Veterans in the Inwood area and people  
8 coming home from the war that we have over in  
9 Asia is just plentiful and there are a lot of  
10 people coming home and they need housing.

11 And, Veterans, as we hear time and time,  
12 again, do not have housing for Veterans and this  
13 is one opportunity we have to help do that, not  
14 just for Veterans, the community needs help but,  
15 in particular, Veterans.

16 And, I want to applaud you for that.

17 And, again, thank you for your service,  
18 Reverend, God Bless you.

19 SENIOR COUNCILWOMAN GOOSBY: I want to say  
20 one thing, I know there are people here that are  
21 are they NABWIC, do you know what that is? The  
22 National Association of Black Women in  
23 Construction Incorporated - -

24 SUPERVISOR GILLEN: Mr. Browne, when you  
25 appeared you put in your appearance, you

1 mentioned the name of your law firm - -

2 ATTORNEY BROWNE: Yes.

3 SUPERVISOR GILLEN: Um, it occurred to me  
4 after mentioning the name of your law firm, I <sup>Page | 80</sup>  
5 believe my sister-in-law is joining your law  
6 firm, actually, I do not know if she is joining  
7 your law firm, yet, although, under the  
8 definition of "relative," put in our Ethics  
9 Code, she is technically, not related to me,  
10 although she is related to me, so, um, since our  
11 Ethics Counsel is not, here, um, I would be  
12 abstaining from any participation in this Public  
13 Hearing until I get an opinion from the Ethics  
14 Counsel whether or not I am precluded from  
15 participating.

16 Councilman Blakeman will be taking over the  
17 rest of this Hearing.

18 COUNCILMAN BLAKEMAN: Actually, although it  
19 is my District, I am going to concede to the  
20 Senior Councilwoman to proceed, so, I will pass  
21 it over to her because I don't want to incur the  
22 wrath of the Senior Councilwoman.

23 (Whereupon, laughter was heard. After, the  
24 following ensued.)

25 COUNCILMAN BLAKEMAN: I have been the



1 Recipient many times. We are in a good place,  
2 now.

3 SENIOR COUNCILWOMAN GOOSBY: We know what  
4 we are doing. Page | 81

5 ATTORNEY BROWNE: Thank you. I think you  
6 understand the purpose of our application.

7 As I said, this is just to clear the way to  
8 allow the use to go forward.

9 There will be further review, both as  
10 Councilman Blakeman outlined and through the  
11 Zoning Board of Appeals and we would certainly  
12 work with the Town Attorney's Office.

13 I mentioned to Mr. Ra, actually, crafted a  
14 resolution that directs the application to the  
15 appropriate process, if the Board sees fit to  
16 grant it and other than that, that is our case,  
17 unless the Board has any further questions?

18 SENIOR COUNCILWOMAN GOOSBY: Okay, well, I  
19 have two people, Gail Davis?

20 GAIL DAVIS: Good Afternoon, um, Madam  
21 President, Fellow Board Members: My name is  
22 Gail Davis and I reside at 17 Russell Place,  
23 Inwood.

24 Russell Place is a dead end street where  
25 currently there are four homes on that block.

1 Um, right, now, I am the longest-standing  
2 homeowner there.

3 I have been residing there for forty years,  
4 so, I have seen a lot of, um, you know, Page | 82  
5 different neighbors come and go.

6 Um, right, now, there are two homes on the  
7 block that are renters and the other two are  
8 homeowners.

9 Um, in 1990, there was a house on the  
10 corner on the northwest corner of Bayview Avenue  
11 and Russell Place, so, um, there was a fire  
12 through the house and the house burnt down, so,  
13 it sat there three years and in 1993, it was  
14 torn down, so, since 1993, which is twenty-six  
15 years ago, there has been a lot there.

16 So, over the years, as the Attorney said,  
17 there have been numerous vehicles placed on the  
18 lot.

19 So, um, my concern is just I wanted to know  
20 what was going to be built on the lot?

21 And, also, since it is a narrow block, um,  
22 the side of the residences where the parking is  
23 going to be, come in and, um, the entrance, I  
24 understand is going to be on the Russell Place  
25 side, so, I just wanted to know how is that

1 going to coincide with the residents that already  
2 live there because it is a narrow street.

3 So, when I was growing up, there, um, at  
4 least, each homeowner had a vehicle and all  
5 vehicles went in the driveway, so, over the  
6 years, um, a lot of people that come there were  
7 renters.

8 There was a lot of parking on the block.

9 It is, at times, it is hard to get into the  
10 block, into the street, so I wanted the street  
11 to be all clear.

12 I just want to know what the parking  
13 condition and the side is going to be like?

14 COUNCILMAN BLAKEMAN: Can I address those?

15 SENIOR COUNCILWOMAN GOOSBY: Go ahead.

16 COUNCILMAN BLAKEMAN: Thank you, by the  
17 way, for coming in and bringing those issues to  
18 our attention.

19 So, it is my understanding from our  
20 engineers that looked at this, that if they  
21 build this with the parking lot, it will  
22 alleviate a lot of the parking, now, because  
23 people, now, park on the street.

24 And, you are right, it is a narrow road.  
25 Russell is a very narrow road and two cars are

1 parked on Russell, you can hardly get through.

2 So, this is supposed to alleviate that by  
3 making people get off the street and go in the  
4 parking lot, that is number one. Page | 84

5 Number 2, is if we decide to pass this that  
6 is the only first hurdle that they have to go  
7 through.

8 They have to go for a variance. They have  
9 to submit to the Architectural Review Program.

10 And, one of the things we may ask them to  
11 do is to widen the turning area on Russel and  
12 Bayview so that there is no back up there.

13 So, that would probably help out a lot,  
14 right.

15 GAIL DAVIS: On the opposite side of the  
16 northwest corner - - the northeast corner,  
17 there is a house, so oftentimes, like I said,  
18 the cars are there, backed up on that side, the  
19 right side, it is hard to get in.

20 I have to like swing out to just go in as  
21 opposed to if there is no car there, I just  
22 turn.

23 So, now, the parking - - this parking is  
24 just for the residents of this new development,  
25 correct?

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1 COUNCILMAN BLAKEMAN: Yes, the structures  
2 that we replace, those structures, now, have a  
3 lot of people living there and they park on the  
4 streets - -

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5 GAIL DAVIS: Right.

6 COUNCILMAN BLAKEMAN: - - So, instead of  
7 parking in the streets, they would be parking in  
8 the parking lot, so, in other words, when they  
9 take down those structures that have two or  
10 three and sometimes more families in them with a  
11 lot of cars, that would be eliminated and the  
12 people living in the building will have parking  
13 underneath the building and, then, across the  
14 street.

15 So, the goal is to get those cars off the  
16 streets because of the situation that you  
17 brought to our attention.

18 SENIOR COUNCILWOMAN GOOSBY: Councilman,  
19 maybe you can have traffic address that, you  
20 know, appraise it so we know what they are  
21 doing.

22 GAIL DAVIS: I have one more thing.

23 SENIOR COUNCILWOMAN GOOSBY: Oh, I am  
24 sorry, go ahead.

25 GAIL DAVIS: Um, the entrance to this

1 new development will be, as you turn into Russell  
2 or would it be kind of like the corner to  
3 Russell and Bayview or would it be more on the  
4 Bayview side? Page | 86

5 COUNCILMAN BLAKEMAN: Where would the  
6 ingress and egress for the underground parking  
7 at the building be?

8 ATTORNEY BROWNE: It would be on Russell  
9 towards the North, it is not right against  
10 Bayview.

11 It is about, um, approximately, one hundred  
12 and forty or so, eighty feet or so North on  
13 Russell, more into the street, yes.

14 SENIOR COUNCILWOMAN GOOSBY: More into the  
15 street?

16 ATTORNEY BROWNE: More into the street.

17 COUNCILMAN BLAKEMAN: Is it possible to put  
18 it on Bayview?

19 ATTORNEY BROWNE: Well, the way the  
20 building is turned, the entranceway faces  
21 Russell Banks Place, um, so, we have to readjust  
22 the building and we have to get County  
23 permission to open a curb cut on Bayview Avenue,  
24 which, I believe, is a County roadway.

25 GAIL DAIVS: That would create some, um,

1 Complexity to the street because - -

2 COUNCILMAN BLAKEMAN: Does it make it  
3 worse?

4 GAIL DAVIS: Somewhat.

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5 COUNCILMAN BLAKEMAN: Let's eliminate that.

6 GAIL DAVIS: - - Because the thing is, like  
7 I said, there are four residences, one of which  
8 was - -

9 (Whereupon, the three-minute bell rang.  
10 After, the following ensued.)

11 GAIL DAVIS: - - Mishap with a fire, the  
12 house to the right of me is a rental, a lot of  
13 rentals, so, they all have vehicles, the house  
14 next to that is, um, actually homeowners, they  
15 have about four, five vehicles, some of which  
16 they park on the block, so, now, with this  
17 entrance being more indented onto Russell Place,  
18 um, it would create a problem because everyone  
19 has cars.

20 As I said before, when I was growing up,  
21 each one of the residents that lived on the  
22 block, the four houses towards the back,  
23 everyone parked in their driveways.

24 There was virtually no traffic.

25 It was a quiet block.

1           So, now, after which, two of the residents  
2           have passed and one of the families they moved  
3           away, so, now, that made way for renters,  
4           everyone has cars.

5           The street is pretty active all day, every  
6           day, you know.

7           COUNCILMAN BLAKEMAN: Do you know Mr.  
8           Moultrie?

9           GAIL DAVIS: Yes.

10          COUNCILMAN BLAKEMAN: Have you guys been  
11          talking about some of these issues?

12          APPLICANT MOULTRIE: Yes, we have. Just to  
13          state the fact, really, the cars that are parked  
14          on Russell Place, there is supposed to be no  
15          parking, so, we asked that the police enforce  
16          that because she is right, it is a congested  
17          block.

18          So, as you said, Councilman, rightfully so,  
19          two of the homes are being torn down to replace  
20          parking, that would alleviate only three houses  
21          on the street.

22          She parks in the driveway all the time.  
23          The other one house that has ten cars there,  
24          always illegally parks in the street.

25          So, we would have to ask the Police



1 Department to enforce that "No parking," in the  
2 street. There are signs that clearly state  
3 that.

4 GAIL DAVIS: There are signs that have been <sup>Page | 89</sup>  
5 there for many years.

6 COUNCILMAN BLAKEMAN: We will ask the  
7 Nassau County Police Department.

8 GAIL DAVIS: I mean some years ago, my Aunt  
9 actually parked on the street and she got a  
10 summons but, after that, there is - - nothing  
11 has been done.

12 Any enforcement, the police virtually don't  
13 come down the block unless there is an issue.

14 COUNCILMAN BLAKEMAN: We can get them to be  
15 more active.

16 ATTORNEY BROWNE: I just want to note that  
17 the entrance that would be on Russell Bank  
18 Place, you go under the building, that is just  
19 for fifteen parking spots, the other thirty-one  
20 would be access off of Bayview directly into the  
21 parking lot.

22 So, the majority of the parking for the  
23 building would not have to come down Russell  
24 Banks Place.

25 COUNCILMAN BLAKEMAN: Only a few cars.

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1 ATTORNEY BROWNE: Only a few cars.

2 SENIOR COUNCILWOMAN GOOSBY: Let's have the  
3 Traffic Engineer speak.

4 ATTORNEY BROWNE: We didn't bring a Traffic <sup>Page | 90</sup>  
5 Engineer, today, but we will have one at the  
6 Zoning Board and we will also have one, um that  
7 will work with the site plan review process.

8 COUNCILMAN BLAKEMAN: So, this is just the  
9 first step.

10 They will have to go through other hurdles  
11 and submit plans and address, you know, issues  
12 that we raised and that they have raised.

13 This is just a Hearing on whether or not to  
14 grant the rezoning, otherwise, you don't have an  
15 issue with their proposal?

16 GAIL DAVIS: No, I mean that is fine. It  
17 is something good that is coming into the  
18 community, something to bring up some of the  
19 property values.

20 Some of the people on that block are  
21 renters and usually nine out of ten times  
22 renters bring down property values because how  
23 they live and they don't really care about the  
24 properties.

25 They just want some place to live versus

1 a homeowner has more pride in their property.

2 COUNCILMAN BLAKEMAN: I think those are  
3 very valid comments and we appreciate them.

4 They will be working with you to let us  
5 know if you have any concerns and the process  
6 moves forward before they construct it.

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7 GAIL DAVIS: Okay.

8 ATTORNEY BROWNE: I also want to know since  
9 Bayview Avenue is a County Road, there will also  
10 be County input as to where the curb cuts go and  
11 potential widening of the curb radiuses on  
12 Bayview and Russell Banks Place.

13 There will be quite a bit of work still to  
14 do if the building is to be built.

15 COUNCILMAN BLAKEMAN: Thanks for coming.

16 GAIL DAVIS: Thank you for listening.

17 SENIOR COUNCILWOMAN GOOSBY: Meta Mereday?

18 META MEREDAY: Meta J. Mereday, Baldwin  
19 resident, advocate for Veterans, always excited,  
20 not only for the fact that we do have the  
21 opportunity to salute our Veterans and I also  
22 join in the recognition of Reverend Moultrie and  
23 his Service to our Country.

24 And, I am hoping that we can move forward,  
25 um, with this project, um, with the awareness

1 that there maybe some things that may need to be  
2 addressed but we need to get this first step in  
3 place because, um, the multi-family represents,  
4 um, that type of diversity, um, through  
5 adversity that we need to acknowledge and  
6 support.

7 As I sat, here, for numerous presentations,  
8 where there have been maybe some situations that  
9 needed to get addressed, they were still allowed  
10 to move forward, so, I am hoping, um, that we  
11 are able to move this project forward and stand  
12 ready to work, um, with Mr. Moultrie and his  
13 team to ensure that our Veterans are involved  
14 with this process, as well as given the  
15 opportunity, um, to be able to live in these,  
16 um, you know, live in these homes, um, and  
17 apartments, so, that they can have decent  
18 housing in the community in which they have, you  
19 know, been raised.

20 And, I know a lot of people that also work,  
21 born and raised in the Inwood community.

22 I am quite familiar with how it use to be.

23 So, this is an opportunity to begin, let  
24 local residents, local businesses, small  
25 businesses, um, minority businesses and

1 Minority communities feel that our elected  
2 officials are looking out for their interests  
3 and voting to work with them, so that they can  
4 get passed this hurdle and work towards building <sup>Page | 93</sup>  
5 what they need to do.

6 So, I am fully in support of this project.

7 And, as I said, stand ready to work with  
8 them, as well as, any organizations that provide  
9 diversity and inclusion in this Township where  
10 it is sorely needed.

11 Thank you.

12 SENIOR COUNCILWOMAN GOOSBY: Anyone else?

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

15 COUNCILMAN BLAKEMAN: Senior Councilwoman,  
16 I move at this time, that the Public Hearing be  
17 closed and since there is no opposition and I  
18 understand the applicants are under financial  
19 hardship, that we approve this application for  
20 rezoning.

21 SENIOR COUNCILWOMAN GOOSBY: I second the  
22 Motion.

23 CLERK CABANA: Councilman Blakeman?

24 COUNCILMAN BLAKEMAN: Aye.

25 CLERK CABANA: Councilman D'Esposito?

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1 COUNCILMAN D'ESPOSITO: Aye.

2 CLERK CABANA: Councilman Dunne?

3 COUNCILMAN DUNNE: Aye.

4 CLERK CABANA: Senior Councilwoman Goosby? Page | 94

5 SENIOR COUNCILWOMAN GOOSBY: Aye.

6 CLERK CABANA: Councilman Muscarella?

7 COUNCILMAN MUSCARELLA: Aye.

8 (Whereupon, Supervisor Gillen recused  
9 herself from the Hearing and voting. After, the  
10 following ensued.)

11 ATTORNEY BROWNE: I want to thank the Board  
12 for your time and attention.

13 SUPERVISOR GILLEN: Thank you all very  
14 much. That concluded our Public Hearings.

15 Madam Clerk, will you, please, call the  
16 Administrative Calendar.

17 CLERK CABANA: Supervisor, there are Items  
18 9 through 37 on the Administrative Calendar.

19 SUPERVISOR GILLEN: Would any of the  
20 Council Members like to sever any of the items  
21 on the Administrative Calendar?

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

24 SUPERVISOR GILLEN: May I have a Motion on  
25 the Administrative Calendar.

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1 SENIOR COUNCILWOMAN GOOSBY: I move the  
2 Administrative Calendar in its entirety.

3 COUNCILMAN BLAKEMAN: Second.

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4 SUPERVISOR GILLEN: Now, that the  
5 Administrative Calendar is before the Board, I  
6 make a Motion to amend Item 23 the resolution  
7 with the actual access agreement, in the  
8 "Whereas" clause, I strike the word  
9 "approximately" and replace it with the word,  
10 "at least."

11 COUNCILMAN BLAKEMAN: Supervisor, that was  
12 my understanding, so, I second that.

13 SUPERVISOR GILLEN: Madam Clerk?

14 CLERK CABANA: Supervisor Gillen?

15 SUPERVISOR GILLEN: Aye.

16 CLERK CABANA: Councilman Blakeman?

17 COUNCILMAN BLAKEMAN: Aye.

18 CLERK CABANA: Councilman D'Esposito?

19 COUNCILMAN D'ESPOSITO: On the amendment,  
20 correct?

21 SUPERVISOR GILLEN: Yes.

22 COUNCILMAN D'ESPOSITO: Aye.

23 CLERK CABANA: Councilman Dunne?

24 COUNCILMAN DUNNE: Aye.

25 CLERK CABANA: Senior Councilwoman Goosby?

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1 SENIOR COUNCILWOMAN GOOSBY: Aye.

2 CLERK CABANA: Councilman Muscarella?

3 COUNCILMAN MUSCARELLA: Aye.

4 SENIOR COUNCILWOMAN GOOSBY: I move to Page | 96

5 amend 27, as follows: I move to amend Item 27  
6 for the Supervisor not to be authorized to sign  
7 agreements unless and until the Counsel to the  
8 Minority, as well as, the Town Attorney approve  
9 and recommend said contract?

10 COUNCILMAN D'ESPOSITO: Second.

11 SUPERVISOR GILLEN: Madam Clerk.

12 CLERK CABANA: Supervisor Gillen?

13 SUPERVISOR GILLEN: This is a reasonable  
14 request an I vote Aye.

15 CLERK CABANA: Councilman Blakeman?

16 COUNCILMAN BLAKEMAN: Aye.

17 CLERK CABANA: Councilman D'Esposito?

18 COUNCILMAN D'ESPOSITO: Aye.

19 CLERK CABANA: Councilman Dunne?

20 COUNCILMAN DUNNE: Aye.

21 CLERK CABANA: Senior Councilwoman Goosby?

22 SENIOR COUNCILWOMAN GOOSBY: Aye.

23 CLERK CABANA: Councilman Muscarella?

24 COUNCILMAN MUSCARELLA: Aye.

25 SUPERVISOR GILLEN: I have a number of



1 slips on the Administrative Calendar; Felix  
2 Procacci?

3 FELIX PROCACCI: Felix Procacci, Franklin  
4 Square. Page | 97

5 Um, Items 14, 15, 16, 17, 27, um, they have  
6 to do with contracts, has the Compliance Officer  
7 reviewed each of those items?

8 TOWN ATTORNEY RA: I believe the answer is  
9 yes, but, I believe he is here.

10 COUNCILMAN BLAKEMAN: Mr. Wilding?

11 SUPERVISOR GILLEN: Mr. Wilding, would you  
12 come forward.

13 COMPLIANCE OFFICER WILDING: Good Morning,  
14 Members of the Board.

15 SUPERVISOR GILLEN: With respect to Items  
16 14, 15, 16 and 27?

17 FELIX PROCACCI: And, 27.

18 COMPLIANCE OFFICER WILDING: 27 is amended.

19 TOWN ATTORNEY RA: Comment on 27.

20 COMPLIANCE OFFICER WILDING: There is a  
21 seven hundred dollar Grant that is at stake on  
22 27. We don't have the contract, yet. The  
23 resolution that the Board is voting on says that  
24 the Supervisor is authorized to sign after vote,  
25 the Town Attorney and the Attorney for the

1 Minority agrees that the term of the contract are  
2 satisfactory to the Town, so, 27 is we do not  
3 have that yet, but if we don't take action  
4 today, we lose the seven hundred thousand dollar <sup>Page | 98</sup>  
5 Grant.

6 FELIX PROCACCI: Okay.

7 SUPERVISOR GILLEN: With respect to 14, um,  
8 three bids were received and the company that is  
9 awarded the agreement is the lowest bidder.

10 Um, 15, three bids were received, again,  
11 the contract is being awarded to the lowest  
12 bidder and with respect to contract 16, we only  
13 received one bid and it was deemed acceptable.

14 COUNCILMAN BLAKEMAN: Even though, um,  
15 these are public bids that goes to the lowest  
16 responsible bidder, I think it would be a good  
17 practice in the future that all of these  
18 contracts go to, um, Detective Wilding for  
19 review to make sure that everything has been  
20 done according to procedure.

21 SUPERVISOR GILLEN: I think that is good  
22 practice.

23 COMPLIANCE OFFICER WILDING: I will get  
24 together with Purchasing when they come in, I  
25 will take a look at the bidding and see if

1 it is the lowest bidder and they are qualified.

2 COUNCILMAN BLAKEMAN: Excellent.

3 COMPLIANCE OFFICER WILDING: Located and  
4 authorized to do business in the State of New York. Page | 99  
5

6 COUNCILMAN BLAKEMAN: You don't mind if I  
7 still call you "Detective"?

8 COMPLIANCE OFFICER WILDING: You can call  
9 me "Detective," I wore it for thirty-one years.

10 SUPERVISOR GILLEN: Thank you.

11 COUNCILMAN BLAKEMAN: Thank you.

12 FELIX PROCACCI: Again, Item 28 various  
13 offices and positions, um, again, you don't list  
14 the leaves of absences.

15 May 7<sup>th</sup> after this meeting, I went to my  
16 school board meeting and on a Section C, leaves  
17 of absences, they recommended a lady, Christina  
18 Masaro, assignment teacher for family leave from  
19 April 1<sup>st</sup> to April 30<sup>th</sup> with pay and family leave  
20 without pay from May 1<sup>st</sup> to June 7<sup>th</sup> and  
21 projected return to work on June 10<sup>th</sup>.

22 And, then, they also reviewed the Minutes  
23 of the Meetings of April 17<sup>th</sup> in which Lora  
24 Scopotino (phonetic spelling) secretary, took  
25 medical leave with pay from April 16<sup>th</sup> to May

1 10<sup>th</sup> and medical leave without pay from May 13<sup>th</sup> to  
2 May 17<sup>th</sup> and another lady, Christina Masaro - -

3 SUPERVISOR GILLEN: Mr. Procacci, may I  
4 interrupt you for one second.

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5 FELIX PROCACCI: Sure.

6 SUPERVISOR GILLEN: To preserve your time,  
7 I know you are concerned about this, I have been  
8 working with the Town Attorney about finding a  
9 way to let, you know, who is going on leave  
10 without invading their privacy - -

11 FELIX PROCACCI: But the point is that as I  
12 went through it at the last meeting, I got three  
13 different excuses when I asked the same  
14 question, Joe Ra gave me the HIPA excuse, the  
15 first one.

16 I don't know who reviewed it.

17 I know the FOIL Officer didn't do it. Some  
18 Attorney gave another excuse and, then, when I  
19 put it out for the Appeal on the FOIL request, I  
20 got a third excuse and no justification of any  
21 of those excuses, here are the real situation.

22 COUNCILMAN BLAKEMAN: As someone that  
23 fashions themselves as a civil libertarian, as  
24 you do, why would you want to know the nature of  
25 the medical condition that required the

1 Leave?

2 FELIX PROCACCI: I never asked for that. I  
3 never asked for that.

4 And, I always ask for - -

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5 COUNCILMAN BLAKEMAN: What is your point?

6 FELIX PROCACCI: You keep interrupting me,  
7 I can talk and explain it to you, you keep on  
8 interrupting me.

9 COUNCILMAN BLAKEMAN: We will hold your  
10 time. Please, tell us what your point is.

11 SUPERVISOR GILLEN: Please, hold Mr.  
12 Procacci's time.

13 COUNCILMAN BLAKEMAN: What is your point,  
14 Felix?

15 FELIX PROCACCI: My point is that we are  
16 entitled because it is a financial issue that  
17 the public is entitled to know whether the leave  
18 of absences of employees are being taken - -

19 COUNCILMAN BLAKEMAN: If they say it is  
20 medical - -

21 FELIX PROCACCI: I don't need to know that.

22 COUNCILMAN BLAKEMAN: If they say it is  
23 medical there doesn't have to be further  
24 inquiry, does it?

25 FELIX PROCACCI: You know, once, again,

1 you just can't keep quiet and let me finish. I  
2 don't understand that. You don't - - right,  
3 now, right, now, all you put is nine leaves of  
4 absences by personnel, we don't know the name <sup>Page | 102</sup>  
5 the people.

6 I don't need to know as much as they are  
7 putting in my Franklin Square School District,  
8 all I ask for and I clarified this numerous  
9 times on numerous occasions at numerous  
10 meetings, all I ask for is the list of people be  
11 put on if they are taking a leave of absence, it  
12 would be need to know the date range, it is a  
13 financial issue and there have been, as you may  
14 know or not know, there have been issues where  
15 the proper thing wasn't done by Town Officials  
16 and improper things have been done or alleged  
17 and this is one, by feedback from the public is  
18 they know the proper -- the Town Board, the  
19 management is doing the proper thing as far as  
20 the leave of absences.

21 COUNCILMAN BLAKEMAN: Can I tell you, I am  
22 all for transparency. I don't think there is  
23 any reason why you have to know their names  
24 because, then, they have to explain why and in  
25 most circumstances, it is a medical leave

1 and, then, you are violating their privacy by  
2 asking those questions about someone who is out  
3 on leave.

4 Most of the time it is a medical condition<sup>Page | 103</sup>  
5 and they don't have to explain that, that is the  
6 Federal Law and that is the right thing.

7 FELIX PROCACCI: All I do is keep repeating  
8 myself over and over, again, if I ask for the  
9 reason, you just say, I am not going to give you  
10 the reason.

11 You still could put their names on.

12 (Whereupon, the three minute bell rang.  
13 After, the following ensued.)

14 COUNCILMAN BLAKEMAN: If you put the names  
15 on, then, they have to explain why they are on,  
16 here, which is a violation of their privacy.

17 Why should a woman who has breast cancer or  
18 a man who has prostate cancer have to explain  
19 why they are on leave?

20 People will then - - it is a medical  
21 conditions. They will ask questions and that is  
22 why we have privacy laws, Felix, you don't have  
23 to know that information.

24 FELIX PROCACCI: Apparently the Franklin  
25 Square School District - -

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1 COUNCILMAN D'ESPOSITO: This isn't Franklin  
2 Square School District.

3 FELIX PROCACCI: Oh my God, you're  
4 violating the rules right, now, constantly being <sup>Page | 104</sup>  
5 interrupted.

6 COUNCILMAN D'ESPOSITO: Mr. Procacci - -

7 FELIX PROCACCI: Did you ask the Supervisor  
8 for permission to speak, sir?

9 COUNCILMAN D'ESPOSITO: You had three  
10 minutes, now, I am going to speak.

11 FELIX PROCACCI: First of all, I was  
12 interrupted ten times.

13 COUNCILMAN D'ESPOSITO: You actually had  
14 three minutes and eleven seconds.

15 FELIX PROCACCI: Oh, my God - -

16 COUNCILMAN D'ESPOSITO: Like Councilman  
17 Blakeman said, if most of the people that are  
18 taking the leave of absences for medical issues,  
19 why should they have to explain to you and  
20 obviously, you are taking their names and  
21 broadcasting at other meetings, I am sure the  
22 teachers from Floral Park love to know their  
23 names are being read.

24 FELIX PROCACCI: Franklin Square.

25 COUNCILMAN D'ESPOSITO: Franklin Square,



1 Does it matter that is the exact point, if they  
2 are taking medical leave of absences, why do we  
3 need to know, why and why do you need to know  
4 their names? Page | 105

5 FELIX PROCACCI: Once, again, you keep - -  
6 as long as you keep twisting it around, and you  
7 can make your point and won't agree with you, I  
8 am not asking for the reason - -

9 COUNCILMAN D'ESPOSITO: You are asking for  
10 their names?

11 FELIX PROCACCI: The name I think it is  
12 appropriate.

13 COUNCILMAN D'ESPOSITO: And, that is kind  
14 of what we are saying, if you list their names  
15 where a majority of the people that go on a  
16 leave is medically related, if you are listing  
17 their names, then, they have to explain as to  
18 why they are taking the leave.

19 FELIX PROCACCI: Once, again, since you're  
20 a Town Official, you realize this, you are  
21 supposed to follow State Law.

22 There is no excuse given by Joe Ra or the  
23 people.

24 COUNCILMAN D'ESPOSITO: Mr. Ra, we are  
25 following State Law.

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1 FELIX PROCACCI: Will you let me finish?

2 COUNCILMAN D'ESPOSITO: Mr. Ra, are we  
3 following State law?

4 FELIX PROCACCI: He is going to say yes, Page | 106  
5 what do you think he is going to say.

6 SUPERVISOR GILLEN: Mr. Procacci, please,  
7 calm down.

8 FELIX PROCACCI: Yes, he is not correct in  
9 the excuses given to me in the FOIL requests.  
10 He did not give any legitimate reason.

11 SUPERVISOR GILLEN: Mr. Procacci - - Mr.  
12 Ra, have we been working on this issue?

13 TOWN ATTORNEY RA: We are working on this  
14 issue. It is not black and white.

15 It is not a simple answer.

16 It is not really.

17 FELIX PROCACCI: You gave three excuses,  
18 this Town Government has given three different  
19 excuses.

20 You can't figure out which one it should be  
21 but you just don't want to give the information  
22 even though it is required by law an also the  
23 retirements which is not - - also not a medical  
24 issue, you won't put the retirements and my  
25 School Board also puts retirements in the

1 Resolutions.

2 I don't quite understand what you are  
3 standing on.

4 You just don't want to do it. You have no <sup>Page | 107</sup>  
5 legal grounds for doing it.

6 And, you just want to hold to that position  
7 that is what the situation is.

8 SUPERVISOR GILLEN: Thank you very much.

9 COUNCILMAN BLAKEMAN: For the record, you  
10 got four and a half minutes.

11 SUPERVISOR GILLEN: Meta Mereday?

12 META MEREDAY: Meta J. Mereday. I prefer  
13 if you know me well enough you are free enough  
14 to call me Meta or if you don't know me well  
15 enough, respectfully you can call me Ms.  
16 Mereday, but, please in a public setting, don't  
17 ever address me as "Mereday" is a family name  
18 not an individual name.

19 I was given a name and baptized with a name  
20 for a reason.

21 Those that need to hear that, I am clear  
22 with that.

23 Item 14, um, just, again, I continue to see  
24 some of the same names as far as companies, as  
25 far as contracts, so, 14, 5, m, just, again, my

1 Question is consistent with regard to the outreach  
2 for diversity and inclusion, services, disabled  
3 Veteran-own, minority-own firms, what are we  
4 doing with regard to that at this stage of the  
5 game since I can't seem to get too much traction  
6 or anything of significance on the prime level,  
7 what are we doing as far as secondary?

8 Particularly when we are considering that  
9 we are receiving in some form or fashion, State  
10 and Federal funding, um - -

11 SUPERVISOR GILLEN: With respect to this,  
12 Mr. Ra, you can jump in, we are required to  
13 accept the lowest, responsible bidder, which we  
14 did in all of these instances for each of these  
15 contracts.

16 We put it out to an RFP to get responses  
17 back and we are required to award it to the  
18 lowest, responsible bidder, is that correct, Mr.  
19 Ra?

20 TOWN ATTORNEY RA: That is also correct,  
21 Supervisor.

22 META MEREDAY: But, it is also based on  
23 good faith effort and if you are not in good  
24 faith maybe exercising that outreach and Spanish  
25 language publications or publications towards

1 the Veterans, um, again, that is not putting  
2 forward a good faith effort, which is also apart  
3 of that same law.

4 So, again, for the record, um, you know, <sup>Page | 109</sup> it  
5 seems like, again, only second, I guess to  
6 Nassau County, the Town of Hempstead also seems  
7 to like being sued and from the business  
8 community, since most of these businesses are  
9 small, they really don't have the resources to  
10 try to sue.

11 They are just really trying to stay in  
12 business an pay the taxes in this region.

13 But, the lack of inclusion just continues  
14 to resonate loudly.

15 Um, I note there is a question that is  
16 usually asked about the various offices and  
17 positions and occupations, are most of them  
18 under Item 28, are they for - - are they based  
19 on retirement or transfers or what and if there  
20 are any open positions, how can other people  
21 possibly find out about these positions?

22 SUPERVISOR GILLEN: So, most of these, they  
23 are people from the Tozner List.

24 There is one that is being advanced.

25 Someone is retiring and they are taking over

1 their functions. Correct me if I am wrong, Mr.  
2 Sammon, there are no new hires, just people  
3 being, um, moved up because of the needs in the  
4 Department and every single salary, raise was  
5 vetted to make sure there is actual money in the  
6 budget and the Comptroller has signed off on  
7 that.

8 META MEREDAY: I appreciate that, so, can  
9 we, now, say that everyone from the Tozner List  
10 has been addressed or we still have people.

11 SUPERVISOR GILLEN: There are thirty people  
12 left per year, um, and, so, I did try to bring  
13 some people up but that was delayed but, now,  
14 some people are being put on.

15 META MEREDAY: How many overall do we have  
16 left?

17 SUPERVISOR GILLEN: There are thirty per  
18 year on the total list.

19 HUMANAN RESOURCE DIRECTOR SAMMON: Twenty-  
20 Four left for this year.

21 SUPERVISOR GILLEN: We have twenty-four  
22 left for this year.

23 META MEREDAY: So, there are twenty-four  
24 left for this year to get them moved up, so, I  
25 am hoping that we can move that process

1 expeditiously.

2 Lastly, um, Item 14, just really concerns,  
3 um, any time I hear anything about the  
4 Governor's Office, the Office of Storm Recovery,  
5 I shiver because of the residents and I am sure  
6 that, you know, Councilman D'Esposito and anyone  
7 dealing with the South Shore, as well as,  
8 Councilwoman Goosby and also Dunne with regard  
9 to the issues that are impacting our residents,  
10 so, I have some questions about this particular  
11 item.

12 SUPERVISOR GILLEN: So, what I know about  
13 this, the work that is contemplated, we are  
14 going to retrofit the existing street lights and  
15 solar power and battery back up storage, um,  
16 this would typically allow for operations for  
17 three days following a power outage.

18 After Superstorm Sandy power and street  
19 lights were not restored for an extended period  
20 of time.

21 So, we are trying to help first responders  
22 and emergency workers by having solar power  
23 battery charge that would provide power  
24 immediately after an outage.

25 It is mainly along the roadways of

1 Sunrise Highway and Merrick Road.

2 META MEREDAY: What would be the impact as  
3 far as the roads - -

4 (Whereupon, the three-minute bell rang. Page | 112  
5 After, the following ensued.)

6 META MEREDAY: - - Is what I am curious a  
7 bout since we have a pothole issue and anytime  
8 anything relating to lights, National Grid, if  
9 they dig a hole we have problems.

10 SUPERVISOR GILLEN: It is just fixing those  
11 lights.

12 META MEREDAY: It has nothing to do with  
13 the infrastructure?

14 SUPERVISOR GILLEN: No.

15 META MEREDAY: Oh, okay, so, like I said,  
16 it is nothing to do with the digging in the  
17 ground because I am really concerned and I am  
18 hoping that Town Officials can really get into  
19 scenarios with the residents, particularly like  
20 I said, Freeport, Baldwin, Merrick along the  
21 water that we really need to address that and it  
22 is unfortunate that I need an opportunity to  
23 speak to Mayor Kennedy about that because  
24 Freeport, in particular, I am glad to know we  
25 are putting solar powers on the lights.



1 The houses that are still on Ballard are  
2 going to be washed away in the ocean.

3 The ones that really need the lights, they  
4 need to be in their homes.

5 Thank you.

6 SUPERVISOR GILLEN: Thank you.

7 Johnathan Williams?

8 JOHNATHAN WILLIAMS: Good Afternoon,  
9 Council Members and Senior Councilwoman Goosby:  
10 My name is Johnathan Williams.

11 I am President of J. W. Security, LLC.

12 I appear before the Board on February 26,  
13 2019 regarding this same exact matter.

14 As a result of me speaking to the Board,  
15 this matter was referred to Compliance.

16 Once the Compliance Department completed  
17 and submitted its findings at the meeting on  
18 March 12<sup>th</sup>, the Board decided not to move forward  
19 with the contract on this particular company  
20 from Rockland County.

21 A second RFP was issued and I am back,  
22 again.

23 And, I am back, again.

24 I understand the Board has to be frugal  
25 with the Town's money.

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1 I heard a lot of lowest, responsible  
2 bidder. Where I was not the lowest bidder, I  
3 was the second lowest, but I am the most  
4 responsible because of the job that I am  
5 currently doing with the Town.

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6 On February 26<sup>th</sup>, Deputy Commissioner of the  
7 Parks Department came on record and stated that  
8 my company was doing a great job.

9 How does the Board determine  
10 responsibility?

11 Do they believe someone is responsible or  
12 do they know?

13 I have been doing a responsible job from  
14 anyone that you can ask within the Town's Parks  
15 Department, so, you don't have to believe me,  
16 you know it.

17 I reside in Roosevelt, pay local taxes. My  
18 offices are in Freeport. Everyone that I employ  
19 from the particular contract resides within the  
20 Town of Hempstead.

21 I am clearly the lowest, responsible  
22 bidder.

23 We constantly hear, support local, support  
24 local.

25 This is how you grow the local economy?

1 How could we consider a company from  
2 Rockland County?

3 I don't even know when their Board meetings  
4 are.

5 I don't know if you know where their Board  
6 meets.

7 Are we supporting local? This is how you  
8 grow the local economy?

9 COUNCILMAN D'ESPOSITO: I don't mean to  
10 interrupt, but - -

11 JONATHAN WILLIAMS: You go ahead and, then,  
12 I will go.

13 COUNCILMAN D'ESPOSITO: I remember when you  
14 were here back in February, pretty vividly and  
15 there was a discussion back and forth regarding  
16 vehicles and manpower, um, and the issue of the  
17 other company where they came from and I think  
18 that if I remember correctly, it was turned over  
19 to the Compliance Officer to review.

20 SUPERVISOR GILLEN: That is correct, Mr.  
21 Wilding, could you, please come down I know that  
22 you did review this and I believe you throughout  
23 all the bids and you put it out to bid, again.

24 Could you, please, walk us through that  
25 process?

1 COMPLIANCE OFFICER WILDING: When I first  
2 came on I reviewed this bid.

3 There was a lot of open questions on it.

4 He was required to carry extra insurance <sup>Page | 116</sup> on  
5 his car and after discussion with several people  
6 with the Town Attorney, it's like why require  
7 somebody to carry the Town of Hempstead on a  
8 car?

9 There was a big disparity in prices, almost  
10 over thirty dollars, so, at that point, he  
11 retained his temporary basis of going to get it  
12 and the Town Board did back out and Dandridge  
13 was always on the first bid, both on it, both  
14 owners of the companies are both retired New  
15 York City Police Officers, um, both legitimate  
16 businesses in New York State and both located in  
17 New York State.

18 There is nothing in the RFP from the Town  
19 of Hempstead that you have to be located in the  
20 Town of Hempstead.

21 This time the bid went out, J.W. Security,  
22 reduced their prices and Dandridge increased  
23 theirs.

24 Dandridge also put extra, um, armed guards  
25 in his resume that he sent to the Town and I

1 know they already have his.

2 Also, in the Town, he is an armed guard  
3 service.

4 Dandridge is a private investigator under Page | 117  
5 the General Business Law.

6 A private investigator can do securities  
7 but security can't do private investigations.

8 Dandridge also made, um, comments in his  
9 resume stating that he has use of active duty  
10 Police Officers which are exempt from State  
11 License when they are off duty, they can do  
12 security and they can be armed.

13 Based on that, Dandridge was compliant. I  
14 have had no personal contact with either one of  
15 these gentlemen.

16 You know, I respect that they are both  
17 police officers but Dandridge was compliant as  
18 far as my investigation shows.

19 COUNCILMAN DUNNE: Just a quick question,  
20 even as a County Legislator, I always wanted the  
21 Veteran-owned, disabled-owned businesses and  
22 army-owned but mostly local people putting food  
23 on the table, men and women that have been in  
24 Nassau County, um, as opposed to Jersey,  
25 Upstate, even Suffolk County, um, you know,

1 it is close in price and do they get an edge being  
2 local or is that not the law?

3 COMPLIANCE OFFICER: It wasn't in the RFP,  
4 they are both minority-owned businesses. Mr. <sup>Page | 118</sup>  
5 Dandridge is also a minority-owned business.

6 So, I don't know. Nobody submitted that  
7 they were, um, certified Veteran with the  
8 discount of fifteen percent.

9 I think it was - -

10 COUNCILMAN DUNNE: Local, the people here  
11 have to pay their taxes, not the people Upstate.

12 COMPLIANCE OFFICER: Mr. Dunne, I am one of  
13 those people but there was nothing in the RFP  
14 that says that.

15 COUNCILMAN DUNNE: Maybe we should do  
16 something about that, not you, "we."

17 COMPLIANCE OFFICER: The RFP when they  
18 submitted the RFP, you don't have anything in  
19 there saying, "Town of Hempstead" - -

20 COUNCILMAN D'ESPOSITO: Yeah, I think what  
21 is important to realize for everybody is that  
22 Mr. Wilding, all he did was read through the  
23 contracts and make sure - -

24 COUNCILMAN BLAKEMAN: He did a good job.

25 COUNCILMAN D'ESPOSITO: - - Fit the

1 criteria and that is where we are, today.

2 COUNCILMAN DUNNE: Well, the gentleman  
3 makes a great argument. I think we should  
4 include people that live here, that is for us to  
5 do, not him, that is for us to make part of our  
6 procedure, that we put food on the table for the  
7 people in our community.

8 So, um, and then, you will have the arm to  
9 do that.

10 There is nothing in the law that says that  
11 or in the RFP that you said.

12 We should look into that, put something  
13 forward, so, we can take care of people in our  
14 area.

15 SENIOR COUNCILWOMAN GOOSBY: Mr. Ra, are we  
16 in compliance with the State of New York, Mr.  
17 Ra?

18 TOWN ATTORNEY RA: On this particular  
19 contract, there is no local preference.

20 SENIOR COUNCILWOMAN GOOSBY: That is the  
21 only problem, I looked at this and we worked  
22 with it and the problem that happens is the  
23 disparity between, so, there are two bidders  
24 that are lower than you.

25 You were lower before, that is the only

1 problem and I am sure that there is a State Law  
2 that says we have to have the lowest bidder.

3 I like what you do. I know that people  
4 that live here and still, again, the difference, <sup>Page | 120</sup>  
5 I know we have to follow the law of the State of  
6 New York and that is the only reason.

7 JONATHAN WILLIAMS: I totally understand  
8 and respect everyone's opinion.

9 I thought it was two parts, lowest,  
10 responsible.

11 SENIOR COUNCILWOMAN GOOSBY: No, it is not,  
12 that the State of New York has not said that, am  
13 I right, Mr. Ra?

14 SUPERVISOR GILLEN: Mr. Ra, please explain.

15 SENIOR COUNCILWOMAN GOOSBY: Please,  
16 explain.

17 TOWN ATTORNEY RA: That is correct, the  
18 lowest bidder is what is considered to be  
19 responsible.

20 SUPERVISOR GILLEN: Was considered  
21 responsible, it is lowest, responsible bidder.  
22 In this instance, the lowest bidder was  
23 considered to be responsible.

24 JONATHAN WILLIAMS: I am a good winner, I  
25 am also a gracious loser.



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1 At the same time, um, I like to thank the  
2 Board for the opportunity to provide the service  
3 that I have provided and, um, if they need me on  
4 an emergency basis - -

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5 (Whereupon, the three-minute bell rang.  
6 After, the following ensued.)

7 JONATHAN WILLIAMS: - - My company is here,  
8 so, I respect and appreciate your time and I  
9 will continue to do a good job until the Town -  
10 -

11 SUPERVISOR GILLEN: Thank you.

12 SENIOR COUNCILWOMAN GOOSBY: We appreciate  
13 that.

14 SUPERVISOR GILLEN: Michael Torri?

15 MICHAEL TORRI: Hello, everyone,  
16 Supervisor, Council people, Madam Clerk, on a  
17 personal note - -

18 SUPERVISOR GILLEN: Can you state your name  
19 and address.

20 MICHAEL TORRI: Michael Torri. 774 Addison  
21 Street, Woodmere.

22 Um, on a personal note, I speak into a  
23 microphone frequently and this still makes me  
24 nervous.

25 First thing, I like to say that on Item

1 Number 34, it is about time that Peninsula  
2 Boulevard is starting to see speed restrictions  
3 around its multiple schools.

4 I notice there is one at Hewlett Middle Page | 122  
5 School. I definitely know that year round,  
6 Number 6 School, I am sorry, the Hebrew Academy  
7 of Long Beach, my former elementary school,  
8 which I was a walker, bike rider and  
9 everytinger and, of course, Lawrence High  
10 School, so, I just want to say that to not have  
11 tanker trailers rumbling down Peninsula  
12 Boulevard, you know, just waiting to create an  
13 environmental and personal disaster for someone,  
14 especially, with Young Israel there. Thank you.

15 Second, where did this come from?

16 Who made this?

17 Who sent it out?

18 COUNCILMAN BLAKEMAN: What is that?

19 SUPERVISOR GILLEN: I did not send that  
20 out.

21 MICHAEL TORRI: I would like to know where  
22 this came from?

23 I received messages from many residents  
24 wondering what this scare piece was.

25 It says, "Town Board" on it.

1 I assume that means someone, here,  
2 authorized it, wrote it and paid for it.

3 COUNCILMAN BLAKEMAN: I didn't pay for it.

4 MICHAEL TORRI: Who authorized it?

5 COUNCILMAN BLAKEMAN: I was one of the  
6 people that authorized it.

7 MICHAEL TORRI: Who else authorized it, by  
8 a show of hands?

9 COUNCILMAN D'ESPOSITO: Councilman Blakeman  
10 and I worked on it.

11 MICHAEL TORRI: Okay, exclusively?

12 SUPERVISOR GILLEN: Mr. Torri, this is not  
13 on the Administrative Calendar. You can reserve  
14 your remarks to Public Comment.

15 MICHAEL TORRI: When is that?

16 SUPERVISOR GILLEN: It is right after we  
17 get through the Administrative Calendar.

18 COUNCILMAN BLAKEMAN: Supervisor, can you  
19 make an exception because, unfortunately, I have  
20 a meeting with a spiritual leader in my District  
21 who is visiting from out of Town, so, I will not  
22 be around for public comment, so, I want to give  
23 this gentleman an opportunity so if we can make  
24 an exception.

25 MICHAEL TORRI: I appreciate that.

**HEMPSTEAD TOWN BOARD 5/21/19**

1 COUNCILMAN BLAKEMAN: Good answer.

2 MICHAEL TORRI: So, you were the two  
3 Council people?

4 COUNCILMAN BLAKEMAN: Do you want me to explain it? Page | 124

5  
6 MICHAEL TORRI: I don't need you to explain  
7 it because I read it.

8 Um, what I did - -

9 COUNCILMAN BLAKEMAN: You said it is a  
10 "scare tactic."

11 MICHAEL TORRI: I do. Let me tell you why.

12 COUNCILMAN BLAKEMAN: Why do you think it  
13 is a scare tactic?

14 MICHAEL TORRI: I think it is a scare  
15 tactic when you tell me, listen, the think you  
16 asked for that you said you would study but  
17 haven't come back and told you what that study  
18 is, that is going to cost you around two  
19 thousand dollars a month, take my word for it or  
20 you can say, you like this other idea, I believe  
21 downscaled from two hundred and fifty lots to  
22 sixty lots.

23 So, it is either or.

24 And, there was no chance to speak to the  
25 community, first.

**HEMPSTEAD TOWN BOARD 5/21/19**

1 COUNCILMAN BLAKEMAN: No, no, okay, so,  
2 you're not accurate.

3 MICHAEL TORRI: I definitely am.

4 COUNCILMAN BLAKEMAN: You're not accurate. Page | 125

5 MICHAEL TORRI: Have you had a community  
6 meeting based on the Park District?

7 My time, I like to use it.

8 COUNCILMAN BLAKEMAN: Let me clear the  
9 record, you asked a question, stop the clock.

10 We want to give you the answer.

11 We want to be completely transparent.

12 MICHAEL TORRI: I appreciate that.

13 COUNCILMAN BLAKEMAN: I want you to be  
14 comfortable that we are doing the right thing,  
15 so, basically, based on public meetings that we  
16 had, based on information that we received from  
17 the public, there are three things that were  
18 very, very clear that, Number 1, the community  
19 did not want a Park because that would increase  
20 the traffic and that would be a burden on the  
21 taxpayers.

22 So, the regional Park was ruled out at these  
23 meetings because, basically, people told us we  
24 are not interested.

25 What they did say that they were interested

1 in was preserving the property as a Park or a golf  
2 course, which would, then, require a Park  
3 District to be formed.

4 And, the delineating of a particular Park  
5 District is approximately, a one half mile  
6 radius from the property, okay.

7 The only thing that people said to us was,  
8 can you reduce the number of houses as an  
9 alternative?

10 Some of the people in the community don't  
11 want a Park District.

12 They don't want a Park there.

13 They don't want a golf course there, but,  
14 they don't want the increased traffic.

15 We said we would consider that, also.

16 So, basically, the two things that the  
17 community asked us to investigate was the Park  
18 District, how much could that potentially cost  
19 and that is contained as information in there.

20 And, the other is if you were to up zone,  
21 in other words, reduce the number of houses,  
22 what would be the reasonable number because I  
23 want you to be absolutely clear on what the  
24 choices are.

25 The choices are, if we do nothing, the

1 Builder just on the Town side could put up two  
2 hundred and forty-four houses which would  
3 completely change the character of the  
4 community.

5 It would be a disaster environmentally,  
6 traffic-wise and quality of life.

7 It is not what the community needs, wants  
8 or is appropriate.

9 So, then, in order to pass judicial muster,  
10 because the developer is already suing us, in  
11 order to pass judicial muster, we have to come  
12 up with a number of lots that we reduced it by  
13 that is reasonable.

14 The reasonableness is looking at the  
15 surrounding area and how the surrounding area is  
16 zoned.

17 The surrounding area is zoned one acre,  
18 half acre, 60x100.

19 So, it is a mixed bag, all right.

20 So, we had to take a look at that.

21 We had to take that into consideration.

22 We studied the environment. We studied the  
23 traffic. We studied the quality of life issue;  
24 water, everything, wildlife.

25 We took that into account and the number

1 we came up with is the number somewhere in the  
2 sixty to seventy lot range, which we believe,  
3 according to our Counsel, would past judicial  
4 muster. Page | 128

5 Now, if we came up with a different number,  
6 let's say, we went from 244 to 10, then, a Judge  
7 could say that is unreasonable Town Board.

8 You are violating the owner's property  
9 rights and, therefore, they get their 244  
10 houses.

11 Those are the choices.

12 It is not going to be a perfect solution  
13 but, before we have another meeting, which  
14 Councilman D'Esposito and I and the Supervisor  
15 are going to have, we decided that wouldn't it  
16 be better before we have the meeting to get the  
17 pulse of the community and get a sense of what  
18 they would like so that we can, then, address  
19 those issues.

20 It is for informational purposes.

21 SUPERVISOR GILLEN: I have to interrupt for  
22 one second, I did not decide. It is not - - I  
23 did not review this mailer.

24 I participated zero in this mailer.

25 It was not discussed with me at any point



1 in time.

2 COUNCILMAN BLAKEMAN: But, you did agree on  
3 the course of action.

4 SUPERVISOR GILLEN: I did not agree with Page | 129  
5 the mailer. I did not agree to this approach.

6 COUNCILMAN BLAKEMAN: You agreed on the  
7 course of action.

8 SUPERVISOR GILLEN: You sent out a mailer  
9 without even discussing with me. I did agree we  
10 should - -

11 COUNCILMAN BLAKEMAN: You send out mailers  
12 without discussing it with me.

13 SUPERVISOR GILLEN: I am not taking  
14 responsibility for a mailer that you sent out  
15 without consulting me. I had no part of this  
16 mailer.

17 COUNCILMAN BLAKEMAN: Supervisor, did you  
18 concur or not concur that you came to the same  
19 conclusion as Councilman D'Esposito and I did  
20 that the reasonable and rational choices were to  
21 either up zone or to create a Park District, is  
22 that accurate or not accurate?

23 MICHAEL TORRI: Councilman, I am going to  
24 explain to you - -

25 COUNCILMAN BLAKEMAN: No, I like the

1 Supervisor to respond.

2 MICHAEL TORRI: I am sorry.

3 COUNCILMAN BLAKEMAN: I need to know if we  
4 are on the same page because I thought we were. <sup>Page | 130</sup>

5 SUPERVISOR GILLEN: I am on the same page  
6 that we did a study and we had paid a lot of  
7 money to Cameron Engineering to do a study and  
8 that study came back.

9 I haven't seen the results of that study.  
10 That study should have been discussed with the  
11 residents and it should have been brought to the  
12 residents before giving them this or this  
13 choice.

14 COUNCILMAN BLAKEMAN: The study was sent to  
15 you a long time ago.

16 SUPERVISOR GILLEN: This study should have  
17 been discussed with the community before the  
18 survey was sent out.

19 MICHAEL TORRI: Absolutely.

20 SUPERVISOR GILLEN: I totally disagree with  
21 the course of action that you took without  
22 discussing with me and I will not agree with  
23 that.

24 COUNCILMAN BLAKEMAN: What is the solution?

25 SUPERVISOR GILLEN: My solution is

1 talk to the community, first.

2 We - -

3 COUNCILMAN BLAKEMAN: We had the meeting  
4 with the community.

5 MICHAEL TORRI: No you didn't.

6 SUPERVISOR GILLEN: No, you didn't.

7 COUNCILMAN BLAKEMAN: Is there a choice  
8 between the two choices?

9 Is there rational, reasonable choices  
10 between the two choices that are on that survey?

11 Are there?

12 SUPERVISOR GILLEN: I haven't discussed it  
13 with Camron Engineering. I think there maybe  
14 other choices but I think we need to discuss - -

15 COUNCILMAN BLAKEMAN: You are wobbling from  
16 what you told me consistently.

17 SUPERVISOR GILLEN: I am not wobbling.

18 I also believe we need to talk to the  
19 public.

20 COUNCILMAN BLAKEMAN: You should tell the  
21 public the truth. You should tell the public  
22 the truth.

23 SUPERVISOR GILLEN: I agree, you should  
24 tell the public the truth and that study should  
25 have been shared with the residents before

1 giving them Choice A an Choice B and that's it.

2 COUNCILMAN BLAKEMAN: Wait a second, we are  
3 notifying the residents of their choices. How  
4 can you say we are not notifying them? Page | 132

5 We sent them a letter saying these are the  
6 choices, give us your feedback.

7 MICHAEL TORRI: Councilman, I like to  
8 speak, now.

9 COUNCILMAN BLAKEMAN: It is ridiculous.

10 COUNCILMAN D'ESPOSITO: We took the  
11 opportunity to reach out to way more people and  
12 way more neighbors that would have fit in any  
13 school if we had a community meeting.

14 MICHAEL TORRI: You could have sent out a  
15 mailer and said - - you could have had a meeting  
16 and explained this to the public, first.

17 It is the cart before the horse.

18 COUNCILMAN BLAKEMAN: The survey is to get  
19 information to share with the public.

20 MICHAEL TORRI: Would you like to do this  
21 at the fair? Would you prefer we do this in  
22 public rather than, here?

23 I don't have to listen to you that way.

24 COUNCILMAN BLAKEMAN: Excuse me, where do  
25 you want to do this?

**HEMPSTEAD TOWN BOARD 5/21/19**

1 MICHAEL TORRI: Out in public, would you  
2 rather talk - -

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

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5 COUNCILMAN BLAKEMAN: This is public.

6 MICHAEL TORRI: Okay, good, I like to speak  
7 in public, please, let me.

8 My question, here is how could you ask the  
9 public to make a financial estimation/decision  
10 without sharing with them the details upon which  
11 the decision is based?

12 COUNCILMAN BLAKEMAN: What details? What  
13 details?

14 MICHAEL TORRI: Two thousand dollars a  
15 month, our State and Local tax options have been  
16 taken away from us by the Federal government.

17 We have reassessment issues and you're  
18 about - -

19 COUNCILMAN BLAKEMAN: Sir, what do you  
20 think were lost?

21 MICHAEL TORRI: Let me finish - -

22 COUNCILMAN D'ESPOSITO: Your time is up  
23 anyway.

24 COUNCILMAN BLAKEMAN: I took you out of  
25 order. Your time is up.

1 I am still letting you speak. Don't ask  
2 questions and make statements unless you want an  
3 answer.

4 Do you want an answer or you don't want an <sup>Page | 134</sup>  
5 answer?

6 MICHAEL TORRI: I want to see what the  
7 study says before you ask me to make a decision  
8 on it and so do the members of my community and  
9 that is obviously - -

10 COUNCILMAN BLAKEMAN: Unfortunately,  
11 unfortunately, sir, our legal counsel has  
12 advised us that we cannot disclose the financial  
13 information that we have concerning values  
14 because if we do, we are in litigation, now,  
15 they could use that against us in the lawsuit  
16 and any future lawsuit, so, we gave an  
17 estimation based on what we were told.

18 You can't in the middle of litigation give  
19 you the exact numbers.

20 MICHAEL TORRI: Values of what?

21 COUNCILMAN BLAKEMAN: Values of the cost of  
22 acquisition of the property for a Park District  
23 or any other public use.

24 SUPERVISOR GILLEN: Mr. Ra, can you give me  
25 a copy of that legal opinion?

1 I haven't seen it.

2 MICHAEL TORRI: I apologize for getting a  
3 little worked up.

4 COUNCILMAN BLAKEMAN: You think we should <sup>Page | 135</sup>  
5 show that information, Madam Supervisor, you are  
6 a lawyer?

7 SUPERVISOR GILLEN: I haven't analyzed it.

8 MICHAEL TORRI: Councilman, you said you  
9 had somewhere to go.

10 I don't want to keep you, maybe, I do too.  
11 I thought this was very well written. I wonder  
12 where the half mile concentration comes from,  
13 but, I assume that is legitimate.

14 I thought this was very well written. The  
15 problem is when you put it to a choice like  
16 this, I received two dozen phone calls on Friday  
17 afternoon saying, "Michael, do you have any idea  
18 what this is? Why am being made to choose two  
19 thousand dollars for twenty years on information  
20 I have never seen?"

21 COUNCILMAN BLAKEMAN: What do you think it  
22 will cost, sir?

23 MICHAEL TURRI: I don't know what it will  
24 cost. You spent my tax dollars to get a study  
25 and then you didn't tell me what it cost.

1 I thought it is your responsibility to tell  
2 me.

3 COUNCILMAN BLAKEMAN: Unfortunately, the  
4 Developer decided to sue us. Page | 136

5 MICHAEL TORRI: Well, you know what - -

6 COUNCILMAN BLAKEMAN: You know what,  
7 Michal, if you have a reasonable recommendation  
8 for me and Councilman D'Esposito and the  
9 Supervisor of this Board, we would love to hear  
10 it because, right, now, what we have heard from  
11 the public and from what our lawyers are telling  
12 us and from our experience, those are the two  
13 best choices.

14 So, we want to get a sense of the public  
15 but we don't want to lie to the public and tell  
16 them that you asked for a Park District and that  
17 it is not going to cost anything, it does.

18 They have a right to know that.

19 MICHAEL TORRI: So, tell us, first.

20 COUNCILMAN BLAKEMAN: We just did.

21 MICHAEL TORRI: No, you didn't, this  
22 doesn't pass the smell test.

23 This is a fear tactic. Thank you very  
24 much.

25 COUNCILMAN BLAKEMAN: Hold on.



**HEMPSTEAD TOWN BOARD 5/21/19**

1 COUNCILMAN D'ESPOSITO: I have to ask what  
2 is the fear tactic?

3 MICHAEL TORRI: The fear tactic, what I  
4 consider to be the fear tactic - - Page | 137

5 COUNCILMAN D'ESPOSITO: Okay.

6 MICHAEL TORRI: - - Is saying to someone  
7 you have and "A" or "B" choice before you had  
8 the information put forward to you to where the  
9 choice comes from.

10 Folks you either do this or you do this or  
11 your unity, fabric is ruined.

12 It says, "approximate," it could be two  
13 thousand to four thousand.

14 I am under-balling it. I could have said  
15 four thousand, today.

16 I took the small number. What if it is six  
17 thousand?

18 What if eminent domain happened to do  
19 whatever you might need to do and costs even  
20 more?

21 Does anyone know? We don't know that. You  
22 have a meeting before you ask this.

23 COUNCILMAN BLAKEMAN: Because we want the  
24 information to present to the public. We  
25 already had meetings with the public.

1 We had four hundred people come to a  
2 meeting. We listened to the public. They wrote  
3 to us.

4 They emailed us. These were the two best <sup>Page | 138</sup>  
5 choices.

6 MICHAEL TORRI: The meeting was before you,  
7 um, got the papers.

8 COUNCILMAN BLAKEMAN: Before we spent the  
9 taxpayers' money, we asked them for their  
10 opinion. There is nothing wrong with that.

11 COUNCILMAN D'ESPOSITO: Not only that, if I  
12 may, this isn't just about a community meeting,  
13 whether it is Councilman Blakeman or I spending  
14 tons of time in the Five Towns - - Let me  
15 finish, all I am saying is we spoke to the  
16 community.

17 They have access to our social media. We  
18 see them at events.

19 This isn't - - it is not like we put a  
20 wall around us and have not spoken to the Five  
21 Towns community in a year and a half, that is  
22 not the case.

23 We are in litigation over the moratorium.

24 We have spoken to the leaders in the  
25 community.

1 This is presenting information, that we had  
2 that is the point.

3 Here is your information, now, let's  
4 discuss this.

5 MICHAEL TORRI: All right, well - -

6 COUNCILMAN D'ESPOSITO: I disagree with  
7 your analogy, I really do.

8 I think we are providing information that  
9 they need to hear and unless someone else - -  
10 this is not going to be solved by the Town of  
11 Hempstead going in and just taking the property  
12 and figuring it out later.

13 It is not happening.

14 MICHAEL TORRI: I don't think that.

15 COUNCILMAN D'ESPOSITO: I didn't say you  
16 di, but I am just saying we are trying to come  
17 up with logical options in order to maintain the  
18 quality of life in the Five Towns.

19 And, this is just asking people's opinions  
20 about two different options.

21 COUNCILMAN BLAKEMAN: And, I want to say,  
22 Supervisor, I am very disappointed because we  
23 discussed this many times as the only two viable  
24 options and, now, you are backing away from  
25 that.

1 So, I am certainly looking forward to your  
2 proposal and if you want to make a  
3 recommendation to the community, you should make  
4 a recommendation as to what you think we should  
5 do with that property.

6 But, we discussed this many, many times and  
7 you told me we were on the same page.

8 SUPERVISOR GILLEN: Councilman, I am very,  
9 very, very disappointed that you didn't bother  
10 talking to me about this survey before you sent  
11 it out, not with your name, everything else goes  
12 out with your name, but not with your name  
13 before - - this whole conversation could have  
14 been avoided if you bothered talking to me, your  
15 colleague.

16 We talk about everything else. We talk  
17 about community meetings.

18 COUNCILMAN BLAKEMAN: Supervisor, let's not  
19 get not communications.

20 I called you yesterday. I texted you this  
21 morning.

22 I have yet to receive a return.

23 SENIOR COUNCILWOMAN GOOSBY: Okay.

24 SUPERVISOR GILLEN: I was at an event last  
25 night. We came out late and I had to go

1 home and take care of things with my family.

2 I didn't get back to you after 10:00 p.m.  
3 last night.

4 SENIOR COUNCILWOMAN GOOSBY: Excuse me - Page | 141

5 SUPERVISOR GILLEN: I think this should  
6 have gone to the community first.

7 MICHAEL TORRI: Thank you, Supervisor.

8 SENIOR COUNCILWOMAN GOOSBY: Excuse me,  
9 excuse me, would you, please, let this go, all  
10 right, do it someplace else.

11 MICHAEL TORRI: Excuse me, no, that is  
12 totally inappropriate, Councilwoman.

13 SUPERVISOR GILLEN: We took you out of  
14 order, we need to get to the Administrative  
15 Calendar.

16 MICHAEL TORRI: That is totally  
17 inappropriate, Councilwoman, really, it is out  
18 of order for the Councilwoman to tell a Member  
19 of the Public to let a community issue go.

20 All right, I am done, thank you very much,  
21 Madam Supervisor, Council people.

22 SENIOR COUNCILWOMAN GOOSBY: Listen you  
23 misconstrued me.

24 First of all, it says, "resolution calling  
25 for a public hearing," we are not having

1 a public hearing, today.

2 SUPERVISOR GILLEN: That is something else.  
3 We took him out of order.

4 SENIOR COUNCILWOMAN GOOSBY: You took him <sup>Page | 142</sup>  
5 out of order, so you were out of order.

6 No way would I talk to the community like  
7 that but what I am saying is the way we are  
8 acting, today is worse than the children at  
9 school.

10 MICHAEL TORRI: I agree.

11 SENIOR COUNCILWOMAN GOOSBY: This is not  
12 right so we need to have some decorum and we  
13 need to act like adults and this is a public  
14 meeting but it is a meeting for the community.

15 We should not really act in this manner,  
16 you know, if somebody else does it and we have  
17 to stop sometimes.

18 SUPERVISOR GILLEN: Valerie Lampe?

19 VALERIE LAMPE: Valerie Lampe, Baldwin.

20 Regarding Number 25, the "Summer of Love,"  
21 which I understand has been around since, at  
22 least, ten years or so, waiving the induction  
23 fees, what I am here to ask on this item,  
24 specifically, who is going to be vetting, um,  
25 these adoptions, especially since there has

1 been an uptick in returns?

2           There has been an uptick in eye cases  
3 because of poorly evaluated animals whose  
4 behavior causing injuries to people, owners,  
5 doctors, as well as other animals who will be  
6 vetting these adoptions.

7           SUPERVISOR GILLEN: Commissioner, are you  
8 here?

9           (Whereupon, "he is not," was heard calling  
10 out from the audience. After, the following  
11 ensued.)

12           SUPERVISOR GILLEN: Deputy Commissioner,  
13 are you here?

14           DEPUTY COMMISSIONER: Good Afternoon,  
15 Members of the Board.

16           It will be the same people that evaluate  
17 every dog and cat.

18           VALERIE LAMPE: Whose standards are we  
19 meeting regarding these evaluations?

20           DEPUTY COMMISSIONER: The standards of, I  
21 assume, the behaviorist and Mr. Pastore and the  
22 Assistant Director.

23           VALERIE LAMPE: First of all, just quick  
24 semantics, but, it is important, we don't  
25 actually have a behaviorist.

1 We have a Trainer that said what - - this  
2 is my concern, okay, so, the same people who are  
3 evaluating animals, who, then, become  
4 aggressive, we have pictures after pictures, Page | 144  
5 emails after emails, lawsuit after lawsuits of  
6 animals that are aggressive with other animals,  
7 children and, um, like mail people in uniforms,  
8 etc., that are being adopted out and it is  
9 wreaking havoc in terms of returns and injuries,  
10 so, what I also want to know, these are the same  
11 people who are apparently, cleared for "Road to  
12 Home" rescue as a place that meets the Town of  
13 Hempstead's standards.

14 And, if that is the case, based on the  
15 video, based on pictures, based on Google  
16 reviews, based on Social Services removing  
17 children that Kim Strom fosters in 2008, social  
18 services went in and took them out because of  
19 deplorable, filthy, unsanitary, unhealthy  
20 conditions, how do we trust these people to make  
21 the right decisions in terms of placing our  
22 animals?

23 I want our animals back, okay.

24 I have a list here.

25 We can go into it further.



1 I want the animals that were sent Upstate  
2 to that hell hole and that is what it is and I  
3 know you wanted Kim Strom to take those dogs.

4 I m glad, at least, she is not making money <sup>Page | 145</sup>  
5 off of them.

6 If that is where we are sending our  
7 animals, we might as well send them - -

8 SUPERVISOR GILLEN: Are we sending our  
9 animals - -

10 (Whereupon, "yes, yes," was heard calling  
11 out from the audience. After, the following  
12 ensued.)

13 DEPUTY COMMISSIONER: We haven't sent  
14 animals up there for two years.

15 (Whereupon, "wrong, wrong, that is  
16 completely wrong," was heard calling out.  
17 After, the following ensued.)

18 VALERIE LAMPE: Who tells you that?

19 SUPERVISOR GILLEN: Right, now, we are  
20 talking about the Administrative Calendar.

21 You can talk about, "Road to Home," in  
22 Public Comment, but, right, now, we are talking  
23 about, "Summer of Love."

24 VALERIE LAMPE: Well, you know what,  
25 Councilman Blakeman as gracious enough - -

1 Excuse me, hi, was gracious enough to go out of  
2 order for that young man that was just, here, I  
3 am going to ask him the same.

4 I know he has to leave and he gets to vote <sup>Page | 146</sup>  
5 on this and I want the Board to please put an  
6 emergency resolution up and we want to get the  
7 dogs back.

8 These are the dogs that we are - - no, are  
9 still there.

10 (Whereupon, applause from the audience was  
11 heard. After, the following ensued.)

12 VALERIE LAMPE: This is deplorable, Laura.  
13 Laura, this place is a cesspool.

14 It is a sewer. It is riddled with feces  
15 and urine and these dogs are swimming in it, in  
16 small cages and the Fire Marshal raided them and  
17 this is where we are sending our dogs to, it is  
18 - -

19 (Whereupon, the three-minute bell rang.  
20 After, the following ensued.)

21 VALERIE LAMPE: I don't care about my time,  
22 that guy went an extra two minutes and forty-  
23 five seconds.

24 We are sending living, breathing, innocent  
25 creatures - - we have a five million dollar plus

1 Annual budget for this shelter.

2 I want these dogs back.

3 These dogs are being abused.

4 They are being neglected. They are living <sup>Page | 147</sup>  
5 in filth.

6 (Whereupon, "Pastore got to go, Pastore got  
7 to go, Pastore got to go," was heard chanting  
8 from the audience. After, the following  
9 ensued.)

10 VALERIE LAMPE: I am not done. You let the  
11 other guy go two minutes and forty-five second.

12 He was out of order. I can be out of  
13 order, too. You made the precedence. I get  
14 equal treatment as that guy, equal treatment.

15 SUPERVISOR GILLEN: He will not be here to  
16 address his concerns, that is why he asked to go  
17 out of order.

18 You can discuss "Road to Home," in Public  
19 Comment.

20 You can have three more minutes.

21 VALERIE LAMPE: I can't, I can't let it go  
22 because animals are being abused.

23 I can't let it go. We come here,  
24 respectfully, we come here well prepared with  
25 FOIL documents, pictures, videos, emails.

1 We meet with you privately and it goes no  
2 where and I can't let it go.

3 I am seeing animals suffer. I can't let it  
4 go and Supervisor Gillen ran on the abuse, the <sup>Page | 148</sup>  
5 mismanagement, her words - -

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

8 VALERIE LAMPE: You know what happened?  
9 Nothing.

10 She back peddles like she back peddled on  
11 you, today.

12 She back peddles her words. She says she  
13 was misled and that everything is okay, so, much  
14 better, now at the shelter.

15 Have you seen this video?

16 Have you seen these pictures?

17 These are our animals. The please that you  
18 want to send your animals to and pay forty-two  
19 hundred dollars.

20 What kind of due diligence do we do?

21 Do we just send animals to anywhere that  
22 will take them and it doesn't matter if they are  
23 abused and neglected, is that what you want?

24 SUPERVISOR GILLEN: Are we sending any  
25 animals out?

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1 VALERIE LAMPE: Yes, do you want the names.

2 DEPUTY COMMISSIONER: No.

3 SUPERVISOR GILLEN: Mary Ellen Kreye?

4 Thank you.

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5 Mary Ellen Kreye?

6 VALERIE LAMPE: Excuse me, Charlie, Bambi,  
7 Aribelle, Max are still there.

8 Max most likely will still be there. Buck,  
9 Kaiser, that was my first dog's name, by the  
10 way. But, you know what?

11 More importantly, how dare we keep the same  
12 people at the top who are making these horrific  
13 decisions.

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

16 SUPERVISOR GILLEN: Thank you, Ms. Lampe.

17 Ms. Kreye, it is your turn to speak on the  
18 Administrative Calendar.

19 MARY ELLEN KREYE: Mary Ellen Kreye: 436  
20 Locust Avenue, Uniondale.

21 Um, first of all, um, the um, resolution  
22 Number 10, um, I would like to thank you for the  
23 use of the parking lot on Saturday and  
24 compliment, the, um, staff on the assistance  
25 which they gave us.

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1 SUPERVISOR GILLEN: Thank you, Ms. Kreye.

2 MARY ELLEN KREYE: My question on Number 20

3 is, um, this East Meadow, is that where, the,

4 um, temple was formerly or is this a different Page | 150

5 location?

6 TOWN ATTORNEY RA: I believe it is the

7 temple, yes.

8 MARY ELLEN KREYE: You believe it is the

9 temple, so, they changed and this is Beechwood,

10 is it?

11 TOWN ATTORNEY RA: Yes, yes.

12 MARY ELLEN KREYE: And, so, they are

13 changing it to CA Senior Citizen?

14 TOWN ATTORNEY RA: Condominiums only.

15 MARY ELLEN KREYE: I am sorry?

16 TOWN ATTORNEY RA: Condominiums.

17 MARY ELLEN KREYE: Oh, condominiums and

18 previously, it was - -

19 TOWN ATTORNEY RA: Well, previously, it

20 reverted to "Residence B" but the temple

21 approved it.

22 MARY ELLEN KREYE: Why was this not part of

23 the original proposal?

24 TOWN ATTORNEY RA: This item has been

25 before the Board about a year, year and a half

1 ago and the Board passed this.

2 This is just extending the time to get  
3 building permits.

4 MARY ELLEN KREYE: To get?

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5 TOWN ATTORNEY RA: Building permits.

6 MARY ELLEN KREYE: Thank you.

7 And, the, um, Uniondale, on Number 29,  
8 where is the location for that one?

9 SUPERVISOR GILLEN: Calling for a Public  
10 Hearing, we are getting the information.

11 Mr. Reed will give you the information, Ms.  
12 Kreye.

13 MARY ELLEN KREYE: Very good and since Mr.  
14 Blakeman will not be here later on, I have to  
15 say your behavior is inappropriate and I am  
16 absolutely shocked this way of interrupting  
17 people, that is not the way this Board should be  
18 acting.

19 COUNCILMAN BLAKEMAN: I think it is a two-  
20 way street.

21 SUPERVISOR GILLEN: Diane Madden?

22 DIANE MADDEN: Diane Madden, Hempstead.

23 I would like to speak on Item 25, free  
24 animals.

25 Years ago, um, Kate Murray began a

1 Program, a program for free animals because the  
2 adoption rates were probably close to one  
3 hundred dollars, so, it was reasonable to try to  
4 appeal to the public and, um, bring in adopters  
5 at this time of year and try to compete with  
6 the agencies that were starting to care about  
7 animals and getting them homes where you reduce  
8 the adoption fees to twenty-five dollars, as if  
9 her animals are a pair of Macy's shoes.

10 You don't think it is necessary anymore to  
11 give animals away.

12 What is going to be next?

13 Pay people one hundred dollars. We tried  
14 to pay Kim Strom forty-two hundred dollars.

15 Now, we are backing out, if the Board had  
16 not been listening to us, that Resolution would  
17 have passed.

18 You went to the trouble of orchestrating  
19 this and Strom and a bunch of other lunatics  
20 came down here and convinced you that they would  
21 take more animals for another ten thousand  
22 dollars.

23 You sat there and read a letter into the  
24 record assuring the Board he just inspected the  
25 place and its current conditions.



1 This place has been terrible for quite a  
2 long time.

3 It has been difficult knowing the hell  
4 these animals are going through and we got you <sup>Page | 153</sup>  
5 the audacity to sit here like some kind of  
6 royalty or celebrity that you portray yourself  
7 at every photo-op.

8 You brag with the Easter Bunny at Stu  
9 Leonards and those animals are rotting up there.

10 They are sitting in feces. They are  
11 sitting in cages.

12 I saw the ACO report that went a week and a  
13 half ago they said no animal should be in here.

14 They failed the Fire Marshal report for  
15 fire.

16 God for bid a fire, dogs would die in  
17 cages.

18 She is living there, herself, like some  
19 kind of animal.

20 And, this is all under your Administration.

21 She has been told a bout this for a long  
22 time.

23 Everyone has come to Mitch, your other  
24 liaison, Rebecca Sinclair, the same tings except  
25 she made a way for this to happen.

1           What are you going to do about it?

2           SUPERVISOR GILLEN: I am going to keep  
3           reducing fees and waiving fees because it helps  
4           get animals adopted. Page | 154

5           So, if you are against reducing fees so  
6           people with lower incomes can actually adopt  
7           dogs, that is too bad.

8           DIANE MADDEN: You would have programs with  
9           lower incomes, you can't pull that on me, I know  
10          you all too well.

11          You don't care about anybody. You don't  
12          care about anything.

13          What you care about is Democratic jobs,  
14          period.

15          That is it, end of story.

16          You sit here and give Blakeman a hard time.  
17          You do the same exact thing on your end and for  
18          your Party.

19          It is no different. It is call a  
20          hypocrite.

21          What are you doing about Pastore?

22          SUPERVISOR GILLEN: Mr. Pastore serves at  
23          the pleasure of the Town Board.

24          DIANE MADDEN: And I assume not willing to  
25          make a statement.

1 You read a letter into the record and given  
2 a chance, here, Laura, I have bated in your  
3 mouth, you read a letter into the record and Mr.  
4 Pastore gave you - -

5 (Whereupon, the three-minute bell rang.  
6 After, the following ensued.)

7 DIANE MADDEN: - - Assuring the Board that  
8 he examined this place, met his approval and to  
9 pass this contract, it was only common sense  
10 that they didn't do it.

11 You wanted to do it so what is your  
12 explanation for what to do with Mr. Pastore?

13 It falls on you, now.

14 SUPERVISOR GILLEN: Thank you for your  
15 comments, Ms. Madden.

16 I do not have any slips.

17 DIANE MADDEN: There is going to be a  
18 protest. It is about you.

19 SUPERVISOR GILLEN: Please, call the roll  
20 on the Administrative Calendar.

21 CLERK CABANA: Supervisor Gillen?

22 SUPERVISOR GILLEN: I vote aye on the  
23 Administrative Calendar; with respect to Item  
24 23, which is the Elmont Road Access Agreement, I  
25 want to make clear I vote yes, in favor, today

1 because I believe the agreement is to allow access  
2 to evaluate infrastructure needs of the Park and  
3 I confirmed with the Attorney from ESD, um, I  
4 have advocated for about a year, um, to make  
5 sure if the Belmont project goes forward, that  
6 there is a real benefit delivered to the  
7 residents.

8 I believe part of that is a fulltime Long  
9 Island Railroad Station in the area, but, also  
10 that there is real community benefit afforded to  
11 the neighboring communities of Floral Park and  
12 Elmont and Franklin Square that matter.

13 The figures that are provided in this study  
14 of 1.5 million dollars does not in any way  
15 reflect the discussions that I had with the  
16 State and with NYAC over the past year, nor does  
17 it represent or reflect a commitment that we  
18 have talked about which include gut renovations  
19 of the Elmont Road Park.

20 While neither NYAC, ESB nor I or anyone on  
21 the Board will know the exact figure that the  
22 full commitment that they have made is, at this  
23 point and the vision for the Park that was  
24 created by the community a design that was held  
25 on April 6<sup>th</sup>, which deemed this access

1 Agreement as the first stop to that process to  
2 deliver a potential re-benefit to that community  
3 in the event that Belmont Project does go  
4 forward, the residents of Elmont deserve a Park  
5 with quality sport fields, new playground  
6 equipment, ADA compliant bathrooms and hold the  
7 State and NYAC accountable to deliver on what  
8 they represented.

9 Elmont Road Park is the most tangible  
10 community benefit in that area that an come from  
11 the Town - - to the Town from the Belmont  
12 Redevelopment if it goes forward and reflect  
13 about the sizable commitment that was made to  
14 the community with the HUB redevelopment.

15 And, we expect the same kind of commitment  
16 from NYAC and from the State on a significant  
17 regional project like Belmont.

18 CLERK CABANA: Councilman Blakeman?

19 COUNCILMAN BLAKEMAN: Yes, I would like to  
20 comment on my vote on that particular item, as  
21 well, um, it is no secret that I am opposed to  
22 the proposal for the new shopping mall and arena  
23 at the Belmont site.

24 The reasons are, quite frankly, there is no  
25 infrastructure to accommodate the number of

1 people that would be potentially patronizing these  
2 two major projects in our community, that while  
3 I do not represent the physical location of  
4 Belmont, I share the community of Elmont with  
5 Councilman Muscarella.

6 I represent the communities of Franklin  
7 Square, West Hempstead, North Valley Stream,  
8 where there are grave concerns about the  
9 increased traffic on Hempstead Turnpike, Cross  
10 Island Parkway and backed up all the way to the  
11 South State on traffic locations that are  
12 already over-stressed.

13 You would have to live in the community and  
14 be in the community a lot to know what the  
15 issues are with respect to Elmont Road Park.

16 Most of the concerns that I get about  
17 Elmont Road Park have revolved around security  
18 issues, access issues and controlling those  
19 access issues and also for a splash pad for the  
20 kids.

21 With respect to the initial proposal to do  
22 a renovation of the drainage at Elmont Road  
23 Park, it came to my attention that our  
24 Engineering Department and or Parks Department  
25 were not consulted by the State Officials

1 or the Developers at Belmont because had they been  
2 consulted, they would have found that there is a  
3 stream of water that runs under that athletic  
4 field.

5 So, therefore, there is virtually no  
6 engineering solution absent raising the property  
7 and installing an artificial field, which is  
8 impractical because the field is not regulation  
9 and for the State to make that kind of  
10 investment on a non-regulation field is not only  
11 no reasonable, it is irrational when we have  
12 other concerns at the Elmont Road Parks that the  
13 residents have claimed.

14 In addition, Councilman Muscarella can  
15 speak for himself, if he likes, he was very  
16 concerned that the physical location of this  
17 project is in his District and that he has Parks  
18 in his District and none of the investment was  
19 made in his District.

20 So, to the credit of the State and I want  
21 to credit the State, I also want to credit the  
22 Developers, that even though I was opposed to  
23 this project in Belmont Park, if, in fact, it is  
24 approved, we don't know if it will be or not, I  
25 said a couple of things, that are non-negotiable

1 there has to be a fulltime railroad station for  
2 the residents of Elmont, Franklin Square, North  
3 Valley Stream, the largest communities in the  
4 County that don't have a train station and they<sup>Page | 160</sup>  
5 should and they have tracks over at Belmont and  
6 that should be part of any plan, that is Number  
7 1.

8 And, Number 2, if the State is willing to  
9 invest in our Parks, of course, we will accept  
10 that, so, that is the explanation for my vote in  
11 favor of this amended resolution.

12 On the rest of the calendar, I also vote  
13 aye.

14 CLERK CABANA: Councilman D'Esposito?

15 COUNCILMAN D'ESPOSITO: I am not going to  
16 talk about Elmont, aye.

17 CLERK CABANA: Councilman Dunne?

18 COUNCILMAN DUNNE: Okay, I am voting aye on  
19 everything, but I just want to be totally  
20 transparent, I am the President of the Levittown  
21 Island Trees Veterans Council. We applied for a  
22 parade permit.

23 I had asked if I had to recuse myself on  
24 that Item and I was told that I didn't have to.

25 I just want to make sure I was transparent,



**HEMPSTEAD TOWN BOARD 5/21/19**

1 That you do know that, um, so, I vote aye on  
2 everything on the calendar.

3 CLERK CABANA: Senior Councilwoman Goosby?

4 SENIOR COUNCILWOMAN GOOSBY: I vote aye and <sup>Page | 161</sup>

5 I am very happy that we were able to amend  
6 Number 27.

7 CLERK CABANA: Councilman Muscarella?

8 COUNCILMAN MUSCARELL: Aye.

9 SUPERVISOR GILLEN: May I have a Motion to  
10 adjourn?

11 SENIOR COUNCILWOMAN GOOSBY: I make a  
12 Motion to adjourn.

13 COUNCILMAN D'ESPOSITO: I second the  
14 Motion.

15 SUPERVISOR GILLEN: Madam Clerk?

16 CLERK CABANA: Supervisor Gillen?

17 SUPERVISOR GILLEN: Aye.

18 CLERK CABANA: Councilman Blakeman?

19 COUNCILMAN BLAKEMAN: Aye.

20 CLERK CABANA: Councilman D'Esposito?

21 COUNCILMAN D'ESPOSITO: On the amendment,  
22 correct?

23 SUPERVISOR GILLEN: Yes.

24 COUNCILMAN D'ESPOSITO: Aye.

25 CLERK CABANA: Councilman Dunne?

**HEMPSTEAD TOWN BOARD 5/21/19**

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COUNCILMAN DUNNE: Aye.

CLERK CABANA: Senior Councilwoman Goosby?

SENIOR COUNCILWOMAN GOOSBY: Aye.

CLERK CABANA: Councilman Muscarella?

COUNCILMAN MUSCARELLA: Aye.

(Whereupon, the official meeting of the  
Hempstead Town Board was concluded.)

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CERTIFICATE BY COURT REPORTER

I, do hereby certify that the foregoing  
testimony in the matter of the Hempstead Town  
Board Meeting held on May 21, 2019, consisting of  
pages 1 through 163 inclusive is an accurate  
transcription of my cryptic notes.

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IN WITNESS WHEREOF, I SET MY HAND THIS DAY.



*MDW*

CERTIFIED COURT REPORTER

NORTH SHORE COURT REPORTERS

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