

**TOWN OF HEMPSTEAD**

ONE WASHINGTON STREET

TOWN HALL PAVILION

HEMPSTEAD, NEW YORK 11550

AUGUST 6, 2019

10:30 A.M.

BEFORE: LAURA A. GILLEN,

SUPERVISOR

**APPEARANCES :**

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- DEPUTY SUPERVISOR/COUNCILMAN BLAKEMAN
- SENIOR COUNCILWOMAN GOOSBY
- COUNCILMAN D'ESPOSITO
- COUNCILMAN DUNNE, SR.
- MAJORITY LEADER/COUNCILWOMAN KING-SWEENEY
- COUNCILMAN MUSCARELLA
- TOWN CLERK CABANA
- DEPUTY TOWN CLERK TUMMINELLO
- TOWN ATTORNY RA
- ACTING DEPUTY TOWN COMPTROLLER CAPOBIANCO

**HEMPSTEAD TOWN BOARD 8/6/19**

1 SUPERVISOR GILLEN: Welcome to the  
2 regularly scheduled Town Board Meeting.

3 For those of you who have never attended a  
4 meeting before, we will first have Public Hearings<sup>Page | 3</sup>  
5 followed by an Administrative Calendar.

6 There are meeting agendas available in the  
7 rear of the Pavilion, if you like to get one, just  
8 go back there.

9 If you like to be heard on any matter,  
10 please, get a slip from the back and fill it out.

11 If you like to be heard on multiple  
12 matters, some on the Administrative and Public  
13 Hearings, please, fill out different slips so we  
14 can make sure that you are called.

15 After, the meeting is adjourned, the Town  
16 Board will follow out custom of three hundred and  
17 fifty years and remain in session to hear any  
18 residents who would like to address the Board on  
19 any other matters.

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

22 CLERK CABANA: Supervisor Gillen?

23 SUPERVISOR GILLEN: Here.

24 CLERK CABANA: Councilman Blakeman?

25 COUNCILMAN BLAKEMAN: Here.

**HEMPSTEAD TOWN BOARD 8/6/19**

1 CLERK CABANA: Councilman D'Esposito?

2 COUNCILMAN D'ESPOSITO: I am here.

3 CLERK CABANA: Councilman Dunne?

4 COUNCILMAN DUNNE: Here.

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5 CLERK CABANA: Senior Councilwoman Goosby?

6 SENIOR COUNCILWOMAN GOOSBY: Here.

7 CLERK CABANA: Councilwoman King-Sweeney?

8 COUNCILWOMAN KING-SWEENEY: Here.

9 CLERK CABANA: Councilman Muscarella?

10 COUNCILMAN MUSCARELLA: Here.

11 SUPERVISOR GILLEN: Now, I will call upon  
12 Councilman D'Esposito to lead us in the Pledge of  
13 Allegiance.

14 COUNCILMAN D'ESPOSITO: With your hand over  
15 your heart, I Pledge ...

16 (Whereupon, Councilman D'Esposito led the  
17 Assembly in the Pledge of Allegiance. After, the  
18 following ensued.)

19 SUPERVISOR GILLEN: I ask everyone to  
20 remain standing. We re going to do a moment of  
21 silence for two different ones.

22 First, I would like to observe a moment of  
23 silence to remember the victims who were lost in  
24 the mass shooting this past weekend.

25 (Whereupon, a moment of silence was

1 observed. After, the following ensued.)

2 COUNCILMAN BLAKEMAN: I would like  
3 everybody to please remain standing. Yesterday,  
4 we lost an iconic figure in Long Island Page | 5  
5 Government, the Former County Executive Tom  
6 Gulotta, who also was the Presiding Supervisor of  
7 this Town.

8 Before he became County Executive and  
9 before that he was a State Assemblyman.

10 Tom was somebody that was a tireless  
11 worker. He was one of the greatest campaigners I  
12 ever had an opportunity to know and he left a  
13 very, very important mark on Long Island,  
14 especially, in areas of law enforcement and with  
15 respect to culture and establishing Museum Row and  
16 so many other things.

17 So, I would like you to just take a moment  
18 to have a moment of silence for our former  
19 Presiding Supervisor, here, in the Town, Tom  
20 Gulotta.

21 (Whereupon, a moment of silence was  
22 observed. After, the following ensued.)

23 COUNCILMAN BLAKEMAN: Thank you.

24 SUPERVISOR GILLEN: Thank you, everybody.

25 Madam Clerk, will you, please, call the

1 first Public Hearing.

2 CLERK CABANA: Petition of Commissioner of  
3 Buildings to demolish & remove the two-story wood  
4 frame one family dwelling with detached garage & <sup>Page | 6</sup>  
5 remove all litter & debris from property -  
6 Levittown (12 Clay Lane) south side of Clay Lane,  
7 231 feet east of Cooper Lane - Department of  
8 Buildings.

9 SUPERVISOR GILLEN: I do not have any slips  
10 on this matter, is there anybody that would like  
11 to be heard?

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

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

16 COUNCILMAN DUNNE: I make a Motion to close  
17 the Hearing and move the item.

18 SENIOR COUNCILWOMAN GOOSBY: Second.

19 SUPERVISOR GILLEN: Madam Clerk?

20 CLERK CABANA: Supervisor Gillen?

21 SUPERVISOR GILLEN: Aye.

22 CLERK CABANA: Councilman Blakeman?

23 COUNCILMAN BLAKEMAN: Aye.

24 CLERK CABANA: Councilman D'Esposito?

25 COUNCILMAN D'ESPOSITO: Aye.

**HEMPSTEAD TOWN BOARD 8/6/19**

1 CLERK CABANA: Councilman Dunne?

2 COUNCILMAN DUNNE: Aye.

3 CLERK CABANA: Senior Councilwoman Goosby?

4 SENIOR COUNCILWOMAN GOOSBY: Aye.

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5 CLERK CABANA: Councilwoman King-Sweeney?

6 COUNCILWOMAN KING-SWEENEY: Aye.

7 CLERK CABANA: Councilman Muscarella?

8 COUNCILMAN MUSCARELLA: Aye.

9 SUPERVISOR GILLEN: Madam Clerk, call our  
10 next Public Hearing.

11 CLERK CABANA: Petition of Commissioner of  
12 Buildings to demolish & remove the two-story wood  
13 frame one family dwelling & remove all litter &  
14 debris from property - Wantagh (2568 Mariners  
15 Avenue) southwest corner of Mariners Avenue &  
16 Cedar Street - Department of Buildings.

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

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

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

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

1 Item be adopted.

2 COUNCILMAN DUNNE: I second the Motion.

3 SUPERVISOR GILLEN: Madam Clerk?

4 CLERK CABANA: Supervisor Gillen?

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5 SUPERVISOR GILLEN: Aye.

6 CLERK CABANA: Councilman Blakeman?

7 COUNCILMAN BLAKEMAN: Aye.

8 CLERK CABANA: Councilman D'Esposito?

9 COUNCILMAN D'ESPOSITO: Aye.

10 CLERK CABANA: Councilman Dunne?

11 COUNCILMAN DUNNE: Aye.

12 CLERK CABANA: Senior Councilwoman Goosby?

13 SENIOR COUNCILWOMAN GOOSBY: Aye.

14 CLERK CABANA: Councilwoman King-Sweeney?

15 COUNCILWOMAN KING-SWEENEY: Aye.

16 CLERK CABANA: Councilman Muscarella?

17 COUNCILMAN MUSCARELLA: Aye.

18 SUPERVISOR GILLEN: Madam Clerk, please,

19 call our next Public Hearing.

20 CLERK CABANA: Proposed Local Law Re:

21 "Regulations and Restrictions" to limit parking in

22 Oceanside, West Hempstead (To amend Chapter 202 of

23 the Code of the Town of Hempstead)

24 SUPERVISOR GILLEN: I do not have any slips

25 on this Public Hearing, is there anyone that



1 would like to be heard?

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

4 SUPERVISOR GILLEN: Hearing none, may I Page | 9  
5 have a Motion.

6 COUNCILMAN D'ESPOSITO: I move that the  
7 Public Hearing be closed and the item be adopted.

8 COUNCILMAN BLAKEMAN: Second.

9 SUPERVISOR GILLEN: Madam Clerk?

10 CLERK CABANA: Supervisor Gillen?

11 SUPERVISOR GILLEN: Aye.

12 CLERK CABANA: Councilman Blakeman?

13 COUNCILMAN BLAKEMAN: Aye.

14 CLERK CABANA: Councilman D'Esposito?

15 COUNCILMAN D'ESPOSITO: Aye.

16 CLERK CABANA: Councilman Dunne?

17 COUNCILMAN DUNNE: Aye.

18 CLERK CABANA: Senior Councilwoman Goosby?

19 SENIOR COUNCILWOMAN GOOSBY: Aye.

20 CLERK CABANA: Councilwoman King-Sweeney?

21 COUNCILWOMAN KING-SWEENEY: Aye.

22 CLERK CABANA: Councilman Muscarella?

23 COUNCILMAN MUSCARELLA: Aye.

24 SUPERVISOR GILLEN: Madam Clerk, please,  
25 call the next Public Hearing.

**HEMPSTEAD TOWN BOARD 8/6/19**

1 CLERK CABANA: Proposed Local Law Re:  
2 "Parking or Standing Prohibitions" in East Meadow,  
3 Oceanside, near Valley Stream, Wantagh, near  
4 Westbury, West Hempstead, Woodmere (To amend  
5 Section 202-1 of the Code of the Town of  
6 Hempstead)

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

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

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

14 COUNCILMAN DUNNE: I make a Motion to close  
15 the Hearing and the item be adopted.

16 COUNCILMAN D'ESPOSITO: I second the  
17 motion.

18 SUPERVISOR GILLEN: Madam Clerk?

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?

**HEMPSTEAD TOWN BOARD 8/6/19**

1 COUNCILMAN DUNNE: Aye.

2 CLERK CABANA: Senior Councilwoman Goosby?

3 SENIOR COUNCILWOMAN GOOSBY: Aye.

4 CLERK CABANA: Councilwoman King-Sweeney? Page | 11

5 COUNCILWOMAN KING-SWEENEY: Aye.

6 CLERK CABANA: Councilman Muscarella?

7 COUNCILMAN MUSCARELLA: Aye.

8 SUPERVISOR GILLEN: Madam Clerk, please,  
9 call the next Public Hearing.

10 CLERK CABANA: Proposed Local Law Re"  
11 "Arterial Stops" in East Meadow, Elmont, Franklin  
12 Square, Inwood, Merrick, North Merrick, North  
13 Valley Stream, Oceanside, Wantagh (To amend  
14 Section 197-5 of the Code of the Town of  
15 Hempstead)

16 SUPERVISOR GILLEN: I do not have any slips  
17 on this Public Hearing, is there anyone that  
18 would 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 BLAKEMAN: Supervisor, I move  
24 that the Public Hearing be closed and the local  
25 law be adopted.

**HEMPSTEAD TOWN BOARD 8/6/19**

1 COUNCILWOMAN KING-SWEENEY: Second.

2 SUPERVISOR GILLEN: Madam Clerk?

3 CLERK CABANA: Supervisor Gillen?

4 SUPERVISOR GILLEN: Aye.

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5 CLERK CABANA: Councilman Blakeman?

6 COUNCILMAN BLAKEMAN: Aye.

7 CLERK CABANA: Councilman D'Esposito?

8 COUNCILMAN D'ESPOSITO: Aye.

9 CLERK CABANA: Councilman Dunne?

10 COUNCILMAN DUNNE: Aye.

11 CLERK CABANA: Senior Councilwoman Goosby?

12 SENIOR COUNCILWOMAN GOOSBY: Aye.

13 CLERK CABANA: Councilwoman King-Sweeney?

14 COUNCILWOMAN KING-SWEENEY: Aye.

15 CLERK CABANA: Councilman Muscarella?

16 COUNCILMAN MUSCARELLA: Aye.

17 SUPERVISOR GILLEN: Madam Clerk, please,  
18 call the next Public Hearing.

19 CLERK CABANA: Proposed Local Law Re:  
20 "Traffic Regulations in the Vicinity of Schools"  
21 in East Meadow, Franklin Square (To amend Section  
22 197-13 of the Code of the Town of Hempstead)

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

**HEMPSTEAD TOWN BOARD 8/6/19**

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

3 SUPERVISOR GILLEN: Hearing none, may I  
4 have a Motion.

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5 COUNCILMAN BLAKEMAN: Supervisor, I move  
6 that the Hearing be closed and the Local Law be  
7 adopted.

8 COUNCILMAN DUNNE: Second.

9 SUPERVISOR GILLEN: Madam Clerk?

10 CLERK CABANA: Supervisor Gillen?

11 SUPERVISOR GILLEN: Aye.

12 CLERK CABANA: Councilman Blakeman?

13 COUNCILMAN BLAKEMAN: Aye.

14 CLERK CABANA: Councilman D'Esposito?

15 COUNCILMAN D'ESPOSITO: Aye.

16 CLERK CABANA: Councilman Dunne?

17 COUNCILMAN DUNNE: Aye.

18 CLERK CABANA: Senior Councilwoman Goosby?

19 SENIOR COUNCILWOMAN GOOSBY: Aye.

20 CLERK CABANA: Councilwoman King-Sweeney?

21 COUNCILWOMAN KING-SWEENEY: Aye.

22 CLERK CABANA: Councilman Muscarella?

23 COUNCILMAN MUSCARELLA: Aye.

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

**HEMPSTEAD TOWN BOARD 8/6/19**

1 CLERK CABANA: Proposed Local Law Re:  
2 "School Speed Limits" in near Westbury -  
3 Washington Avenue (To amend Chapter 190 of the  
4 Code of the Town of Hempstead by the insertion of <sup>Page | 14</sup>  
5 a location into Section 190-4, Subdivision "A" in  
6 relation to a 20 miles per hour School Speed  
7 Limit)

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 BLAKEMAN: I move that the  
16 Public Hearing be closed and the Local Law be  
17 adopted.

18 COUNCILWOMAN KING-SWEENEY: Second.

19 SUPERVISOR GILLEN: Madam Clerk?

20 CLERK CABANA: Supervisor Gillen?

21 SUPERVISOR GILLEN: Aye.

22 CLERK CABANA: Councilman Blakeman?

23 COUNCILMAN BLAKEMAN: Aye.

24 CLERK CABANA: Councilman D'Esposito?

25 COUNCILMAN D'ESPOSITO: Aye.

**HEMPSTEAD TOWN BOARD 8/6/19**

1 CLERK CABANA: Councilman Dunne?

2 COUNCILMAN DUNNE: Aye.

3 CLERK CABANA: Senior Councilwoman Goosby?

4 SENIOR COUNCILWOMAN GOOSBY: Aye.

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5 CLERK CABANA: Councilwoman King-Sweeney?

6 COUNCILWOMAN KING-SWEENEY: Aye.

7 CLERK CABANA: Councilman Muscarella?

8 COUNCILMAN MUSCARELLA: Aye.

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

11 CLERK CABANA: Proposed Local Law to be  
12 entitled "Community Choice Aggregation Energy  
13 Program" in order to aggregate the energy supply  
14 needs of residents and small commercial customers  
15 and to negotiate and enter into or authorize its  
16 agent to negotiate and enter into energy supply  
17 agreements with energy service companies (ESCO's  
18 on behalf of eligible citizens to obtain stable,  
19 lower-cost energy prices, as well as environmental  
20 benefits and/or a community-based solution to  
21 meeting our collective energy needs (To establish  
22 Chapter 74 of the Code of the Town of Hempstead)

23 SUPERVISOR GILLEN: I have a number of  
24 slips on this Public Hearing.

25 First, I have Dave Fattizzo?

**HEMPSTEAD TOWN BOARD 8/6/19**

1 DAVE FATTIZZO: Good Morning, my name is  
2 Dave Fattizzo and I am, here, on behalf of the  
3 Long Island Association.

4 Our President and CEO Kevin Long could not <sup>Page | 16</sup>  
5 make the event this morning, there, I will be  
6 reading a letter on his behalf.

7 "Dear Supervisor Gillen and Members of the  
8 Hempstead Town Board:

9 "The Long Island Association/LIA support  
10 the approval of the local law establishing Chapter  
11 74 of the Code of the Town of Hempstead entitled  
12 "Community Choice Aggregation Energy Program,"  
13 otherwise known as "CCA."

14 "The LIA supports CCA as it to be a useful  
15 program to reduce energy costs for businesses and  
16 residents in the Town of Hempstead.

17 "It is National Grid, our local gas utility  
18 will still deliver gas to the customers' homes and  
19 businesses and CCA will focus on the cost  
20 reductions to the supply of gas in the Town.

21 "To that extent, competition is a  
22 worthwhile deal to pursue.

23 "We wish the Town of Hempstead success with  
24 this new initiate."

25 Thank you.



**HEMPSTEAD TOWN BOARD 8/6/19**

1 COUNCILMAN BLAKEMAN: Supervisor, I have a  
2 couple of questions.

3 Thank you for coming, today.

4 Um, a couple of questions; first of all, Page | 17  
5 who would be leading the negotiations?

6 DAVE FATTIZZO: These types of questions,  
7 unfortunately, are above my pay grade, so, I would  
8 appreciate if all questions would just be directed  
9 to Kevin Long at a different time.

10 SUPERVISOR GILLEN: Mr. Pitnick, would you  
11 come up and Mr. Haber.

12 COUNCILMAN BLAKEMAN: Can they answer the  
13 question?

14 SUPERVISOR GILLEN: I think they can.

15 SENIOR COUNCILWOMAN GOOSBY: That is what I  
16 want to know, who negotiates?

17 ATTORNEY PITNICK: Good Morning, Counsel to  
18 the Supervisor; the question is who would be doing  
19 the negotiations with respect to what?

20 COUNCILMAN BLAKEMAN: The Resolution says  
21 that it would authorize the agent to negotiate and  
22 enter into energy supply agreements with energy  
23 service companies.

24 ATTORNEY PITNICK: So, the way the process  
25 would work is the Town Board would establish

1 the ability to - - who established the program,  
2 that is what this Local Law is and, then,  
3 subsequently, there would be an RFP that would be  
4 issued and come back to the Town Board for  
5 approval to award the RFP to the administrator,  
6 who would be an agent on behalf of the Town to act  
7 on our behalf to review the program to establish  
8 an implementation program, um or plan and other  
9 requisites that are required, um, by the public  
10 service commission.

11 And, then, depending on how the Town Board  
12 wants to act, either the agent from direction of  
13 the Town Board would negotiate - -

14 COUNCILMAN BLAKEMAN: This is enabling  
15 legislation that if we wanted to set up a Board  
16 that we could.

17 But, it is not setting up the Board.

18 I don't see the details with respect to the  
19 Board.

20 Who would be on this Board?

21 ATTORNEY PITNICK: When you say, "the  
22 Board", I am no sure actually what you are talking  
23 about.

24 COUNCILMAN BLAKEMAN: You indicated that  
25 there would be a Board set up to administer this

1 or administer, you said.

2 ATTORNEY PITNICK: The Town would.

3 COUNCILMAN BLAKEMAN: Who is the  
4 administrator?

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5 ATTORNEY PITNICK: Town Board.

6 COUNCILMAN BLAKEMAN: So, coming back as a  
7 Resolution?

8 MR. HABER: Similar to the process of cost  
9 control associating where the Town saved two  
10 hundred thousand dollars, we, basically, passed a  
11 Local Law and we went out for and RFP to hire the  
12 administrator.

13 The Administrator goes and procures the  
14 third party that provides gas through a  
15 competitive open process and you approve those  
16 rates.

17 And, the only way you would approve this is  
18 if the Town saved a fair minimum of five percent.

19 We are looking to save for residents, one  
20 hundred and thirty per resident.

21 COUNCILMAN BLAKEMAN: Before any action is  
22 taken, there will be another resolution that will  
23 come before the Board in full detail?

24 MR. HABER: Yes.

25 COUNCILMAN BLAKEMAN: Is there anything in

1 here that addresses the shortage of gas supply to  
2 the Town, which I am hearing from a lot of  
3 constituents is causing major problems with  
4 respect to, um, economic growth, here?

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5 MR. HABER: It is a big problem of supply.

6 There isn't enough natural gas for new  
7 construction.

8 This just replaces currently supply with  
9 National Grid.

10 There is no additional supply that is  
11 coming in.

12 Basically, National Grid's bill has two  
13 parts; a supply part, which is where they procure  
14 the gas and the piping, where they administer,  
15 they make their money on rates set by the State.

16 On the administration, they don't care  
17 where the gas comes from, if they don't provide it  
18 they, they will provide it from another third  
19 party.

20 There is no additional gas coming into the  
21 system.

22 COUNCILMAN BLAKEMAN: Well, that is a big  
23 problem and we need to address that in the future.

24 I don't have any further questions.

25 SUPERVISOR GILLEN: So, I just want

1 to clarify, Mr. Haber, so this is exactly like the  
2 kind of CCA Program that we approved last year so  
3 we can negotiate better rates on behalf of the  
4 Town.

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5 And, this is just enabling us to negotiate  
6 collectively on behalf of residents and businesses  
7 within the Town to kind of what we did to set  
8 benefits and savings for the Town.

9 This will help us to pass on savings for  
10 the Town.

11 This will help us to pass on savings to  
12 residents but, at this point, all we are doing is  
13 passing enabling legislation that would allow us  
14 to put out an RFP and, then award a contract to an  
15 agent to negotiate for us and come back before  
16 this Board, once, again.

17 MR. HABER: And, nothing gets approved  
18 unless it is savings and we don't move forward.

19 SUPERVISOR GILLEN: Thank, you.

20 Michael Watts?

21 TOWN ATTORNEY RA: Supervisor, that is t he  
22 letter that you have.

23 SUPERVISOR GILLEN: Michael Watts left.  
24 Thank you, Mr. Ra. He did submit a letter dated  
25 August 6, 2019, that said, "My name is Michael

1 "Watts. I am Executive Director and Founder of  
2 the LIINCS Organization, in association with three  
3 hundred-plus young professionals committed to  
4 establishing their roots on Long Island, many of <sup>Page | 22</sup>  
5 whom currently reside in the Town of Hempstead.

6 "I am here to speak on the proposed Local  
7 Law entitled, "Community Choice Aggregation Energy  
8 Program."

9 "The LIINCS would be here, themselves, but,  
10 they are not in a position to take time away from  
11 their jobs to attend municipal hearings held  
12 during the workday.

13 "These young men and women come from many  
14 different walks of life but share a common love  
15 for the region where they were raised, the  
16 challenges they face and endeavor to settle here  
17 have been well documented; student loan debt,  
18 savings, starter homes with prices north of four  
19 hundred thousand dollars, multi-faceted taxes and  
20 fees of more than one thousand dollars a month and  
21 when the time comes, child care costs that can  
22 only be described as daunting all add up.

23 "So, it is incumbent upon our elected  
24 leaders to demonstrate doing all they can to  
25 mitigate all the costs associated with living

1 here and in some cases operating a small business,  
2 especially, when those efforts involve minimal  
3 change to our daily routine.

4 "Failure to support this measure sends a <sup>Page | 23</sup>  
5 message to these young people that government  
6 doesn't care about their challenges and by  
7 extension whether they stay or go.

8 "The hope here is that the Town of  
9 Hempstead not only adopt this measure, also uses  
10 it as a springboard to explore other areas where  
11 costs can be driven down for competitive bidding.

12 "The Long Islanders who comprise the LIINCS  
13 Organization understand it costs more to live here  
14 and for the most part facing value working a  
15 little harder and smarter to live here but the  
16 siren call of the South and the southwest of low-  
17 cost housing and taxes at a fraction of what they  
18 can expect to be paid, here in New York can be  
19 deafening, especially when it comes from friends  
20 and love ones who already made the move.

21 "With that in mind, please, pass the  
22 proposed law Number 30146."

23 I will submit this also.

24 COUNCILMAN BLAKEMAN: Supervisor, can you  
25 repeat that, please.

1 (Whereupon, laughter was heard. After, the  
2 following ensued.)

3 SENIOR COUNCILWOMAN GOOSBY: For all of us  
4 should have an opportunity to read that. Page | 24

5 SUPERVISOR GILLEN: My understanding is he  
6 intended to read this, but, he had to leave.

7 Joyce Stowe?

8 JOYCE STOWE: Good Morning, everyone.

9 My name is Joyce Stowe, President of the  
10 Tudor Manor Civic in Elmont, New York.

11 I am here this morning to lend my support  
12 to the Town of Hempstead in this natural gas  
13 initiative in seeking competitive prices for  
14 natural gas suppliers and our carrier.

15 I was made to understand that National Grid  
16 is seeking a raise increase, such increase would  
17 be burdensome at this time to our senior citizens  
18 on fixed income or working citizens and, of  
19 course, small businesses.

20 Competitive pricing is the hallmark of  
21 doing business in any society, and, so, I commend  
22 the Town of Hempstead in bringing this formula to  
23 seek and secure better natural gas rates for our  
24 people.

25 Again, I thank you for inviting me, here



1 this morning. Thank you.

2 SUPERVISOR GILLEN: Thank you.

3 COUNCILMAN BLAKEMAN: Supervisor, thank you  
4 so much for coming, but I just want to get back to <sup>Page | 25</sup>  
5 my original point that there is a natural gas  
6 supply crisis, now, on Long Island and it seems to  
7 me that another measure will drive the price will  
8 to increase the price and I understand that the  
9 regulating authorities, here, in the State have  
10 not allowed additional gas resources to be placed,  
11 here on Long Island.

12 So, I think we also have to address that in  
13 the future because it seems to me that if there  
14 were more of a supply, the rise would be down.

15 But, thank you for coming in, here, today.

16 JOYCE STOWE: Thank you.

17 SUPERVISOR GILLEN: Thank you, that is a  
18 real concern, the shortage of supply, but pre-  
19 existing customers, the ones that we have, I think  
20 we have a real opportunity, here, to deal with  
21 emergency savings which they desperately need.

22 Cheryl Lee?

23 CHERYL LEE: Good Morning, everyone, my  
24 name is Cheryl Lee.

25 I am the President of the Parkerhurst Civic

1 Association representing nine hundred families and  
2 also, today, I am representing Bob Barker from  
3 Locustwood-Gotham Elmont Civic Association.

4 He represents twelve hundred families.

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5 Now, while sitting there, today, I just  
6 realized I just learned that without enabling  
7 legislation is like putting the cart before the  
8 horse.

9 Anyhow, since I am, here, I am here to  
10 support the competitive bid.

11 However, what use is it if the residents  
12 are not properly informed.

13 We are concerned because we are the  
14 majority/minority community.

15 As a result, we would like clarification.

16 And, I mean detailed clarification among  
17 everything because we read everything.

18 Now, what are we getting into?

19 We need more details. We would like to  
20 ensure that there are no deficiencies in this  
21 third-party bidding process, Number 1.

22 Number 2, we would like proper  
23 representation at the table should you go forward  
24 with this.

25 And, Number 3, community outreach; example

1 Local leaders, etc.

2 Number 4, each homeowner should be  
3 notified.

4 And, Number 5, information should be send <sup>Page | 27</sup>  
5 out in several languages.

6 Thank you.

7 SUPERVISOR GILLEN: Thank you. I think you  
8 raise serious points.

9 We are at the stage, now, that this  
10 resolution will just give us the power to go out  
11 and issue an RFP and get an agent to negotiate  
12 with us.

13 That hasn't happened yet, but, once we go  
14 forward, we will reach out to the communities and  
15 to the civics to let them know what is going on to  
16 let them know that every resident that they can  
17 choose to participate or they cannot.

18 They will have the options to operate out  
19 and provide all the information they need for the  
20 rates.

21 And, if they choose to opt out, the way  
22 they can do that easily.

23 CHERYL LEE: Thank you very much.

24 We would like hardcopies because our  
25 people, a lot of our seniors do not use a

1 Computer.

2 Thank you.

3 SUPERVISOR GILLEN: Thank you.

4 Susan Ryan?

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5 SUSAN RYAN: Good Morning, everybody, um, I  
6 would just like to - -

7 SUPERVISOR GILLEN: State your name and  
8 address for the record?

9 SUSAN RYAN: Susan Ryan. 100 Inwood  
10 Avenue, Point Lookout.

11 Um, I would just like to support the idea  
12 of an RFP.

13 The constituents in the Town of Hempstead,  
14 I just think this sounds like a great way for, um,  
15 the Town of Hempstead to kind of leverage their  
16 support and their power in terms of helping, um,  
17 to provide low cost for the constituents.

18 So, um, you know, I support this fully.

19 I, also, think that, um, you know, that the  
20 idea of announcing it, now and moving forward in  
21 the future, giving everybody in the local  
22 communities a lot of information about this is  
23 good, you know, good government.

24 So, I endorse it and help my community. We  
25 have to, okay. Thank you.

1 SUPERVISOR GILLEN: Thank you.

2 Next we have Pearl Jacobs.

3 PEARL JACOBS: Good Morning, Pearl Jacobs,

4 President of the Nostrand Gardens Civic

5 Association, Uniondale.

6 Um, first, and foremost, I would like to  
7 express my opposition to the proposed Nat Grid  
8 rate increase.

9 Um, I hear that infrastructure improvement  
10 costs are being passed onto consumers and that is  
11 clearly unacceptable.

12 Infrastructure improvements should be  
13 included in National Grids capital budget.

14 And, as President of the Civic Association,  
15 I hear all too often the financial struggles that  
16 middle class residents and especially our Seniors  
17 encounter on a monthly basis just to survive in  
18 Nassau County.

19 So, when it comes to an opportunity to save  
20 money on reaffirming monthly bills, I am open to  
21 all possibilities.

22 I can tell you for a fact that Uniondale  
23 residents would welcome the opportunity to save on  
24 their monthly expenses.

25 When competition is introduced into the

1 mix, corporations always step up their game,  
2 especially, when it comes to quality and pricing.

3 If residents can realize lower rates by  
4 operating into a Community Choice Aggregation  
5 Program to save money than why not.

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6 The only change to the current process  
7 would be regarding the supply part of the, um,  
8 process.

9 This CCA option appears to be a win-win.

10 There is no cost to enroll and a resident  
11 can opt out at any time and switch back to the  
12 National Grid as gas supply.

13 If Town of Hempstead residents can realize  
14 a potential eight to ten percent reduction in gas  
15 supply than why not?

16 It sounds like a great option.

17 Thank you, Supervisor Gillen and all  
18 involved for renting this cost saving initiative  
19 to the Town of Hempstead residents.

20 Thank you.

21 SUPERVISOR GILLEN: Just about the supply,  
22 I have been given a note that National Grid is in  
23 the process of reapplying for the underwater  
24 connection required to increase the gas supply to  
25 Long Island and apparently Governor Cuomo is

1 coming to Hempstead Library at 1:45 today to  
2 discuss this.

3 He will be here if you want to ask  
4 questions, he will be here at 1:45 in Hempstead. Page | 31

5 I don't know if it is going to be about this, but  
6 you can talk to him.

7 COUNCILMAN BLAKEMAN: I thought by podcast  
8 and he heard me say we should do it.

9 (Whereupon, laughter was heard. After, the  
10 following ensued.)

11 SUPERVISOR GILLEN: Nancy Skeete?

12 NANCY SKEETE: Good Morning everybody.

13 My name is Nancy Skeete, Uniondale  
14 Community Council Civic Group.

15 And, I am here because I just found out  
16 very shortly ago that this process was about to  
17 take place.

18 Now, I am upset because I didn't know we  
19 could have been informed.

20 We should have known this was happening.

21 Nothing has gone out and I also want to  
22 know - - let you know that when you do your  
23 mailers, okay sometimes you have to do things in  
24 larger print because we have people that are  
25 visually impaired.

1 And, I really would appreciate that being a  
2 parent of highly blind son.

3 I also think that because of the expenses  
4 here on Long Island, you know, how do we know we <sup>Page | 32</sup>  
5 are going to save money?

6 How do we know that National Grid is not  
7 going to increase their delivery prices because  
8 they are not making the volume of money that they  
9 wanted to make?

10 We don't know that.

11 So, I am really not for it, okay, because  
12 this has happened in the past.

13 I know things quite a few years ago and it  
14 didn't, um, warrant any savings without gas.

15 SUPERVISOR GILLEN: Let's see if I could  
16 address some of your questions.

17 You raise a good point about the larger  
18 print and certainly we could talk to people in our  
19 mail shop and see if we can do that with respect  
20 to the mailers.

21 With respect to the gas prices, we can't  
22 guarantee that National Grid, rather won't  
23 increase their rates with response to delivery.

24 But there are two components of their bill,  
25 one is delivery and one is supply.



1 And, we haven't done anything, yet.

2 All this legislation would do is allow us  
3 as a Town to explore this option.

4 And, we will only - - we will have an agent <sup>Page | 33</sup>  
5 to go out and negotiate better rates on supply  
6 rates and only agree to do is come back to the  
7 Board, again.

8 And, we will have community outreach if  
9 this goes forward.

10 It will allow them to negotiate rates only  
11 and only be approved if they are, in fact, lower  
12 than what National Grid is proposing.

13 We can't tell you what those rates are,  
14 yet, because, right, now, we can't do that unless  
15 we have enabling legislation.

16 Um, I don't know if I made that clear to  
17 you, but, if you want a deeper explanation, I  
18 would be happy to have Mr. Pitnick or Mr. Haber  
19 explain it to you in a little bit more detail if  
20 that would help you.

21 NANCY SKEETE: Okay, this was not, um,  
22 mailed out this change or possibility of it was  
23 not advised to the people.

24 SUPERVISOR GILLEN: There is really nothing  
25 to advise you yet because there is no rate change.

1 We did this last year.

2 And, we negotiated better rates for the  
3 Town.

4 And, we are saving over one hundred and  
5 fifty thousand dollars a year on our energy costs  
6 by going out into the market and competing on the  
7 supply side.

8 So, what this legislation would do is allow  
9 us as a municipality to negotiate for residents.

10 Right, now, we can't even do that.

11 If we pass this today and we are able to do  
12 that, what we are going to do is put out requests  
13 for proposals to see if there is companies that  
14 have experts in this field and then they would  
15 apply to us to represent us and, then, it would  
16 come, again, before this Body to see if we are  
17 getting the best agent to negotiate on our behalf  
18 and, then, go out in the market place.

19 There are different companies that supply  
20 gas, not just National Grid.

21 They are called ESCO's and they would  
22 negotiate.

23 And, the thing is as a community, we would  
24 negotiate on behalf of one hundred and seventy-  
25 four thousand households and small businesses.

1 We have stronger negotiating power, so, we  
2 can try to get the best rates possible for rate-  
3 holders.

4 We will keep the community informed of all <sup>Page | 35</sup>  
5 of that going forward, but, right, now, we have to  
6 pass this enabling legislation in order for us as  
7 a municipality to even begin the process.

8 So, nothing is even really started and  
9 nothing can start unless we pass this legislation,  
10 today.

11 NANCY SKEETE: When we get things, is it in  
12 the mail or on the internet? Are they on the  
13 website?

14 SUPERVISOR GILLEN: Once we move forward,  
15 we will reach out to the community in a number of  
16 different ways to make sure that they are informed  
17 of what is going on with this.

18 NANCY SKEETE: I thank you.

19 MR. HABER: I would just add the copy of  
20 the proposed local law is on the website together  
21 with the public service commission order which  
22 authorized the program throughout the State.

23 Um, and, then, there is a summary of that  
24 order.

25 SUPERVISOR GILLEN: If you want

1 a hardcopy, we can print one out for you, Ms.  
2 Skeete and send it out to you or give it to you,  
3 today.

4 NANCY SKEETE: Thank you.

5 ATTORNEY PUTNICK: I just want to add what  
6 the public service commission put in place  
7 requires and they use the term, "robust public  
8 outreach" and you know there are a lot of  
9 information that will go out there that is part of  
10 the process.

11 There is sufficient timeframes that are  
12 required by the order, um, in order to allow  
13 residents to be informed and to get the  
14 information.

15 This is just enabling the process.

16 SUPERVISOR GILLEN: Right, what Mr. Pitnick  
17 is saying, basically, there are a bunch of rules  
18 that apply if you embark on this process to make  
19 sure that residents get the proper notice of what  
20 is going on, what the rates are, how they can  
21 participate or not participate.

22 So, there are rules that will guide us in  
23 addition to our own willing to inform the public.

24 We would have to adhere to certain  
25 standards to make sure that the public knows

1 what is going on.

2 NANCY SKEETE: Also supply and demand being  
3 addressed.

4 SUPERVISOR GILLEN: This is just talking Page | 37  
5 about the gas supply that is available to pre-  
6 existing customers with respect to getting more  
7 gas supply into Long Island.

8 This does not address that, that is a  
9 separate issue, okay.

10 NANCY SKEETE: All right.

11 SUPERVISOR GILLEN: Thank you.

12 If you have any other questions, you can  
13 ask Mr. Pitnick or Mr. Haber.

14 They would be happy to help you, all right.  
15 Lynn Arthur?

16 LYNN ARTHUR: Thank you for the opportunity  
17 to be here.

18 My name is Lynn Arthur. I am Energy Chair  
19 - - I am from Oceanview Parkway in South Hampton.

20 I am the Energy Chair on the Sustainable  
21 South Hampton Advisory Committee.

22 So, we adopted the CCA legislation in  
23 February or the Town Board did, um, and it was two  
24 years ago that we went to a conference up in  
25 Westchester and we learned about the results

1 of the first pilot in Westchester which you guys  
2 seem very well informed but for the benefit of  
3 those in the audience, they saved fifteen million  
4 dollars over two years.

5 And, so, we saw that and said, gee, why  
6 shouldn't we try to do that, here?

7 So, we saw this as a tool, the Town Board  
8 and we have been studying for two years.

9 We did an extensive amount of outreach to  
10 tell you upfront, personally, I delivered thirty-  
11 two presentations to various community groups,  
12 collected over three hundred and fifty signatures  
13 of support.

14 The only dissenting person from East  
15 Quogue, she was actually reprimanding me because I  
16 didn't emphasize the reduction in greenhouse gases  
17 over the cost reduction.

18 Just a couple of points, I don't want to go  
19 over what I heard others say, um, this is a chart  
20 that shows over the course of the last two years,  
21 the rates that we have been paying for electricity  
22 supply.

23 I know you are focusing mostly on gas, but  
24 this is electricity supply over the last two  
25 years.

1 We see it fluctuates month to month and on  
2 the bottom, those horizontal lines are the prices  
3 that they get in Westchester for electricity under  
4 their CCA.

5 And, I am not suggesting that we will be  
6 able to get those rates, but, even if we got to  
7 nine cents, we would still double the amount of  
8 financial benefits in half the time.

9 So, the Board felt that, you know, a loan  
10 was very helpful in moving both forward in the  
11 desire to investigate this further.

12 On the process, on one chart, here, I used  
13 these charts as part of the outreach effort, that  
14 is why it was so easy for me to bring them.

15 This is the process on one chart and it  
16 starts with the enabling legislation.

17 And, again, for the purpose of those that  
18 have spoken before me, it is really the enabling  
19 legislation that authorized the Town Board to  
20 investigate a process.

21 It does not cost the Town Board anything.

22 It does not commit the Town Board anything  
23 until you get to the very end.

24 In fact, it is on the day that you issue  
25 your, um, your RFP, your competitive bid for

1 gas or for electricity that is the day that the  
2 commitment becomes binding; not before that.

3 And, of course, in the competitive bid, you  
4 are specifying what your conditions are, what is <sup>Page | 40</sup>  
5 the term of the agreement, what price you are  
6 expecting.

7 In our case, we are looking at electricity,  
8 so, we have one hundred percent - -

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

11 LYNN ARTHUR: - - Objective for renewable  
12 energy, how much we can get.

13 We are very supportive of your efforts and  
14 more than happy - - I have sent contacts to Mr.  
15 Haber.

16 So, we are more than happy to answer  
17 questions and help you go forward.

18 SUPERVIOR GILLEN: Thank you for your  
19 comments.

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

23 Ms. Kreye?

24 MARY ELLEN KREYE: Mary Ellen Kreye. 436  
25 Locust Avenue, Uniondale.



1 We had an ESCOS. We had it for several  
2 years. I think maybe it was called "Allergen."

3 I am not sure. We would still have them if  
4 they hadn't left the area, so, they cancelled the <sup>Page | 41</sup>  
5 contract.

6 I am very much in support of this effort  
7 to, um, explore possibilities and I think it is a  
8 really good idea because we save money and  
9 whatever their prices were over what, um, LIPA, at  
10 the time, charged, then, we got a check from them.

11 So, it worked to our advantage in a lot of  
12 different ways.

13 Thank you.

14 SUPERVISOR GILLEN: Thank you, Ms. Kreye.

15 Is there anybody else that would like to be  
16 heard on this Public Hearing?

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

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

21 COUNCILMAN D'ESPOSITO: I move that the  
22 Hearing be closed and the item be adopted.

23 COUNCILMAN MUSCARELLA: Second the motion.

24 SUPERVISOR GILLEN: Madam Clerk.

25 CLERK CABANA: Supervisor Gillen?

**HEMPSTEAD TOWN BOARD 8/6/19**

1 SUPERVISOR GILLEN: I wholeheartedly  
2 support this resolution and this effort to save  
3 money for our residents.

4 I just want to also add that it was  
5 recommended by Sustainability Leadership Team - -  
6 Leadership Team in the Town of Hempstead which is  
7 a bipartisan group that employees some Members  
8 from our Department of Conservation and Waterways  
9 an also supports the Supervisor of this Town, so,  
10 I vote, yes.

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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: Councilwoman King-Sweeney?

20 COUNCILWOMAN KING-SWEENEY: It is a great  
21 idea, aye.

22 CLERK CABANA: Councilman Muscarella?

23 COUNCILMAN MUSCARELLA: Aye.

24 SUPERVISOR GILLEN: I thank the Members of  
25 the Town Board for supporting this initiative.

1 Thank you very much.

2 Madam Clerk, will you call the next Public  
3 Hearing.

4 CLERK CABANA: Proposed Local Law Re: Page | 43  
5 "Animal Shelter and Control Division, in order to  
6 establish formal procedures and controls for  
7 adjusting waiving or discounting fees charged by  
8 the Animal Shelter (To amend Chapter 152 of the  
9 Code of the Town of Hempstead)

10 SUPERVISOR GILLEN: Okay, I have a number  
11 of slips on this Public Hearing.

12 First, we have Valerie Lampe.

13 VALERIE LAMPE: Oh, okay, Valerie Lampe,  
14 Saint Augustine, Florida.

15 With regards to this, um, new, um,  
16 procedure, this is saying it is going to establish  
17 a formal procedure and controls for adjusting,  
18 waiving or discounting fees by the Animal Shelter,  
19 um, is this something that was recommended?

20 Was this precipitated by the audit?

21 SUPERVISOR GILLEN: It is a recommendation  
22 from the County Comptroller and we are taking that  
23 recommendation.

24 VALERIE LAMPE: Okay, and so, um, what about  
25 all of the other recommendations.

1 SUPERVISOR GILLEN: Mr. Loccarubba.

2 MR. LOCCARUBBA: That is not part of this  
3 Public Hearing.

4 We have issued a policy memo to the Shelter <sup>Page | 44</sup>  
5 with regard to the other recommendations from the  
6 Comptroller and we also did an RFP which we  
7 received two responses to do an operational  
8 assessment which was a recommendation from that  
9 review, as well.

10 SUPERVISOR GILLEN: Thank you, Mr.  
11 Loccarubba.

12 VALERIE LAMPE: It is an operational  
13 assessment, is there a difference between that and  
14 the operational audit?

15 MR. LOCCARUBBA: An audit is more financial  
16 and an assessment is more on the operational side,  
17 looking at everything from our staffing levels to  
18 scheduling.

19 I would be happy to supply you with the RFP  
20 to see what we requested.

21 VALERIE LAMPE: I would appreciate that  
22 because also the Comptroller did, um, raise  
23 concerns and publicly stated there was a  
24 significant amount of obstruction with regard to  
25 a financial audit conducted at the Shelter.

1 So, um, I am wondering if you guys ever got  
2 your hands on the operational chart.

3 MR. LOCCARUBBA: There is an operational  
4 chart for the Shelter that the Department of Page | 45  
5 General Services has it.

6 VALERIE LAMPE: When did they get it, is  
7 that new?

8 MR. LOCCARUBBA: Is it new?

9 I have no idea if it was new.

10 VALERIE LAMPE: Because it wasn't available  
11 to the auditors. They wouldn't let them see it.

12 MR. LOCCARUBBA: The auditors, by Court  
13 Order, were limited to do a financial review of  
14 the Shelter.

15 It was not operational.

16 They received everything that they were  
17 obligated to see.

18 SUPERVISOR GILLEN: Any other comments on  
19 this resolution that is before the Town Board?

20 VALERIE LAMPE: Yep, so, I appreciate that  
21 very much, can you send over to me the RFP's, as  
22 well as I can see the memo with regard to what you  
23 are following in terms of the recommendations?

24 MR. LOCCARUBBA: The policy document  
25 sent to the Shelter, sure.

1 VALERIE LAMPE: All right I would like to  
2 see that.

3 Do I have to FOIL that or can I get that  
4 through an email? Page | 46

5 MR. LOCCARUBBA: No, we will send that to  
6 you.

7 VALERIE LAMPE: Okay.

8 Um, let me go back to this for one second;  
9 these, um, new provisions, I am confused as to  
10 what they are actually going - - what is the  
11 difference between what is, now, um, being  
12 introduced, here?

13 It says to establish formal procedures,  
14 does that mean formal procedures were not there?

15 SUPERVISOR GILLEN: Mr. Loccarubba?

16 TOWN ATTORNEY RA: There are times either  
17 the Commissioner or Deputy Commissioner would  
18 waive fees for various reasons.

19 What we are doing is codifying that certain  
20 Members of the Administration at the Animal  
21 Shelter can, now, do that.

22 So, there is no question whether or not  
23 they have the authority to waive the fees.

24 VALERIE LAMPE: And, that is on a case-by-  
25 case basis?

1 TOWN ATTORNEY RA: Well, everything is on a  
2 case-by-case basis.

3 The point is that if there is a point that  
4 comes an emergency and there is a problem, we gave <sup>Page | 47</sup>  
5 certain people the authority to waive fees.

6 VALERIE LAMPE: Okay, I am just, you know,  
7 as always, I am concerned with people treatment  
8 and, you know, what is the criteria that someone  
9 would have to meet in order to be able to obtain  
10 these fees being waived?

11 And, you have to realize - - excuse me, you  
12 have to realize, Mr. Ra, that we are all up in  
13 arms because of the recent tragedy because there  
14 was nothing short of that in regards to animals  
15 being paid to be shipped off into conditions that  
16 were worse than a death sentence.

17 So, when you hear things about fees being  
18 waived for adoption which very commonly goes wrong  
19 because hen people can get free dogs, they often  
20 end up in abusive situations or they are taught  
21 and bread to fight, so, you know, we don't take  
22 this lightly.

23 We don't just want anybody with certain  
24 titles to be able to waive fees for whatever  
25 reason that they see fit.

1 We have seen a lot of things go wrong with  
2 the Shelter.

3 TOWN ATTORNEY RA: Well, as far as the  
4 adoption goes, we have a strenuous policy where we Page | 48  
5 review the backgrounds of people that adopt our  
6 animals, so, other than that, I can't - -

7 VALERIE LAMPE: Strenuous, okay, well, I am  
8 sorry, I disagree because you also just recently -  
9 -

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

12 VALERIE LAMPE: - - Released several pit  
13 bulls, unaltered back to the owners which goes  
14 against your own law.

15 SUPERVISOR GILLEN: Thank you, Ms. Lampe.  
16 Diane Madden?

17 DIANE MADDEN: Diane Madden, Hempstead.

18 That is interesting, Mr. Ra, that you just  
19 said that because - -

20 SUPERVISOR GILLEN: You need to disclose  
21 you are a candidate for Town Supervisor, correct?

22 DIANE MADDEN: I am very proud to say I  
23 will take every single opportunity to say that,  
24 full disclosure of all my statements are no  
25 different than they have been since 2010



1 Challenging either Party, including yours, um, due  
2 to your conduct and what you did to Bonnie  
3 Radashar (phonetic spelling) and how you hired two  
4 million - - nearly two million - -

5 SUPERVISOR GILLEN: Do you have something  
6 to say about this Public Hearing, Number 9?

7 DIANE MADDEN: I certainly do, but I wanted  
8 to answer your question.

9 SUPERVISOR GILLEN: I didn't ask any  
10 question.

11 I just said that you need to disclose you  
12 are a candidate for office.

13 DIANE MADDEN: I certainly will.

14 SUPERVISOR GILLEN: Leave your comments to  
15 Public Comment.

16 DIANE MADDEN: You criticized Santino.

17 Otherwise, I am running for Hempstead  
18 Supervisor, 2019, November 5<sup>th</sup>, Vote Madden.

19 In any case, you sent animals recently  
20 around two hundred cats to a location out of State  
21 that has the most minimal policy pay, pay pickup  
22 for cats.

23 So to say that you are so stringent on  
24 adoptions, well, our taxpayers should know you  
25 hand these animals out, out of State to places

1 that have the worst policies of any and that is  
2 how animals end up in laboratories.

3 I like to know since you are taking this  
4 initiative to follow the audit and it is  
5 interesting, Mr. Loccarubba, that you, basically  
6 discredit the Comptroller because he said  
7 something just the opposite that his audit was  
8 impeded financially.

9 He found it very difficult to get the  
10 information that he needed to do a third  
11 comprehensive audit and you are disagreeing with  
12 that, if I am correct in what you just said.

13 TOWN ATTORNEY RA: There was a Supreme  
14 Court case decision that limited the Nassau County  
15 Comptroller's authority to audit the Animal  
16 Shelter.

17 DIANE MADDEN: Okay, according to the  
18 Comptroller, according to the Comptroller, the  
19 Town impeded a comprehensive financial review.

20 In any case, um, this recommendation that  
21 you took is there any chance that you took the  
22 recommendation where the County Comptroller  
23 immediately urged the Board to bring in an  
24 outside, independent animal care expert to the  
25 Animal Shelter has that been done?

1 Because, basically, this is crumbs, this  
2 gives the appearance that you are doing things  
3 that the audit asked for.

4 This is mismanagement is what it is.

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5 But, have any outside, independent animal  
6 care experts been brought into the Animal Shelter?

7 It has been over two months.

8 MR. LOCCARUBBA: Again, what the Nassau  
9 County Comptroller presented to the Town of  
10 Hempstead was a financial review.

11 DIANE MADDEN: Correct and he said it was  
12 imbedded in every level and he tried to get  
13 information.

14 In any case, since this is something that  
15 you are going to move forward with and start  
16 adhering to, I guess, some you will pick and  
17 choose the recommendations.

18 Is the lawsuit still in place against an  
19 operational audit, Hempstead versus the County  
20 Comptroller?

21 TOWN ATTORNEY RA: I believe the County  
22 Comptroller did not appeal that decision, no.

23 There is no lawsuit.

24 DIANE MADDEN: So, the Town has - - now,  
25 you're saying that the Town has resolved that - -

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

3 DIANE MADDEN: - - Settled that lawsuit?

4 TOWN ATTORNEY RA: There was a Supreme Page | 52  
5 Court decision.

6 DIANE MADDEN: And, how many days ago was  
7 that?

8 TOWN ATTORNEY RA: It was, I would say,  
9 months ago.

10 DIANE MADDEN: So, according to you, Mr.  
11 Ra, there is no lawsuit currently between the Town  
12 to stop an aberration audit from the County?

13 TOWN ATTORNEY RA: That is correct.

14 DIANE MADDEN: Okay, thank you.

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

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

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

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

25 SENIOR COUNCILWOMAN GOOSBY: Second the

1 Motion.

2 SUPERVISOR GILLEN: Madam Clerk?

3 CLERK CABANA: Supervisor Gillen?

4 SUPERVISOR GILLEN: Aye.

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5 CLERK CABANA: Councilman Blakeman?

6 COUNCILMAN BLAKEMAN: Aye.

7 CLERK CABANA: Councilman D'Esposito?

8 COUNCILMAN D'ESPOSITO: Aye.

9 CLERK CABANA: Senior Councilwoman Goosby?

10 SENIOR COUNCILWOMAN GOOSBY: Aye.

11 CLERK CABANA: Councilwoman King-Sweeney?

12 COUNCILWOMAN KING-SWEENEY: Aye.

13 CLERK CABANA: Councilman Muscarella?

14 COUNCILMAN MUSCARELLA: Aye.

15 TOWN ATTORNEY RA: While we are waiting for

16 Councilman Dunne - -

17 CLERK CABANA: Councilman Dunne?

18 COUNCILMAN DUNNE: Aye.

19 TOWN ATTORNEY RA: Supervisor, if I just  
20 may, Ms. Madden, I am told that the Nassau County  
21 Comptroller's Office did appeal, so, there is an  
22 appeal pending in the Appellate Division of the  
23 Supreme Court Decision which limited to a  
24 financial audit.

25 DIANE MADDEN: I knew that, Mr. Ra.

**HEMPSTEAD TOWN BOARD 8/6/19**

1 You should know that. In fact - -

2 SUPERVISOR GILLEN: Please, don't call out  
3 from the gallery.

4 DIANE MADDEN: You should know that, I know <sup>Page | 54</sup>  
5 that.

6 SUPERVISOR GILLEN: Madam Clerk, will you,  
7 please, call the next Public Hearing.

8 CLERK CABANA: Proposed "Handicapped  
9 Parking on Public Streets" in Elmont, Inwood, near  
10 Island Park (Claridge Avenue, North Ascan Street,  
11 Bayview Court, New York Avenue, Hunnewell Avenue  
12 (To amend Section 202-48 of the Code of Town of  
13 Hempstead)

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

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

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

21 COUNCILMAN D'ESPOSITO: I move that the  
22 Public Hearing be closed and the item be adopted.

23 SENIOR COUNCILWOMAN GOOSBY: Second.

24 SUPERVISOR GILLEN: Madam Clerk?

25 CLERK CABANA: Supervisor Gillen?

**HEMPSTEAD TOWN BOARD 8/6/19**

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SUPERVISOR GILLEN: Aye.

CLERK CABANA: Councilman Blakeman?

COUNCILMAN BLAKEMAN: Aye.

CLERK CABANA: Councilman D'Esposito?

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COUNCILMAN D'ESPOSITO: Aye.

CLERK CABANA: Senior Councilwoman Goosby?

SENIOR COUNCILWOMAN GOOSBY: Aye.

CLERK CABANA: Councilwoman King-Sweeney?

COUNCILWOMAN KING-SWEENEY: Aye.

CLERK CABANA: Councilman Muscarella?

COUNCILMAN MUSCARELLA: Aye.

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

CLERK CABANA: Proposed amendment to a  
lease dated February 4, 2003 between T-Mobile  
Northeast, LLC, formerly Omnipoint Communications,  
Inc. and the Department of Water for the Lido-  
Point Lookout Water District the existing mobile  
communications antennae on the Lido-Point Lookout  
elevated water storage tank and authorizing the  
modifications of the antennae - Department of  
Water (T-Mobile, LLC. formerly Omnipoint  
Communications, Inc.)

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

1 would like to be heard?

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

4 SUPERVISOR GILLEN: Hearing none, may I Page | 56  
5 have a Motion.

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

9 COUNCILMAN BLAKEMAN: Second.

10 SUPERVISOR GILLEN: Madam Clerk?

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: Senior Councilwoman Goosby?

18 SENIOR COUNCILWOMAN GOOSBY: Aye.

19 CLERK CABANA: Councilwoman King-Sweeney?

20 COUNCILWOMAN KING-SWEENEY: Aye.

21 CLERK CABANA: Councilman Muscarella?

22 COUNCILMAN MUSCARELLA: Aye.

23 COUNCILMAN BLAKEMAN: Supervisor, could the  
24 Clerk reflect on Item 10, I vote aye.

25 CLERK CABANA: Got it.



**HEMPSTEAD TOWN BOARD 8/6/19**

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

3 CLERK CABANA: Proposed increase and  
4 improvement of the East Meadow Water District - Page | 57  
5 Town of Hempstead - Department of Water.

6 SUPERVISOR GILLEN: I have a slip from  
7 Felix Procacci.

8 FELIX PROCACCI: Felix Procacci.

9 My question about this one, also, applies  
10 to 13, 14, 15 and 16, so do you want me to come up  
11 for each one?

12 I will do that.

13 SUPERVISOR GILLEN: If you can address them  
14 collectively, you can do that.

15 FELIX PROCACCI: Okay, have these items  
16 been budgeted for and whatever year these  
17 increased are going to be taken place?

18 SUPERVISOR GILLEN: I believe we are  
19 implementing as part of our capital plan, which  
20 has already been adopted.

21 Commissioner, will you speak to that,  
22 please.

23 COMMISSIONER REINHARDT: Good Morning,  
24 Supervisor, Members of the Town Board:

25 Commissioner Reinhardt, Town of Hempstead

1 Department of Water.

2 Um, yes, Items 12,13, and 14 and 15 are all  
3 resolutions.

4 They were in the five-year capital plan. Page | 58

5 They address various types of treatments  
6 for our District, including use, flow,  
7 requirements of the design, additionally, one is  
8 included, some, um, work in Roosevelt Field and  
9 one included in Uniondale, the are all budgeted in  
10 the five-year plan.

11 FELIX PROCACCI: You omitted 16, is not  
12 part of what you are doing?

13 COMMISSIONER REINHARDT: 16 is West  
14 Hempstead Water District.

15 It is not under the Town of Hempstead.

16 FELIX PROCACCI: It has nothing to do with  
17 the budget of the Town of Hempstead.

18 My question is really, some costs  
19 associated with each of these resolutions, what  
20 year were these budgeted for?

21 You are saying it was budgeted for 2019  
22 year, 2020 year?

23 COMMISSIONER REINHARDT: They are in 2019  
24 capital plan, if you look on the calendar, there  
25 is a resolution for an RFQ for design firms, for

1 all firms.

2 FELIX PROCACCI: Accordingly, it is  
3 increased costs, taxes in these District are going  
4 to go up? Page | 59

5 COMMISSIONER REINHARDT: I can't speak to  
6 that. It depends on what that service is being  
7 districted for.

8 FELIX PROCACCI: Yeah, assuming that it  
9 will be increase in whatever, if you know,  
10 nullifying everything else, it is going to be an  
11 increase, right, increase in taxes in these  
12 districts?

13 COMMISSIONER REINHARDT: That is something  
14 that the Comptroller's Office would do assess  
15 valuations.

16 FELIX PROCACCI: I get that this will be  
17 increased taxes.

18 I want to make this clear this is  
19 increasing taxes one way or the other.

20 If it is something else going down, this is  
21 going up.

22 This is still increasing something else  
23 that is going down, but this is going to bring it  
24 up with all the increased tax cuts.

25 I want to make sure it is clear.

1 COMMISSIONER REINHARDT: That will be done  
2 later on in the year.

3 FELIX PROCACCI: By voting on these  
4 resolutions, we will have increased taxes.

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5 COMMISSIONER REINHARDT: This is allowing  
6 us to raise the funds to do this work.

7 FELIX PROCACCI: Where will the money come  
8 form if you don't raise taxes?

9 COMMISSIOSNER REINHARDT: It comes from the  
10 taxes, rates, grants, other means.

11 FELIX PROCACCI: Okay, thank you.

12 SUPERVISOR GILLEN: I don't have any other  
13 slips on this Public Hearing, is there anybody  
14 else that would like to be heard?

15 I thought someone was coming down, but they  
16 are exiting.

17 Anybody else? Okay, thank you.

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

20 SUPERVISOR GILLEN: May I have a Motion on  
21 the Public Hearing.

22 COUNCILMAN MUSCARELLA: I move to close the  
23 Hearing and accept the resolution.

24 COUNCILMAN D'ESPOSITO: Second.

25 SUPERVISOR GILLEN: Madam Clerk?

**HEMPSTEAD TOWN BOARD 8/6/19**

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: Senior Councilwoman Goosby?

8 SENIOR COUNCILWOMAN GOOSBY: Aye.

9 CLERK CABANA: Councilwoman King-Sweeney?

10 COUNCILWOMAN KING-SWEENEY: 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 Increase &  
16 Improvement of the Levittown Water District - Town  
17 of Hempstead - Department of Water.

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

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

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

25 COUNCILMAN DUNNE: I make a Motion to close

1 the Hearing and adopt the item.

2 COUNCILWOMAN KING-SWEENEY: Second.

3 SUPERVISOR GILLEN: Madam Clerk?

4 CLERK CABANA: Supervisor Gillen?

5 SUPERVISOR GILLEN: Aye.

6 CLERK CABANA: Councilman Blakeman?

7 COUNCILMAN BLAKEMAN: Aye.

8 CLERK CABANA: Councilman D'Esposito?

9 COUNCILMAN D'ESPOSITO: Aye.

10 CLERK CABANA: Senior Councilwoman Goosby?

11 SENIOR COUNCILWOMAN GOOSBY: Aye.

12 CLERK CABANA: Councilwoman King-Sweeney?

13 COUNCILWOMAN KING-SWEENEY: Aye.

14 CLERK CABANA: Councilman Muscarella?

15 COUNCILMAN MUSCARELLA: Aye.

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

18 CLERK CABANA: Proposed increase &  
19 improvement of the Roosevelt Field Water District  
20 - Town of Hempstead - Department of Water.

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

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

**HEMPSTEAD TOWN BOARD 8/6/19**

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

3 SENIOR COUNCILWOMAN GOOSBY: I move that  
4 the increase in improvements be accepted. Page | 63

5 COUNCILMAN BLAKEMAN: Second.

6 SUPERVISOR GILLEN: Madam Clerk?

7 CLERK CABANA: Supervisor Gillen?

8 SUPERVISOR GILLEN: Aye.

9 CLERK CABANA: Councilman Blakeman?

10 COUNCILMAN BLAKEMAN: Aye.

11 CLERK CABANA: Councilman D'Esposito?

12 COUNCILMAN D'ESPOSITO: Aye.

13 CLERK CABANA: Senior Councilwoman Goosby?

14 SENIOR COUNCILWOMAN GOOSBY: Aye.

15 CLERK CABANA: Councilwoman King-Sweeney?

16 COUNCILWOMAN KING-SWEENEY: Aye.

17 CLERK CABANA: Councilman Muscarella?

18 COUNCILMAN MUSCARELLA: Aye.

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

21 CLERK CABANA: Proposed increase &  
22 improvement of the Uniondale Water District - Town  
23 of Hempstead - Department of Water.

24 SUPERVISOR GILLEN: I do not have any slips  
25 on this Public Hearing?

1 Yes, Ms. Jacobs?

2 PEARL JACOBS: Pearl Jacobs, Nostrand  
3 Garden Civic Association.

4 I just need some clarification regarding Page | 64  
5 what Mr. Procacci - - the issue he brought up.

6 Is there anymore in depth clarification  
7 regarding the increase, um, potential increase to  
8 taxes?

9 Councilwoman Goosby?

10 COMMISSIONER REINHARDT: As I said before,  
11 it will be determined later on in the budget this  
12 year.

13 It is based on a number of things; it is  
14 based on the consumption over the past year.

15 It is based on future rates.

16 It is based on Grant opportunities that we  
17 have, all of those things are figured in when the  
18 Comptroller's Office figures the tax rates.

19 PEARL JACOBS: So, can you give me  
20 clarification of the scope of improvements, what  
21 they call the scope of this improvement and what  
22 it encompasses?

23 COMMISSIONER REINHARDT: Part of it is  
24 hiring a design firm for pilot tests and design  
25 treatment systems for Oak Street Well site, PCM



1 Requirements that come down each year and there is  
2 a large amount of money, the water tank at the  
3 foot of Peninsula Boulevard and some modifications  
4 of the structure, itself.

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5 PEARL JACOBS: The question is why would  
6 our taxes have to be raised to do this work?

7 I just spoke earlier regarding that Grid,  
8 you know, being included into the capital plan.

9 Why would our taxes have to raised?

10 COMMISSIONER REINHARDT: Money to make  
11 improvements need to come from somewhere, um, it  
12 comes from capital improvements, come from the tax  
13 base district.

14 Each District is independent financially.

15 PEARL JACOBS: Would this increase be  
16 revealed to the community, um, you know, the  
17 residents, the taxpaying residents as far as how  
18 much the tax bill with increase?

19 COMMISSIONER REINHARDT: Again, that is  
20 something that the Comptroller's Office handled  
21 when they do the budget, when they raised the  
22 funds, um, when they do the budget at the end of  
23 the year they see at that point, it will be  
24 publicized what the actual increase is, if there  
25 was an increase in the district.

1 PEARL JACOBS: In your professional  
2 opinion, would there be a substantial increase or  
3 minimal increase?

4 COMMISSIONER REINHARDT: I am not an  
5 accountant.

6 SUPERVISOR GILLEN: Mr. Reinhardt, right,  
7 now, these resolutions are implementing the costs  
8 already incorporated into the capital plan.

9 COMMISSIONER REINHARDT: They are already  
10 in the capital plan.

11 SUPERVISOR GILLEN: This is not related to  
12 any new costs, they are part of our capital plan  
13 to improve our water infrastructure as part of the  
14 plan that we have adopted previously.

15 So, all of these costs that we are starting  
16 to incur are all part of the capital plan.

17 So, it is not anything new than what we  
18 already passed.

19 PEARL JACOBS: Okay, thank you.

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

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

25 SUPERVISOR GILLEN: Hearing none, may

1 I have a Motion.

2 I am sorry, Ms. Kreye?

3 MARY ELLEN KREYE: Mary Ellen Kreye. So,  
4 just to understand - - Mary Ellen Kreye, 436 Page | 67  
5 Locust Avenue, Uniondale.

6 Just to understand, this is to raise taxes?

7 SUPERVISOR GILLEN: This is not to raise  
8 taxes.

9 This is not to raise taxes.

10 Can you explain this. This is to implement  
11 already passed capital plan that contemplates - -  
12 Commissioner, you can correct me if I am wrong,  
13 that contemplates that we are going to start to  
14 improve the infrastructure that we have in our  
15 water delivery systems looking for ways to filter  
16 out new toxins that we just found 1,4 dioxane, so,  
17 that has been part of our capital plan.

18 Roads is the Number 1 expenditure that we  
19 have for our capital plan and the second largest  
20 is water because we all care about very much about  
21 preserving and protecting our water quality.

22 So, this is already part of the plan that  
23 has been adopted.

24 And, now, this is just kind of going  
25 forward with what we need to do with our capital

1 Plan.

2 Is that correct, Commissioner?

3 COMMISSIONER REINHARDT: That is correct.

4 MARY ELLEN KREYE: Just so to understand, <sup>Page | 68</sup>  
5 each Water District is separate?

6 COMMISSIONER REINHARDT: Yes.

7 MARY ELLEN KREYE: I never paid attention  
8 to this. There is a separate line in our taxes  
9 for the Water District?

10 COMMISSIONER REINHARDT: Yes, there is.

11 MARY ELLEN KREYE: Okay.

12 COMMISSIONER REINHARDT: The tax bill on  
13 top, you will see Uniondale Water District has its  
14 own tax line.

15 MARY ELLEN KREYE: This is separate from  
16 what we pay for water prices?

17 COMMISSIONER REINHARDT: Yes.

18 MARY ELLEN KREYE: Water that we use?

19 COMMISSIONER REINHARDT: Those are the  
20 consumption costs, that is cost you control based  
21 on conservation.

22 MARY ELLEN KREYE: Right, so, um, I mean,  
23 it is a little fancy footwork but, in fact, the  
24 taxes will eventually go up, even if it is part of  
25 the capital plan?

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1 SUPERVISOR GILLEN: We can't say whether  
2 the taxes will go up or down, yet.

3 We are looking at the budget this year.

4 We are - - also we retained Counsel in  
5 terms of addressing toxins in our water.

6 We retained Counsel to sue on behalf of the  
7 Town of Hempstead to try to improve some of our  
8 costs to people that are putting contaminants in  
9 our water.

10 So, that is a way of hoping to offset the  
11 burden to taxpayers by seeking, um, the  
12 remediation costs from the polluters and  
13 contaminators.

14 MARY ELLEN KREYE: Thank you.

15 SUPERVISOR GILLEN: Thank you.

16 MARY ELLEN KREYE: You mentioned Oak  
17 Street, is that still part of the plume or has  
18 that been cleared up, the plume that came - -

19 COMMISSIONER REINHARDT: The Purex plume,  
20 no, the numbers at the Oak Street site have  
21 continued to decrease in the last five years.

22 The Purex plume is pretty much in the past.

23 We are still filtering those contaminates  
24 out but, every year the numbers are going lower  
25 and lower.

1 And, it is getting to the point of  
2 positive.

3 MARY ELLEN KREYE: Thank you, we are  
4 reaching some of these toxins that we are now  
5 becoming aware of.

6 SUPERVISOR GILLEN: Thank you.

7 I do not have any other slips on this  
8 Public Hearing, is there anyone else that would  
9 like to be heard?

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

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

14 SENIOR COUNCILWOMAN GOOSBY: I move that  
15 the Public Hearing be closed and we accept it.

16 COUNCILMAN BLAKEMAN: Second.

17 SUPERVISOR GILLEN: Madam Clerk?

18 CLERK CABANA: Supervisor Gillen?

19 SUPERVISOR GILLEN: Aye.

20 CLERK CABANA: Councilman Blakeman?

21 COUNCILMAN BLAKEMAN: Aye.

22 CLERK CABANA: Councilman D'Esposito?

23 COUNCILMAN D'ESPOSITO: Aye.

24 CLERK CABANA: Senior Councilwoman Goosby?

25 SENIOR COUNCILWOMAN GOOSBY: Aye.

**HEMPSTEAD TOWN BOARD 8/6/19**

1 CLERK CABANA: Councilwoman King-Sweeney?

2 COUNCILWOMAN KING-SWEENEY: Aye.

3 CLERK CABANA: Councilman Muscarella?

4 COUNCILMAN MUSCARELLA: Aye.

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5 SUPERVISOR GILLEN: Madam Clerk, please,  
6 call the next Public Hearing.

7 CLERK CABANA: Proposed increase &  
8 improvement of the West Hempstead, Hempstead  
9 Gardens Water District - Town of Hempstead -  
10 Department of Water.

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

14 ARIEL SCHWARTZ: Ariel Schwartz. 463 East  
15 Lane,(as heard) West Hempstead.

16 Um so, just to clarify, we don't actually  
17 know what the increase is going to be.

18 It is just put in the capital plan.

19 SUPERVISOR GILLEN: This is already part of  
20 our capital plan, which is a multi-year plan, what  
21 projects we are going to prioritize and one of the  
22 projects is to put in new infrastructure in our  
23 water delivery system.

24 Also, to remove contaminants, so, this is  
25 really just enabling us to go forward and do

1 what works.

2 So, it is already part of the capital plan.

3 This is not something new.

4 ARIEL SCHWARTZ: I wished it was clarified <sup>Page | 72</sup>  
5 on the agenda.

6 COUNCILMAN BLAKEMAN: Just to clarify,  
7 thanks to you my understanding is that there will  
8 be a proposal by the Supervisor with respect to  
9 the budget in this particular water district and,  
10 then, the Town Board will consider that proposal.

11 So, there will be hearings and  
12 opportunities for the residents to be heard if  
13 they have any objections to the budget, which may  
14 or may not have an increase in the, um, in the  
15 fees for that particular water district.

16 ARIEL SCHWARTZ: We are going to get  
17 mailers or emails notifying us?

18 COUNCILMAN BLAKEMAN: It will be available  
19 online and, um, it will be published when we have  
20 budget hearings.

21 SUPERVISOR GILLEN: The budget is generally  
22 filed by the end of September and, then, it goes  
23 up on our website.

24 There is a tentative budget and we have a  
25 Board Meeting in early October.



1 We vote and we make some amendments when it  
2 comes to the preliminary budget and budget  
3 hearings.

4 Mr. Capobianco?

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5 DEPUTY COMPTROLLER CAPOBIANCO: Just a  
6 point of clarification, this budget from the West  
7 Hempstead Water District is not a Town of  
8 Hempstead District.

9 It is a district, operating district is not  
10 part of the Town, just for clarification.

11 It is actually for a similar issue that we  
12 are doing in our water district with their Wells.

13 ARIEL SCHWARTZ: So, it is not in the Town  
14 of Hempstead purview?

15 DEPUTY TOWN COMPTROLLER CAPOBIANCO: These  
16 are bond resolutions that allow the district to go  
17 out and issue bonds on behalf of the taxpayers to  
18 do improvements and the law requires this Board  
19 after it goes to that Board.

20 ARIEL SCHWARTZ: Twenty thousand people in  
21 West Hempstead, not knowing about this prior to  
22 the meeting.

23 DEPUTY TOWN COMPTROLLER CAPOBIANCO: That  
24 comes directly from the District.

25 This was actually a process that occurs.

1 You will have to address that with them.  
2 They did pass a resolution on behalf of their  
3 Board.

4 ARIEL SCHWARTZ: I appreciate that.

5 DEPUTY TOWN COMPTROLLER CAPOBIANCO: No  
6 problem.

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

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

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

14 COUNCILMAN BLAKEMAN: I move that the  
15 Public Hearing be closed and the item adopted.

16 SENIOR COUNCILWOMAN GOOSBY: Second.

17 SUPERVISOR GILLEN: Madam Clerk?

18 CLERK CABANA: Supervisor Gillen?

19 SUPERVISOR GILLEN: Aye.

20 CLERK CABANA: Councilman Blakeman?

21 COUNCILMAN BLAKEMAN: Aye.

22 CLERK CABANA: Councilman D'Esposito?

23 COUNCILMAN D'ESPOSITO: Aye.

24 CLERK CABANA: Senior Councilwoman Goosby?

25 SENIOR COUNCILWOMAN GOOSBY: Aye.

**HEMPSTEAD TOWN BOARD 8/6/19**

1 CLERK CABANA: Councilwoman King-Sweeney?

2 COUNCILWOMAN KING-SWEENEY: Aye.

3 CLERK CABANA: Councilman Muscarella?

4 COUNCILMAN MUSCARELLA: Aye.

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5 SUPERVISOR GILLEN: Madam Clerk, please,  
6 call the next public hearing.

7 CLERK CABANA: Application for a special  
8 exception (public garage) to operate an auto body  
9 repair shop with temporary outdoor storage for  
10 vehicles under repair on the northwest corner of  
11 Lawrence Avenue & Randall Avenue - Inwood (Karifa  
12 Auto Repair, Inc.)

13 ATTORNEY BROWNE: Good Afternoon, Madam  
14 Supervisor, Members of the Board:

15 Christian Browne, Sahn, Ward & Coshignano.  
16 333 Earle Ovington Boulevard, Suite 601,  
17 Uniondale, appearing for the Applicant.

18 This is an application, um, um, that  
19 relates to an existing auto repair shop and the  
20 applicant is seeking permission from this Board by  
21 way of a special exception to add auto body work,  
22 principally a spray booth onto its existing  
23 business.

24 As noted by the Clerk, the property is  
25 located on the corner of Lawrence Avenue and

1 Randall Avenue in Inwood.

2 This is Inwood, I believe, um, it is  
3 located in the Business Zone.

4 It is surrounded by, um, properties all of <sup>Page | 76</sup>  
5 which almost all of which are engaged in Business  
6 or Industrial uses, including a number of auto  
7 repair type operations.

8 There are some office buildings on Burnside  
9 Avenue, um, and those are the source of uses that  
10 surround the subject property.

11 Behind it on Randall Avenue is also the  
12 Town of Hempstead Housing Authority Development.

13 Um, this property has been operating as an  
14 auto repair shop since, at least, 2002, at which  
15 time, this Board issued a resolution, um,  
16 Resolution 1017 of 2002 granting permission for  
17 such use by way of special exception.

18 Um, the present operator has been operating  
19 the shop for seven years.

20 To my knowledge, there is no complaints  
21 whatsoever with respect to his operations and on  
22 this application does not seek any changes to the  
23 existing footprint of the building or the parking  
24 lot or the parking area is also approved by way of  
25 parking variance by the Board of Zoning Appeals

1 back in 2005, I believe and there are - - there is  
2 a Certificate of Occupancy for the Building and  
3 the use in affect.

4 What we are proposing, here, as I mentioned <sup>Page | 77</sup>  
5 really amounts to an application to add a spray  
6 booth inside the existing building, so, that auto  
7 body type work can be performed, in addition to  
8 repairs.

9 There are already approved plans from the  
10 Fire Marshal waiving this Board's action before  
11 installation.

12 It is not uncommon or often when we are  
13 here, we are seeking to maintain these uses as the  
14 most common pattern.

15 Um, this applicant has refrained from  
16 installing this spray booth without this Board's  
17 permission and is not presently performing  
18 painting or any sort of auto body repair pending  
19 this approval.

20 COUNCILMAN BLAKEMAN: Mr. Browne, I have a  
21 couple of questions, um, does your client do  
22 business under the trade name of "Rocky's"?

23 ATTORNEY BROWNE: I can ask him. I believe  
24 that was the name. Let me ask him if he is doing  
25 business under that DBA.

1 He is a tenant on the site.

2 COUNCILMAN BLAKEMAN: Would you state your  
3 name?

4 MR. KARIFA: Mr. Karifa.

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5 COUNCILMAN BLAKEMAN: Do you do business  
6 under the name "Rocky's Auto Repair"?

7 MR. KARIFA: No.

8 COUNCILMAN BLAKEMAN: What is the name of  
9 the service?

10 MR. KARIFA: Karifa Auto Repair.

11 COUNCILMAN BLAKEMAN: I have a set of  
12 pictures that look to be King Rocky's Auto Repair,  
13 do we have someone from the Building Department  
14 that can explain that.

15 The sign outside your business is what,  
16 sir?

17 ATTORNEY BROWNE: My understanding,  
18 Councilman Blakeman is that is a neighboring shop,  
19 that is their sign.

20 I have seen it, as well.

21 It does kind of look like it is on the  
22 subject property but, Mr. Karifa, you are saying  
23 it is not your operation.

24 Could you put that on the record.

25 MR. KARIFA: No, it is not mine.

**HEMPSTEAD TOWN BOARD 8/6/19**

1 COUNCILMAN BLAKEMAN: Okay, so - -

2 ATTORNEY BROWNE: You operate under the  
3 trade name "Karifa Auto Repair," correct, at 293  
4 Lawrence Avenue? Page | 79

5 MR. KARIFA: Correct.

6 COUNCILMAN BLAKEMAN: So, just for  
7 clarification, do you have a picture of your  
8 client's site?

9 ATTORNEY BROWNE: I didn't bring additional  
10 pictures.

11 The ones that you have, I could supply that  
12 to you to clarify.

13 COUNCILMAN BLAKEMAN: So, identify the  
14 pictures that I have.

15 Which one is the subject of this Hearing,  
16 which property?

17 Because the reason I am asking is they seem  
18 to have - - I want to make sure it is his property  
19 and not somebody else's.

20 There seems to be storage outside of  
21 automobile parts, specifically, it looks like  
22 wheels, tires, brakes drums, etc.

23 There is a lot of refuse around the  
24 premises and equipment stored outside which is a  
25 violation.

1           There are batteries stored outside.

2           There are other types of equipment that is  
3 stored outside.

4           Um, I just want to make sure - -

5           ATTORNEY BROWNE: Yes.

6           COUNCILMAN BLAKEMAN: That it is or isn't  
7 your location?

8           ATTORNEY BROWNE: Would you be able to hand  
9 down those?

10          COUNCILMAN BLAKEMAN: Sure.

11          ATTORNEY BROWNE: I don't believe it is,  
12 but, I will have Mr. Karifa verify that.

13          But, the Building Department did inspect  
14 the site.

15          I don't believe that they cited any such  
16 concerns.

17          I think the only thing that came back in  
18 the report was an open plumbing permit, but, I am  
19 going to have Mr. Karifa confirm your questions or  
20 answer your questions, Council.

21          And, I should note, he is not seeking  
22 permission to store cars overnight outside.

23          And, everything will be brought inside the  
24 building at the close of business.

25          Um, the lot is maintained, I think you will



1 see in an orderly fashion.

2 He has ten parking spaces - - while we are  
3 looking at the pictures, I just want to get on the  
4 record, his hours of operation will remain the  
5 same, just Monday through Friday, 9:00 a.m. to  
6 5:30 p.m. and Saturday, 9:00 a.m. to 1:00 p.m.

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7 It is closed Sunday. There is no rental  
8 cars at the property.

9 All work is performed inside.

10 All work will be performed inside.

11 Um, and he has four total employees  
12 including himself with one administrative person  
13 for the office and three, um, people who work on  
14 the cars and that will also remain the same should  
15 you grant this application.

16 COUNCILMAN BLAKEMAN: Okay, so, can you  
17 identify this picture, here, is this your  
18 property?

19 MR. KARIFA: No.

20 COUNCILMAN BLAKEMAN: None of this is  
21 yours?

22 MR. KARIFA: No.

23 COUNCILMAN BLAKEMAN: Is this on your  
24 property?

25 MR. KARIFA: No, that is the back, that is

1 not my property.

2 COUNCILMAN BLAKEMAN: This is not your  
3 property? (Indicating.)

4 MR. KARIFA: Rocky's.

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5 COUNCILMAN BLAKEMAN: How about this?

6 MR. KARIFA: That is Rocky's. Nothing is  
7 mine, all Rocky's. Nothing, no, that is Rocky's.

8 (Indicating to photo)

9 COUNCILMAN BLAKEMAN: So, out of these  
10 pictures, can you identify what your property is?

11 ATTORNEY BROWNE: By the way, we happily  
12 consent to a reinspection after the Hearing, if  
13 you would like to send the Building Department  
14 back to verify anything that we have represented  
15 today.

16 COUNCILMAN BLAKEMAN: Can you identify what  
17 is your property?

18 MR KARIFA: These are mine. (Indicating to  
19 photo)

20 COUNCILMAN BLAKEMAN: These are all yours?

21 MR. KARIFA: Yes.

22 ATTORNEY BROWNE: So, I believe, Council,  
23 is the front of the property and then a lot of the  
24 work done on the side.

25 COUNCILMAN BLAKEMAN: Where in this

1 Building would the spray booth and the work be  
2 performed?

3 MR. KARIFA: It would be performed inside.

4 COUNCILMAN BLAKEMAN: In this building? Page | 83

5 MR. KARIFA: Yes.

6 ATTORNEY BROWNE: Yes.

7 COUNCILMAN BLAKEMAN: Where is the garage  
8 part in this building?

9 ATTORNEY BROWNE: Let me show you the site  
10 plan.

11 The spray booth would be located in the  
12 rear corner.

13 COUNCILMAN BLAKEMAN: Where is the garage  
14 door?

15 ATTORNEY BROWNE: That is the garage door  
16 over there. (Indicating.)

17 On the other side, on the corner.

18 COUNCILMAN BLAKEMAN: Do you share a  
19 building with Rocky's?

20 MR. KARIFA: Rocky's is next door.

21 COUNCILMAN BLAKEMAN: He is a tenant?

22 MR. KARIFA: Next door.

23 COUNCILMAN BLAKEMAN: Next door, I just  
24 want to get to the bottom of who that - - who is  
25 responsible to clean it up.

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Do you own the building?

ATTORNEY BROWNE: It is an attached building. There is a party wall.

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He is a tenant.

Is there a different landlord for Rocky's?

MR. KARIFA: No.

ATTORNEY BROWNE: Same landlord.

COUNCILMAN BLAKEMAN: Who is the landlord?

ATTORNEY BROWNE: Can you spell that?

(ATTORNEY BROWNE TALKING TO MR. KARIFA)

COUNCILMAN BLAKEMAN: Get the Building Department to get ahold of that.

So, you are a tenant, you don't own the building?

MR. KARIFA: No.

COUNCILMAN BLAKEMAN: And, none of that refuse is attributable to your operation?

MR. KARIFA: No.

COUNCILMAN BLAKEMAN: Okay, so, I would like the Building Department to go out and do an inspection of that building to make that determination and it looks to me like there are multiple violations regarding Rocky's operation that we need to address those issues.

BUILDING COMMISSIONER: Council, we did not

1 cite him for outside storage.

2 COUNCILMAN BLAKEMAN: I cannot hear you.

3 BUILDING COMMISSIONER: We did not cite him  
4 for outside storage.

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5 COUNCILMAN BLAKEMAN: Who?

6 BUILDING COMMISSIONER: The applicant.

7 COUNCILMAN BLAKEMAN: The point that I  
8 would like to make is that, obviously, there are  
9 multiple violations, here.

10 Have they been cited, Rocky's?

11 BUILDING COMMISSIONER: Not to my  
12 knowledge.

13 COUNCILMAN BLAKEMAN: I think we should  
14 send our Inspectors out because there is refuse  
15 all over the place.

16 There are multiple, you know, in my  
17 opinion, there are multiple violations of our Code  
18 and the landlord and the tenant need to be  
19 responsible for that and make sure that is cleaned  
20 up and that it be remedied because that is very  
21 unsightly.

22 BUILDING DEPARTMENT COMMISSIONER: Yes, I  
23 believe the pictures I am looking at from the  
24 applicant's site, his is much cleaner, so, there  
25 may be a problem for Rocky's.

1 COUNCILMAN BLAKEMAN: Okay, I am glad we  
2 clarified that.

3 ATTORNEY BROWNE: Thank you.

4 So, as I said, certainly, a reinspection of Page | 86  
5 this site, the neighboring site is perfectly fine.

6 He is anxious to install a spray booth.

7 Doesn't want to do it without your  
8 permission, but that is what the tenure of this  
9 application is.

10 Otherwise, our operation will not change.

11 The site will be maintained in an orderly  
12 and legal condition.

13 No cars will be stored overnight, at night.

14 And, we would like your permission to add  
15 the spray booth on which the Fire Marshal has  
16 already signed off.

17 COUNCILMAN BLAKEMAN: Okay, so, Mr. Browne

18 - -

19 ATTORNEY BROWNE: Yes?

20 COUNCILMAN BLAKEMAN: - - in the report,  
21 apparently, there was a memo of an illegal use at  
22 the property with regard to outside storage,  
23 unregistered vehicles and has that been remedied?

24 ATTORNEY BROWNE: Yes, we will not store an  
25 vehicles improperly outside overnight.

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1 COUNCILMAN BLAKEMAN: Are there any there,  
2 now?

3 ATTORNEY BROWNE: No.

4 COUNCILMAN BLAKEMAN: Okay, what about the <sup>Page | 87</sup>  
5 open plumbing permit with respect to the furnace?

6 ATTORNEY BROWNE: I brought that to the  
7 architects attention and that will be closed out,  
8 hopefully get a revised CO allowing for the  
9 additional use and we will accept that as a  
10 condition, obviously.

11 COUNCILMAN BLAKEMAN: Okay, your client is  
12 willing to covenant that there will be no outside  
13 storage of vehicles and they will keep the  
14 property free of any, um, unregistered vehicles?

15 ATTORNEY BROWNE: Yes, sir and we will also  
16 covenant and close out any open permits in the  
17 Building Department prior to filing a CO.

18 COUNCILMAN BLAKEMAN: Okay, is that your  
19 application?

20 ATTORNEY BROWNE: That is it, sir.

21 Any other questions?

22 SUPERVISOR GILLEN: We do have some other  
23 slips on this matter, please, stay by, Mr. Browne,  
24 if you have to answer any questions.

25 ATTORNEY BROWNE: I think those

1 Gentlemen are with us.

2 SUPERVISOR GILLEN: Barbara Kupferstein?

3 BARBARA KUPFERSTEIN: I am the Architect of  
4 record and I am happy to answer any questions. Page | 88

5 COUNCILMAN BLAKEMAN: I have one for the  
6 Architect.

7 Will you verify that the photos depict - -

8 SUPERVISOR GILLEN: Please, step down.

9 COUNCILMAN BLAKEMAN: And, not the property  
10 that is the subject of this hearing.

11 BARBARA KUPFERSTEIN: Barbara Kupferstein.  
12 45 Washington Avenue, Lawrence, New York.

13 If you can supply me the photos, I can  
14 verify them.

15 COUNCILMAN BLAKEMAN: Okay.

16 Did you personally visit the site?

17 BARBARA KUPFERSTEIN: Yes.

18 COUNCILMAN BLAKEMAN: Can you see this  
19 picture?

20 Do you want to come forward? Thank you.

21 Is this your client's operation?

22 BARBARA KUPFERSTEIN: That is the side  
23 view.

24 COUNCILMAN BLAKEMAN: Is this your client's  
25 operation?



**HEMPSTEAD TOWN BOARD 8/6/19**

1 BARBARA KUPFERSTEIN: Yes.

2 COUNCILMAN BLAKEMAN: Okay, thank you so  
3 much.

4 SUPERVISOR GILLEN: Is there anybody else <sup>Page | 89</sup>  
5 that would like to be heard on this application?

6 COUNCILMAN DUNNE: Right, now, would it be  
7 possible to put an American Flag up?

8 ATTORNEY BROWNE: I am sure that Mr. Karifa  
9 would be happy to display an American Flag in  
10 front of the building on Lawrence.

11 MR. KARIFA: Yes.

12 ATTORNEY BROWNE: We would be happy to.

13 COUNCILMAN DUNNE: Thank you.

14 SUPERVISOR GILLEN: Thank you, gentlemen.

15 ATTORNEY BROWNE: You are welcome.

16 SUPERVISOR GILLEN: Is there anybody else  
17 that would like to be heard on this application?

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

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

22 COUNCILMAN BLAKEMAN: Yes, Supervisor, I  
23 move that the Public Hearing be closed and that  
24 the Board reserve decision.

25 COUNCILMAN D'ESPOSITO: Second.

**HEMPSTEAD TOWN BOARD 8/6/19**

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SUPERVISOR GILLEN: Madam Clerk?

CLERK CABANA: Supervisor Gillen?

SUPERVISOR GILLEN: Aye.

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CLERK CABANA: Councilman Blakeman?

COUNCILMAN BLAKEMAN: Aye.

CLERK CABANA: Councilman D'Esposito?

COUNCILMAN D'ESPOSITO: Aye.

CLERK CABANA: Senior Councilwoman Goosby?

SENIOR COUNCILWOMAN GOOSBY: Aye.

CLERK CABANA: Councilwoman King-Sweeney?

COUNCILWOMAN KING-SWEENEY: Aye.

CLERK CABANA: Councilman Muscarella?

COUNCILMAN MUSCARELLA: Aye.

SUPERVISOR GILLEN: Thank you. Madam Clerk, now call the Decision Calendar, please.

CLERK CABANA: Yes.

Application of BOLLA EM REALTY, LLC. for a variance from provisions of the "GSS" Ordinance to maintain existing service station and operate a convenience store as well as area, sign and parking variance located on the south side of Merrick Road between Washington Avenue and Townsend Road - Seaford.

I have a companion application of BOLLA EM REALTY, LLC for a permit to include

1 existing gasoline service station and install  
2 three additional storage tanks, each with a  
3 capacity of 15,000 gallons located on the South  
4 side of Merrick Road between Washington Avenue & <sup>Page | 91</sup>  
5 Townsend Drive - Seaford.

6 SUPERVISOR GILLEN: May I have a Motion on  
7 the Decision Calendar.

8 COUNCILWOMAN KING-SWEENEY: Supervisor, I  
9 move for a vote on the application.

10 COUNCILMAN D'ESPOSITO: Second.

11 COUNCILWOMAN KING-SWEENEY: I move to  
12 approve it.

13 COUNCILMAN D'ESPOSITO: Second.

14 SUPERVISOR GILLEN: Madam Clerk?

15 CLERK CABANA: Supervisor Gillen?

16 SUPERVISOR GILLEN: Aye.

17 CLERK CABANA: Councilman Blakeman?

18 COUNCILMAN BLAKEMAN: Aye.

19 CLERK CABANA: Councilman D'Esposito?

20 COUNCILMAN D'ESPOSITO: Aye.

21 CLERK CABANA: Senior Councilwoman Goosby?

22 SENIOR COUNCILWOMAN GOOSBY: Aye.

23 CLERK CABANA: Councilwoman King-Sweeney?

24 COUNCILWOMAN KING-SWEENEY: Aye.

25 (Whereupon, Councilman Muscarella

1 was not to vote. Was not present at the time of  
2 the Hearing. After, the following ensued.)

3 SUPERVISOR GILLEN: Okay, Madam Clerk, will  
4 you please call the Administrative Calendar. Page | 92

5 CLERK CABANA: There are Items 20 through  
6 73 on the Administrative Calendar.

7 I also have a resolution that is of an  
8 urgent or emergency nature.

9 This is a resolution authorizing the  
10 execution of an agreement with Tully Rinckey, PLLC  
11 to provide legal and professional services in  
12 connection with the Town of Hempstead contracts  
13 with Dover Gourmet.

14 This will be Item Number 74 on the  
15 calendar.

16 SUPERVISOR GILLEN: Okay, with respect to  
17 the Administrative Calendar, I have to take Item  
18 Number 51 which is a resolution seeking a  
19 declaration with respect to the contract extension  
20 that was reportedly entered with Dover Gourmet.

21 Dover Gourmet has filed litigation in  
22 Nassau County Supreme Court seeking a declaration  
23 with respect to this contract and, therefore, it  
24 is now a matter before the Courts.

25 So, I am tabling the resolution so that

1 the Court can address and adjudicate this issue.

2 Can I have a second.

3 COUNCILWOMAN KING-SWEENEY: Second.

4 SUPERVISOR GILLEN: Madam Clerk?

5 CLERK CABANA: Supervisor Gillen?

6 SUPERVISOR GILLEN: Aye.

7 CLERK CABANA: Councilman Blakeman?

8 COUNCILMAN BLAKEMAN: Aye.

9 CLERK CABANA: Councilman D'Esposito?

10 COUNCILMAN D'ESPOSITO: Aye.

11 CLERK CABANA: Councilman Dunne?

12 COUNCILMAN DUNNE: Aye.

13 CLERK CABANA: Senior Councilwoman Goosby?

14 SENIOR COUNCILWOMAN GOOSBY: Aye.

15 CLERK CABANA: Councilwoman King-Sweeney?

16 COUNCILWOMAN KING-SWEENEY: Aye.

17 CLERK CABANA: Councilman Muscarella?

18 COUNCILMAN MUSCARELLA: Aye.

19 SUPERVISOR GILLEN: Are there any Council

20 Members that would like to sever any other items

21 on the Administrative Calendar?

22 COUNCILWOMAN KING-SWEENEY: Supervisor, I

23 would like a Motion to amend Item Number 37 to

24 read as follows:

1 No agreement shall be authorized, amended  
2 or modified, such an agreement or modification  
3 results in fifty thousand dollars or greater  
4 Affect or renewed or extended if such renewal or <sup>Page | 94</sup>  
5 extension would be more than one year, cost fifty  
6 thousand dollars or more to the Town or its vendor  
7 without Town Board approval.

8 This policy shall supersede and supplement  
9 any resolution to the contrary notwithstanding any  
10 contract written to the contrary.

11 Compliance with this policy shall be  
12 precedent to any Town Officer or employee amending  
13 or renewing any agreement.

14 COUNCILMAN BLAKEMAN: Second.

15 SENIOR COUNCILWOMAN GOOSBY: Second the  
16 Motion.

17 SUPERVISOR GILLEN: Madam Clerk?

18 CLERK CABANA: Supervisor Gillen?

19 SUPERVISOR GILLEN: Aye.

20 CLERK CABANA: Councilman Blakeman?

21 COUNCILMAN BLAKEMAN: Aye.

22 CLERK CABANA: Councilman D'Esposito?

23 COUNCILMAN D'ESPOSITO: Aye.

24 CLERK CABANA: Senior Councilwoman Goosby?

25 SENIOR COUNCILWOMAN GOOSBY: Aye.

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1 CLERK CABANA: Councilwoman King-Sweeney?

2 COUNCILWOMAN KING-SWEENEY: Aye.

3 CLERK CABANA: Councilman Muscarella?

4 COUNCILMAN MUSCARELLA: Aye.

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5 COUNCILMAN D'ESPOSITO: I also like to  
6 table Item Number 50.

7 SENIOR COUNCILWOMAN GOOSBY: Second the  
8 Motion.

9 SUPERVISOR GILLEN: Oh, I am sorry,  
10 Councilman Dunne did not vote on the amendment.

11 CLERK CABANA: Councilman Dunne?

12 COUNCILMAN DUNNE: Aye.

13 SUPERVISOR GILLEN: Okay, any Council  
14 Members like to sever any other items?

15 COUNCILMAN D'ESPOSITO: I like to table  
16 Item 50.

17 SENIOR COUNCILWOMAN GOOSBY: Second the  
18 Motion.

19 CLERK CABANA: Supervisor Gillen?

20 SUPERVISOR GILLEN: Which one is 50? No.

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: Councilwoman King-Sweeney? Page | 96

5 COUNCILWOMAN KING-SWEENEY: Aye.

6 CLERK CABANA: Councilman Muscarella?

7 COUNCILMAN MUSCARELLA: Aye.

8 SUPERVISOR GILLEN: Would any other Council

9 Members like to sever any other item on the  
10 agenda, on the Administrative Calendar, rather?

11 COUNCILMAN D'ESPOSITO: Just to have it  
12 correct, we amended 37.

13 SUPERVISOR GILLEN: 37 was amended.

14 COUNCILMAN D'ESPOSITO: Tabled 50 and 51.

15 SUPERVISOR GILLEN: Correct.

16 COUNCILMAN D'ESPOSITO: Everything else  
17 still stands.

18 COUNCILMAN BLAKEMAN: And, we added the  
19 Emergency Resolution as what number?

20 SENIOR COUNCILWOMAN GOOSBY: 74.

21 COUNCILMAN BLAKEMAN: 74, Thank you.

22 SUPERVISOR GILLEN: May I have a Motion on  
23 the Administrative Calendar.

24 SENIOR COUNCILWOMAN GOOSBY: I move the  
25 Administrative Calendar with the exception of the



1 ones already called.

2 COUNCILMAN D'ESPOSITO: Second.

3 SUPERVISOR GILLEN: Okay, all right, I have  
4 a number of slips on the Administrative Calendar. <sup>Page | 97</sup>

5 Susan Ryan?

6 SUSAN RYAN: Thank you, I had a question.

7 SUPERVISOR GILLEN: I am sorry, can you  
8 state your name and address for the record.

9 SUSAN RYAN: Susan Ryan. 100 Inwood  
10 Avenue, Point Lookout, New York.

11 Um, on Item 49, there is, um, a resolution  
12 to appoint Members of the Town of Hempstead Board  
13 of Ethics, could you explain to me what that is?

14 Is that a new Board of Ethics?

15 Who are the people and how are they - -

16 COUNCILMAN BLAKEMAN: Yeah, so from my  
17 understanding the Supervisor has already nominated  
18 and we approved her recommendation to the Ethics  
19 Board and this would a recommendation from the  
20 Town Board where one, um, where there are two  
21 remaining appointments who have to be registered  
22 from different parties or one could be registered  
23 - - could be Blank.

24 So, these are the Town Board's  
25 recommendations for the Ethics Board, one, a

1 Member of the Republican Party and Independent.

2 SUSAN RYAN: So, how many members in all are  
3 on the Board?

4 SENIOR COUNCILWOMAN GOOSBY: Four.

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5 SUSAN RYAN: Four.

6 SUPERVISOR GILLEN: And, the Town Attorney;  
7 this is according to the Ethics Legislation.

8 There are four members and the Town  
9 Attorney is also a Member of the Ethics Board.

10 SUSAN RYAN: I am sorry, they are  
11 appointed?

12 SUPERVISOR GILLEN: So, according to the  
13 Ethics Legislation, the Supervisor got to appoint  
14 one person to the Ethics Board.

15 The Town Board Majority gets to appoint two  
16 people to the Ethics Board and these are their  
17 selections for the Ethics Board and Dorothy, the  
18 Minority, gets one.

19 SUSAN RYAN: Okay, I was just wondering  
20 what the structure was, thanks.

21 Um, I also wanted to talk about, I know  
22 that you, um, can't.

23 You tabled 50 and 51, but, um, I have a  
24 real concern about outside, you know, taking a  
25 look at a Parks Commissioner being able

1 to negotiate his own deal with, um, you know, a  
2 vendor.

3 It just, you know, I am on a State Parks  
4 Board and our Commissioner would never be allowed <sup>Page | 99</sup>  
5 to do something like this where you could alter  
6 anything related to, you know, staff, staffing  
7 issues, um, length of the contract, um, capital  
8 improvements, any kind of payments, renting or  
9 fees.

10 It is not something that would be able to  
11 be done independently with a Commissioner and, um,  
12 you know, a vendor.

13 And, I have real concerns about the lack of  
14 oversight in these areas, um, several times I have  
15 at these meetings and, um, there has been a  
16 request from Laura Gillen to have outside auditors  
17 come in and take a look and the response to that  
18 very often is that it is too expensive or you  
19 already have a Compliance Officer.

20 A Compliance Officer is there to take a  
21 look at the rules that are already there.

22 They are not there to take a look and  
23 assist how departments are run.

24 And, I really think that the Town Board  
25 should consider having outside auditors take a

1 look, whether it is the Parks Department, Building  
2 Department or any other Department.

3 You need a fresh eye to come in and take a  
4 look at how you run your departments.

5 It is better government.

6 It is better business for all of you and it  
7 is better business services for your constituents.

8 And, continuously gets, you know voted down  
9 and I really think that it is something that you  
10 should take a look at, so you don't have any  
11 department serving your constituents which are all  
12 of us.

13 But, um, this should never get to the point  
14 that it got to, regardless of who the vendor is.

15 I am just saying, you know, it is messy  
16 and, um, the Parks, because it is my background, I  
17 am very aware of how things run well and other  
18 State Parks, the level and we would never even  
19 consider doing something like this.

20 And, it does show a lack of oversight for  
21 your Commissioner of Parks in this situation.

22 So, you know, I like to see that addressed.

23 COUNCILWOMAN KING-SWEENEY: Ms. Ryan, I  
24 fully share your concerns and spoken out about  
25 that, that is why proposing Item 37, I just

1 amended which simply amended it to try to make the  
2 process more efficient.

3 And, a fifty thousand dollar threshold, we  
4 an change out at a later date, figure out if that <sup>Page | 101</sup>  
5 doesn't work but these new procurement policies  
6 and procedures are meant to get at that issue.

7 Thank you.

8 SUSAN RYAN: It is very serious regardless,  
9 the guidelines affect the services that -

10 SUPERVISOR GILLEN: That was certainly the  
11 intent of the resolution.

12 The Councilwoman and I worked on it  
13 together, so, that this never happens again.

14 SUSAN RYAN: I appreciate that.

15 I hope it passes. Thank you.

16 SUPERVISOR GILLEN: Thank you, okay, Felix  
17 Procacci?

18 FELIX PROCACCI: Item 37 amended or  
19 unamended, it is really not necessary because  
20 State Law, if anyone read it, does not allow you  
21 to offload your responsibilities as a Town Board  
22 to a Commissioner or anybody else.

23 I mean it is sort of writing a 14 Amendment  
24 to the Constitution that lets you omit the 13  
25 Amendment.

1 It would never be done.

2 So, you are just contradicting, but, now,  
3 you are giving people the authority to do stuff  
4 that changes that and are not done by the elected <sup>Page | 102</sup>  
5 officials.

6 It is not right.

7 So, you are violating State Law.

8 Laura Gillen proposed a law last year that  
9 would require the Town Attorney's Office to look  
10 at all legislation to see that it is legal and  
11 everything.

12 And, this Board tabled it indefinitely, um,  
13 for no reason because, why not.

14 Check the law because you have a lot of  
15 illegal laws on the books, from what I can tell,  
16 this is just one of them.

17 And, also, there is a clause in the  
18 guidelines that I believe that will allow the Town  
19 Board to overrule themselves any time they want.

20 If you go to Guideline Number 3, it says,  
21 "except when directed by the Town Board."

22 So, that means you could just change that  
23 fifty thousand to one hundred thousand for another  
24 contract.

25 You can write new revisions in another

1 contract and you can use that term, "except when  
2 directed by the Town Board."

3 So, why not get rid of that, "except  
4 when directed by the Town Board," provision, so, <sup>Page | 103</sup>  
5 the Town Board can no longer do that anymore.

6 SUPERVISOR GILLEN: I think that is a good  
7 point.

8 We should look at Mr. Procacci's comments.

9 FELIX PROCACCI: So, anyone would have to  
10 say anything about that.

11 You know, you want to read the State Law or  
12 just make stuff up?

13 COUNCILMAN BLAKEMAN: The intent is that it  
14 would be brought back before the Town Board for a  
15 vote, that is what it means, that is the safeguard  
16 that you have, is that if there is a change, it  
17 would come back before the Town Board.

18 There would be a Hearing on that. We would  
19 have an opportunity to comment and the Board would  
20 have to vote on it.

21 SUPERVISOR GILLEN: Mr. Ra, is that  
22 correct?

23 TOWN ATTORNEY RA: That is correct.

24 FELIX PROCACCI: But, if you write another  
25 contract that is illegal and it gets passed, now,

1 that is directed by the Town Board, so, now you  
2 could still, you know, the ultimate thing I am  
3 getting at, you are still overriding State Law,  
4 so, you are illegal not matter what you say,  
5 anyway, because you can't do anything without  
6 Board approval but, now, you are overloading your  
7 responsibilities through a contract approved by  
8 the Town Board to give someone else your  
9 authority.

10 COUNCILMAN BLAKEMAN: You are wrong, Felix,  
11 the bottom line is that the State Law does not  
12 apply to minor modifications.

13 They are a material part of the contract  
14 which we all agree on the Town Board should come  
15 back before the Town Board if there is a material  
16 amendment.

17 But, if it is one hundred dollars, you  
18 know, a call by a Commissioner, that you know this  
19 small item is a modification that is justified, I  
20 think we would have four thousand resolutions  
21 before us every month.

22 This addresses issues that are of concern  
23 whether or not there can be a material change to a  
24 contract without coming back before the Town  
25 Board.



1           The threshold is low, fifty thousand, the  
2 year requirement, that it not exceed a year is  
3 reasonable and I cannot believe that you are not  
4 in support of this legislation.

5           It baffles me.

6           SUPERVISOR GILLEN: I just want to add,  
7 Councilman, I respect your right to comment your  
8 legal opinion, however, that is - -

9           COUNCILMAN BLAKEMAN: It is not legal  
10 opinion. It is my judgment.

11          SUPERVISOR GILLEN: State Law applies - -

12          COUNCILMAN BLAKEMAN: Are you saying State  
13 Law applies?

14          SUPERVISOR GILLEN: I am not making a legal  
15 argument right, now.

16                 This is an issue that is going to be  
17 litigated before the Courts, so, I think we should  
18 be careful with our comments but I just wanted to  
19 clarify to the extent that you are making a legal  
20 opinion that is your legal opinion, that is not  
21 mine.

22          COUNCILMAN BLAKEMAN: I want to  
23 understand, Supervisor, it is your clarification  
24 that if there is a minor modification of a de  
25 minimis amount or de minimis duration that the

1 Commissioner cannot make a judgement call, that it  
2 would have to come back on a day-to-day basis on  
3 to the Town Board?

4 SUPERVISOR GILLEN: I am saying that I have<sup>Page | 106</sup>  
5 not taken a comprehensive look to draw any legal  
6 conclusion.

7 COUNCILMAN BLAKEMAN: That is your right.

8 SUPERVISOR GILLEN: I would not make one at  
9 this time.

10 COUNCILMAN BLAKEMAN: Won't you admit that  
11 this provision that Councilwoman King-Sweeney is  
12 putting forward is a very efficient safeguard to  
13 make sure that matters comeback before the Town  
14 Board that are of consequence?

15 Wouldn't you agree with that?

16 SUPERVISOR GILLEN: I worked on this  
17 resolution with Councilwoman King-Sweeney and, um,  
18 I don't know if I agree with the change to the  
19 fifty thousand dollar threshold but I support the  
20 amendment because I want this resolution to pass  
21 right, now.

22 We can look at the fifty thousand dollar  
23 threshold and we can work together on that.

24 SENIOR COUNCILWOMAN GOOSBY: You did work  
25 with her on that, you just said that you did.

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Now, you are changing it.

COUNCILWOMAN KING-SWEENEY: Well, just legal analysis aside, um, I haven't had enough coffee for that, um, but, the idea with the fifty thousand dollars, the idea was would we paralyze Town Government if we had no sort of minimum threshold of dollar amount if there is snowstorms and we quickly need to get more salt, that type of thing, this is meant to address practical day-to-day concerns to get us through.

Um, if it turns out that the fifty thousand dollars was just way too high, we can lower or get rid of it.

Um, so, this is a practical amendment, that is all.

FELIX PROCACCI: I didn't like the first part of your sentence, legal analysis aside, that upsets me.

COUNCILWOMAN KING-SWEENEY: You know exactly what I was talking about, there was a significant consideration of State Law.

In this context, I am saying that this issue aside, not that I don't care about State Law, that issue aside, my amendment was based on a practical concern.

1 I wasn't going into the complicated State  
2 Law analysis.

3 FELIX PROCACCI: I read the complicated  
4 State Law analysis. Page | 108

5 Since I am running out of time, the bottom  
6 line is if you read just the "petty cash" section,  
7 of the State Law on how you divide petty cash to  
8 the different departments, it is one of the most  
9 lengthy paragraphs in the law for finance, that is  
10 fifteen hundred dollars - -

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

13 SUPERVISOR GILLEN: Thank you, Mr.  
14 Procacci.

15 Stephen Edmondson?

16 On the administrative Calendar, on your  
17 sheet, it said you want to talk about Number 25.

18 STEPHEN EDMONDSON: The one on Senior  
19 Citizens and you had the one with Westbury Seniors  
20 doesn't really clarify it on here, "gifts," for  
21 the Senior Center.

22 SUPERVISOR GILLEN: Mr. Ra, I believe that  
23 is allowing us to accept gifts for new programs,  
24 is that correct?

25 STEPHEN EDMONDSON: I hope you get some

1 air conditioning.

2 I called Councilwoman Goosby's office and  
3 you can take a walk, twenty-five steps across the  
4 street, the Senior Center over there and the  
5 Seniors are dying over there with no air  
6 conditioning.

7 SENIOR COUNCILWOMAN GOOSBY: Which Center?

8 STEPHEN EDMONDSON: Town of Hempstead with  
9 the County of Nassau, EAC supervising over there.  
10 There is no air conditioning.

11 SENIOR COUNCILWOMAN GOOSBY: You need to  
12 talk to the County.

13 STEPHEN EDMONDSON: They told me the Town  
14 is involved, horrible.

15 SUPERVISOR GILLEN: Thank you, Mr.  
16 Edmondson.

17 Diane Madden?

18 DIANE MADDEN: Diane Madden, Hempstead;  
19 full disclosure, I am running for Hempstead  
20 Supervisor.

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

23 DIANE MADDEN: Vote Madden.

24 Item Number 37, um, I don't know where the  
25 Councilwoman went to, but, my question is really

1 directed to her.

2 SUPERVISOR GILLEN: Would you like to come  
3 back when she comes back?

4 DIANE MADDEN: I would appreciate that. Page | 110  
5 Thank you.

6 SUPERVISOR GILLEN: You're welcome.

7 Ariel Schwartz?

8 ARIEL SCHWARTZ: I like to comment on all  
9 the corruption - -

10 SUPERVISOR GILLEN: Mr. Schwartz, could you  
11 state your name and address.

12 ARIEL SCHWARTZ: Ariel Schwartz, 463 Weizel  
13 (as heard) Lane, West Hempstead.

14 Item 74, I put 52, but I guess 74, now, the  
15 contract with Dover, whatever the name of the  
16 company was.

17 SUPERVISOR GILLEN: That was just tabled,  
18 now, it is going before the Court, so, it is not  
19 on the Administrative Calendar anymore.

20 If you like to make comments, you make them  
21 at Public Comment.

22 It is not on the Administrative Calendar  
23 anymore.

24 Thank you, Mr. Schwartz.

25 Ms. Madden, would you like to

1 come back.

2 DIANE MADDEN: With reference to the, um,  
3 comments that you made for the amendment,  
4 Councilwoman Sweeney, um, the problem I have with  
5 Item 37, is that it is kind of a joke and the  
6 reason I say that is because as you recall and I  
7 continue to bring up the issue of the corrupt 109  
8 thousand dollar contract that was fraudulent, um,  
9 the Animal Shelter, I guess, Commissioner/Director  
10 was smart enough not to put it before the Board,  
11 again, because the contractor lied throughout the  
12 hiring process and RFP process, followed by bogus  
13 investigation where an appointed Deputy Town  
14 Attorney to the Committee was also overseeing the  
15 investigation.

16 So, there is tremendous conflict in and of  
17 itself right there.

18 My issue is that since the Board was never  
19 given that contract, the Commissioner and Director  
20 managed to give this person who lied throughout  
21 the hiring process another job at the Animal  
22 Shelter for, approximately, three times the amount  
23 of salary for her profession where she works in an  
24 Animal Shelter part-time, potentially to get over  
25 time and make more than one hundred and nine

1 Thousand dollars.

2 So, I ask that you take a look at that  
3 amendment, again, put it aside and include it in  
4 that along the lines that no Commissioner or  
5 Director or anyone representing a Department can,  
6 then, once a contract is not approved, again or  
7 found to be fraudulent, they cannot on their own,  
8 hire these people for the same amount of money as  
9 they did at the Animal Shelter.

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10 That is corrupt. That is fraudulent.

11 This does nothing to stop what is going on.

12 So, I would like to know if someone can  
13 amend that.

14 You can take a look at that, again, to make  
15 sure none of these Commissioners or Directors can  
16 also hire these people if they can't get it passed  
17 the Board, private and on their own, as I assume  
18 they did at the Animal Shelter because I didn't  
19 see any Board approval for three times the amount  
20 of money that the taxpayers are now paying an  
21 employee part-time at the Animal Shelter because  
22 they do not pass a one hundred and nine thousand  
23 dollar contract.

24 Can someone, please, respond.

25 SUPERVISOR GILLEN: Mr. Ra, first of all,



1 were there ever any findings with respect to any  
2 fraud related to that contract?

3 TOWN ATTORNEY RA: No, there was not.

4 SUPERVISOR GILLEN: Okay, the other thing Page | 113  
5 when people are hired, it has to come before the  
6 Town Board?

7 TOWN ATTORNEY RA: Correct.

8 SUPERVISOR GILLEN: So, the Town Board does  
9 have to weigh in on it when people are hired.

10 DIANE MADDEN: This was a part-time  
11 position and to my knowledge, it was not approved  
12 by the Town Board and as far as Mr. Ra's  
13 investigation, he did not investigate what he was  
14 asked to investigate.

15 He investigated what he wanted to  
16 investigate.

17 And, that is why his investigation, his  
18 alleged investigation came out with no findings  
19 because he only investigated what he wanted to be  
20 investigated.

21 So, are you saying because I am getting  
22 conflicts in facts, Mr. Ra, you have told me a  
23 number of times that the Board, in fact, needs to  
24 approve part-time and, then, you told me that they  
25 do not need to approve part-time.

1           Because we have a part-timer making three  
2 times the salary of a profession because they  
3 could not pass a fraudulent - -

4           (Whereupon, the three-minute bell rang. Page | 114  
5 After, the following ensued.)

6           DIANE MADDEN: By the way, if there was no  
7 fraudulence, your Commissioner would have put up  
8 the resolution to review that contract but they  
9 did not.

10          SUPERVISOR GILLEN: Ms. Madden, your time  
11 is up.

12          DIANE MADDEN: I understand. Is someone  
13 going to answer that question?

14          Do you need approval to hire a part-timer  
15 in any department?

16          ATTORNEY: Since we have been here,  
17 Supervisor, part-timers have not come before the  
18 Town Board for approval.

19          SUPERVISOR GILLEN: Okay, they have to be  
20 within the budget, is that correct?

21          ATTORNEY: That is correct.

22          DIANE MADDEN: They never have been before.

23          SUPERVISOR GILLEN: I only been here a  
24 short time.

25          Mr. D'Esposito doesn't believe they have.

1 DIANE MADDEN: How does that amendment  
2 handle that?

3 Because it is a Catch-22, it doesn't  
4 address that.

5 SUPERVISOR GILLEN: This relates to  
6 contracts that will be a totally different  
7 resolution relating to hiring.

8 DIANE MADDEN: It could be put in this  
9 resolution if you wanted it to.

10 SUPERVISOR GILLEN: Okay, thank you, Ms.  
11 Madden.

12 Catherine Rasia?

13 (Whereupon, "Pass" was heard from the  
14 audience. After, the following ensued.)

15 SUPERVISOR GILLEN: Mary Ellen Kreye?

16 MARY ELLEN KREYE: Mary Ellen Kreye. 436  
17 Locust Avenue, Uniondale, New York.

18 Item Number 25, accepting monetary gifts  
19 for Senior Citizens Programs; I am glad to see  
20 that and I have a feeling that the Senior Citizens  
21 Programs are being cutback because the people in  
22 Uniondale tell me the Nurse has been removed, um,  
23 which was a very popular service to the people in  
24 the Senior Center.

25 So, I hope somebody will look into that.

1 SUPERVISOR GILLEN: Is our Commissioner,  
2 here?

3 DEPUTY COMMISSIONER: I don't know anything  
4 about a Nurse in the Senior Center. Page | 116

5 SUPERVISOR GILLEN: Okay, Deputy  
6 Commissioner has indicated she doesn't know  
7 anything about this.

8 I am sure, Ms. Kreye, we will look into it  
9 and investigate it, thank you.

10 MARY ELLEN KREYE: Okay, thank you.

11 Um, so, then, there is an amendment to  
12 Number 44, solid waste service agreement.

13 SUPERVISOR GILLEN: Commissioner, are you,  
14 here?

15 ATTORNEY CAPITANO: The Commissioner is not,  
16 here. I am Counsel to the Department.

17 I am here to answer any questions.

18 SUPERVISOR GILLEN: If you could clarify  
19 for Ms. Kreye, I appreciate it.

20 ATTORNEY CAPITANO: Council, good  
21 afternoon, Francesca Capitano, Counsel to the  
22 Department of Sanitation.

23 Mrs. Kreye, the Kovanta amendment allows  
24 the department to deliver up to four hundred and  
25 twenty thousand tons of waste every year.

1 If you see this is every year, it covers  
2 any excess waste.

3 It gives us a more desirable price for that  
4 waste and it is ministerial that we do every year <sup>Page | 117</sup>  
5 to cover that excess waste.

6 MARY ELLEN KREYE: We definitely like to  
7 hear about recycling and, um, making energy out of  
8 waste, so, I am glad to hear that is being done.

9 SUPERVISOR GILLEN: Thank you, Counsel.

10 ATTORNEY CAPITANO: You're welcome.

11 MARY ELLEN KREYE: On Item 55, the roadway,  
12 I have a question whether the roadways are mostly  
13 reserved by outside companies or is that done by  
14 our department?

15 SUPERVISOR GILLEN: So, again, this is part  
16 of our capital plan to surfacing roadways.

17 For this particular item, there were six  
18 bids received.

19 We put it out to bid.

20 This contract is for the lowest bidder.

21 MARY ELLEN KREYE: There are a lot of  
22 complaints in Uniondale about the resurfacing  
23 because the roads are left opened and dusty for  
24 weeks at a time without being tared and we just  
25 can't understand.

1 SUPERVISOR GILLEN: Commissioner, can you  
2 speak to that.

3 COMMISSIONER: Yes, there are two  
4 contracts.

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5 These cover roads throughout the Town of  
6 Hempstead, all areas throughout the Town, selected  
7 roads, so, that is the way of doing a road and  
8 spending less money to do the roads.

9 So, we don't have to do a full  
10 reconstruction.

11 SUPERVISOR GILLEN: And, Commissioner, can  
12 we work with the vendors that get awarded the  
13 contracts to make sure they don't leave dangerous  
14 conditions like Ms. Kreye is suggesting.

15 COMMISSIONER: Yes, of course, what exactly  
16 - - I didn't hear it.

17 MARY ELLEN KREYE: They are opened for  
18 weeks at a time, so, especially, in the  
19 Summertime, it is brutal.

20 People driving up and down the street and  
21 all the dust going around and it just doesn't make  
22 sense why they don't do it and finish it.

23 COMMISSIONER: Yeah, we will certainly work  
24 to improve that, that could be because, you know,  
25 the contractor gets tired coordinating many

1 Jobs at once and he does it at different stages  
2 and he has to come back and pave at appropriate  
3 times.

4 But, we certainly will try to better manage Page | 119  
5 that.

6 There maybe reasons why that is being done.

7 MARY ELLEN KREYE: I mean three weeks, four  
8 weeks is a long time to have a road opened and  
9 having to drive on it and deal with the dust.

10 COMMISSIONER: Certainly take that into  
11 consideration, especially with this large  
12 contract, that is going out.

13 MARY ELLEN KREYE: Thank you.

14 On Item 60, Beechwood, I would like to  
15 compliment Beechwood on the way that they cleared  
16 the property on um, Merrick Avenue where the  
17 Jewish Center previously was, they ripped up  
18 mature trees and this is indirect contrast that  
19 was done by, um, Engle Berman in A. Holly  
20 Patterson where they left a desert.

21 I hope that the Town will work in the  
22 future to prevent that because it is really  
23 improper.

24 They could have left the perimeters with  
25 trees, you know, there were trees and shrubs along

1 the perimeters that would have filtered the dust  
2 instead, now, all of that dust is blowing on those  
3 houses which are on the perimeter of the property.

4 So, I think that, um, Beechwood is to be <sup>Page | 120</sup>  
5 complimented instead of taking down beautiful  
6 trees.

7 They left them.

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

10 MARY ELLEN KREYE: And, um, whatever the  
11 Town can do to prevent this dis-beautification of  
12 properties by developers would be appreciated.

13 SUPERVISOR GILLEN: Thank you, Ms. Kreye.

14 I totally support that. I am working with  
15 my Counsel and Counsel to the Town Board Majority  
16 are working on a tree ordinance.

17 Ms. Jacobs?

18 PEARL JACOBS: Pearl Jacobs, yes, I have a  
19 question regarding professional services rendered.  
20 Can you expand on Item 22, please, would that  
21 encompass - -

22 SUPERVISOR GILLEN: I don't think you  
23 stated your name and address.

24 PEARL JACOBS: Sorry, I am sorry, Pearl  
25 Jacobs, President of the Nostrand Gardens



1 Civic Association in Uniondale.

2 Item 22, I need some clarification.

3 SUPERVISOR GILLEN: Commissioner Rottkamp,  
4 could you provide some clarification, please. Page | 121

5 COMMISSIONER ROTTKAMP: Good Afternoon.

6 Number 22 is professional services in  
7 reference to Kash & Associates, as well as, the  
8 contractor L. Riggerio who is our demo.

9 PEARL JACOBS: What is the scope of the  
10 work, um, with regard to these communities?

11 I am happy to see that these issues are  
12 being addressed.

13 Could you explain or clarify the scope of  
14 the work that is being performed?

15 COMMISSIONER ROTTKAMP: Sure, most of the  
16 unsafe structures and things like that are boarded  
17 up or reports that they are unsafe to the Town  
18 Board.

19 PEARL JACOBS: Okay, I have an issue, an  
20 ongoing issue, 615 Uniondale Avenue and, um - -

21 COMMISSIONER ROTTKAMP: As far as 615  
22 Uniondale Avenue, I believe Mr. Lopinsky from my  
23 office informed you that it was put out to bid to  
24 demo the building.

25 And, when it was put out, the um, the

1 Purchasing Department didn't put down to have it  
2 as a controlled demo, so, we are rebidding it out  
3 as a controlled demo because there is so much  
4 asbestos in that building that if they had to  
5 remove everything, first, it would case a larger  
6 amount of cost.

7 So, this is the best way to do it for the  
8 residents of the Town.

9 PEARL JACOBS: Yes, the reason I ask, the  
10 last meeting I was here, you stated that, um,  
11 there would be a thirty-day, um, turnaround before  
12 there would be some action taken and this is well  
13 over thirty days.

14 COMMISSIONER ROTTKAMP: Okay, as I said to  
15 you, the contract was put out, unfortunately, it  
16 did not go out as a controlled demo.

17 They put it out as a regular demo.

18 It is going back out, again.

19 Once the bids come in, we will award the  
20 contract and we will demo the property.

21 PEARL JACOBS: So, that is the only  
22 roadblock from impeding you from demolition of  
23 this property at this time?

24 That is the only roadblock that is impeding  
25 this demolition?

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1 COMMISSIONER ROTTKAMP: That is correct.

2 PEARL JACOBS: Okay, do you have any sort  
3 of timeframe that you will turnaround, you will  
4 see the turnaround on this? Page | 123

5 COMMISSIONER ROTTKAMP: Again, I just  
6 forwarded the information to Purchasing to ask  
7 them to rebid it.

8 It has to get circulated through the Town  
9 Board.

10 The Supervisor's Office has to sign. The  
11 Comptroller's Office, the Town Attorney's Office  
12 and at that time, Purchasing has to advertise it.

13 They have to bid it and, then, we have to  
14 award the bid.

15 PEARL JACOBS: You are speaking, perhaps,  
16 another thirty days?

17 COMMISSIONER ROTTKAMP: Probably more than  
18 that before we actually do the demo.

19 It has to be re-bided. It has to go out  
20 and the Town Board has - -

21 PEARL JACOBS: This property has been there  
22 unsafe structure, sir, for many, many years.

23 It is an unsafe structure because there are  
24 bricks that are falling off of the chimney, okay.

25 Neighbors text me all the time with these

1 issues.

2 I know there was a fence put up there,  
3 thank you, by the Town of Hempstead.

4 However, children still climb through that <sup>Page | 124</sup>  
5 fence and I just want to make it clear and put it  
6 on record, it is an unsafe structure.

7 SENIOR COUNCILWOMAN GOOSBY: Commissioner,  
8 have you checked the structure to make sure it is  
9 safe?

10 COMMISSIONER ROTTKAMP: Yes and we put a  
11 fence around the property.

12 PEARL JACOBS: But, it is unsafe, I know  
13 that for a fact.

14 And, one more thing, Commissioner, while  
15 you are here, 576 Uniondale Avenue, the Quick  
16 Lube Oil Change is an unsightly structure.

17 COMMISSIONER ROTTKAMP: Yes, that is the  
18 Quick Lube Gas Station.

19 We boarded it up the pump stations. We  
20 have given them numerous appearance tickets, so,  
21 they are currently in Court.

22 PEARL JACOBS: They are currently in Court?

23 COMMISSIONER ROTTKAMP: Correct.

24 PEARL JACOBS: Are they State violations or  
25 Town violations?

1 COMMISSIONER ROTTKAMP: State.

2 PEARL JACOBS: Okay, thank you.

3 SUPERVISOR GILLEN: Thank you, Ms. Jacobs.

4 Thank you, Commissioner.

5 Eric Alexander?

6 (Whereupon, no response was heard. After,

7 the following ensued.)

8 SUPERVISOR GILLEN: I do not have any other  
9 slips on the Administrative Calendar.

10 Is there anybody else that would like to be  
11 heard?

12 Please, come forward.

13 PETE GIORGOS: I put my name down. I don't  
14 know why they didn't call me.

15 Um, my name is Pete Giorgos and I reside at  
16 900 Oakland Court in North Bellmore.

17 Supervisor Gillen and Members of the Board,  
18 Good Afternoon. I am here, today to speak to you  
19 about some persistent flooding issues on our  
20 street that needs much improvements.

21 I just came, here after paying some of the  
22 highest property taxes in the Nation.

23 However, we are not and never have been  
24 getting the services we paid for all of these  
25 years.

1 I am very upset, disgusted and angry by the  
2 Town and employees for more than thirty years  
3 since we brought up this issue with Supervisor  
4 Gulotta in 1984.

5 Here is a partial response to complaints by  
6 William McKinsey, Commissioner of Engineering in  
7 2014 addressed my wife, Nancy and I.

8 "Improvement projects for various areas,  
9 the condition of the roadway and the flexibility  
10 of funding, your concern regarding Oakland Court  
11 is important to us and we thank you for taking the  
12 time to bring it to our attention. The street  
13 will be inspected by our office for an improvement  
14 project.

15 "It will, then, be considered for a future  
16 highway project program."

17 Having repeatedly asked Engineering for Mr.  
18 McKinsey's report, I finally filed a FOIL request  
19 for this report and I found out that other than my  
20 wife, nothing else was done, nothing, no  
21 inspections, no violations, no report, nothing,  
22 nothing is done since 2014, while the condition,  
23 the roadway further deteriorates.

24 Cars still get stuck in two feet of water  
25 trying to get their children to school.

1 Our cars get flooded repeatedly.

2 Nobody can walk on the sidewalk because it  
3 is dangerous.

4 And, we always get stuck with the cleanup,<sup>Page | 127</sup>  
5 major repairs and new material to replace topsoil,  
6 grass and bushes in our front yard, that is why we  
7 have a lot of grass growing from the street than  
8 on the sidewalk.

9 And, we cannot use our garages because it  
10 floods.

11 Time and again, while we call to complain  
12 about yet another flood, we get the same tired  
13 answer, "we will send a crew to investigate. The  
14 project is next in line. We are in the middle of  
15 budget process."

16 Can never tell me what the results of all  
17 these previous investigations were.

18 Can't get one appointment.

19 Don't get any communication at all about  
20 these so called evaluations that are supposed to  
21 be done.

22 Every time we complain and while street  
23 conditions are evaluated, flooding never gets  
24 mentioned at all it seems.

25 And, of course, the Highway Department

1 gets and usually the project is brought up - -

2 (Whereupon, the three-minute bell rang.

3 After, the following ensued.)

4 SUPERVISOR GILLEN: Sir, this is our  
5 Commissioner, Mr. Tuman and that gentleman, right,  
6 there is Joe Davenport - -

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7 PETE GIORGOS: I need a few extra seconds.

8 SUPERVISOR GILLEN: You can have a few  
9 extra second.

10 I am just saying you can work with these  
11 gentlemen and they will respond to you.

12 PETE GIORGOS: Please, um, sometimes I  
13 wonder if anything was being done at all.

14 I do not wonder anymore. I know, now, that  
15 nothing was being done to fix this problem for  
16 over thirty-five years, nothing at all.

17 We still get flooded every time it rains  
18 hard.

19 COUNCILMAN DUNNE: You're my constituent.  
20 My office has been working with you constantly.

21 We referred you to traffic and safety in  
22 the past.

23 We referred you to Engineering constantly.

24 I understand Mr. Tuman's office is in touch  
25 with you constantly back and forth.



1           PETE GIORGOS: Constantly is not the word  
2 that I would use, sir, um, he only calls me when  
3 you call me and I don't understand why - -what I  
4 am asking for are details. Page | 129

5           I don't get any details. Where is the  
6 communication?

7           COUNCILMAN DUNNE: Mr. Tuman is here,  
8 right, now.

9           I would like him to come up, just so you  
10 know who he is and then go back in the room there.

11           He is right here and go in that glass room  
12 behind you and discuss it.

13           He will tell you and maybe show you where -  
14 -

15           PETE GIORGOS: You don't seem to  
16 understand, sir, what the problem is, here.

17           The problem here is not the Engineering  
18 Department and I ma getting a little bit more  
19 persistent, now, but the problem is for thirty  
20 years nothing has been done, no movement.

21           When I asked the Engineering Department was  
22 were the results of the report that you have been  
23 getting?

24           Since '14, I get no reports why the  
25 flooding issue is never looked at, never.

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SUPERVISOR GILLEN: Sir - -

COUNCILMAN DUNNE: I will tell you this, sir, I have been, here tow years, let's get it taken care of.

Mr. Tuman will sit with you and discuss what we can do and let me tell you what, we can do, we will do.

PETE GIORGOS: You know what we can do is fix this problem once and for all.

SUPERVISOR GILLEN: Sir, sir, I can't answer for what happened over thirty years.

Let's address this right, now.

Mr. Tuman and Mr. Davenport from my office will work with you and give you information, okay.

PETE GIORGOS: Look, I have been getting information right, now, but, it is irrelevant, again, they are pushing it off to the side.

They are giving it off to the engineering company to investigate what the problems are when the problems are right in front of their charts if you take a look at the way this thing was designed and built and never improved.

You can see where the problems are.

SUPERVISOR GILLEN: Okay, Mr. Tuman and Mr. Davenport, will you meet with this gentleman.

1           COMMISSIONER: I just want to say for the  
2 record, we are looking at it in great detail among  
3 many other drainage issues throughout the Town.

4           We have issued it to consultants for the Page | 131  
5 purpose of trying to tackle it in the best way  
6 possible.

7           It is not an easy fix.

8           It is among many drainage issues that the  
9 Town has and we put it out to consultants so we can  
10 properly prioritize which one to tackle, first and  
11 this is one very high on our list, but we need to  
12 properly assess all the drainage issues and use  
13 the money properly to alleviate these issues.

14           SUPERVISOR GILLEN: How far long are we in  
15 our process with analysis by the consultant?

16           COMMISSIONER: Consultants are wrapping up  
17 their study, now.

18           They reached out to the gentleman.

19           They have been onsite with him, at least,  
20 they have tried, um, and we should be getting  
21 answers pretty soon as to what the study will  
22 reveal and use that to make our decisions on which  
23 problems to tackle, first.

24           Um, hopefully, this would be one of them  
25 among others.

1 COUNCILMAN DUNNE: Commissioner Tuman, this  
2 gentleman took time today. He is dressed to the  
3 nines. You have been extremely polite with us on  
4 the phone. Page | 132

5 If we can expedite anything for him, keep  
6 me in the loop with it.

7 Let my office know what is going on, so, I  
8 can respond to him, also.

9 COMMISSIONER: One hundred percent. I am  
10 also hoping from the study there might be some  
11 kind of shortcut solution that will allow us  
12 potentially to alleviate things before  
13 implementing a larger situation.

14 SUPERVISOR GILLEN: Just to clarify - -

15 PETE GIORGOS: If you look at the plans,  
16 the sewer system - -

17 SUPERVISOR GILLEN: Just to clarify, we  
18 don't expedite things because people look dapper.  
19 We expedite things if there is a very pressing  
20 need.

21 Thank you.

22 PETE GIORGOS: Not only that, thirty-five  
23 years of inaction, that is the worse part about  
24 it.

25 SUPERVISOR GILLEN: I am sorry about that.

1 We are going to try to address it, now.

2 COUNCILMAN DUNNE: Help is on the way.

3 PETE GIORGOS: Well, I will hold you to it,  
4 sir.

5 I will be at the next meeting to inform you  
6 of the progress that we are making.

7 COUNCILMAN DUNNE: Thank you so much.

8 SUPERVISOR GILLEN: Thank you so much.

9 All right, I do not have any other slips on  
10 the Administrative Calendar, is there anybody else  
11 that would like to be heard?

12 AARON ROSS: Yes, thank you very much for  
13 giving me time.

14 SUPERVISOR GILLEN: You have to state your  
15 name and address for the record.

16 AARON ROSS: My name is Arron Ross and I  
17 live in Atlantic Beach.

18 My address is 54 Jefferson Boulevard.

19 SUPERVISOR GILLEN: Thank you.

20 AARON ROSS: And, the reason I am here is  
21 because I would like to kindly ask you to propose  
22 new legislation for tobacco 25.

23 SUPERVISOR GILLEN: Okay, sir,  
24 respectfully, right, now, we are trying to close  
25 out the Administrative Calendar since there is

1 not legislation pending on that issue in the  
2 Administrative Calendar, you can be heard at  
3 Public Comment because, then, you can talk about  
4 anything you like.

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5 So, we will close out the Administrative  
6 Calendar and, then, you can speak in Public  
7 Comment.

8 So, there are no more slips on the  
9 Administrative Calendar.

10 (Whereupon, calling out from the audience  
11 was heard. After, the following ensued.)

12 SUPERVISOR GILLEN: You already had an  
13 opportunity, Mr. Edmondson.

14 MR. EDMONDSON: I have another number on  
15 here. I put in another slip.

16 SUPERVISOR GILLEN: You already had your  
17 opportunity to be heard on the Administrative  
18 Calendar, um, we can't make exceptions for people.

19 It is not fair.

20 I do not have any other slips on the  
21 Administrative Calendar, Madam Clerk, can you,  
22 please, call the roll.

23 CLERK CABANA: Supervisor Gillen?

24 SUPERVISOR GILLEN: Okay, on the  
25 Administrative Calendar, I vote yes, with the

1 Exception of Item Number 23 because I understand  
2 there is still some issues, judicial issues with  
3 respect to the locations selected.

4 Um, also with respect to Item Number 75, <sup>Page | 135</sup>  
5 that is the resolution, I put up a resolution to  
6 appoint outside, independent Counsel, um, from the  
7 firm Coven & Levels.

8 The Town Counsel put up a competing  
9 resolution to appoint Counsel of their choosing.

10 The gentleman they have selected has an  
11 incredibly impressive resume, so, it is not with  
12 respect to anything about his qualifications,  
13 however, he, um, he is in an office that is  
14 located in Rochester and, um, we have litigation  
15 pending in Nassau County and I don't think it is  
16 ideal to have a lawyer located in Rochester.

17 I have been advised that he has an office  
18 in New York, um, or closer to Nassau County, I am  
19 not sure, but an office closer to Nassau County,  
20 the gentleman that they put forward is to my  
21 understanding in Rochester, so, we are really not  
22 getting him.

23 So, we will be getting somebody else, so,  
24 that is why I vote no.

25 On 75, I am sorry that is Number 74.

1 I also vote no on certain items within the  
2 personnel resolution, which is Item 62, I vote no  
3 on Mario Polio.

4 This personnel action was never discussed <sup>Page | 136</sup>  
5 with my office, um, and there is only 17 thousand  
6 five hundred dollars left available for salaries  
7 according to the Comptroller's Office within this  
8 Department.

9 Um, we still have three people on the  
10 Tozner List from this department who have to be  
11 made fulltime.

12 So, there is no money for random,  
13 unbudgeted step increase for this gentleman, so, I  
14 vote no.

15 Um, also, I vote no on Debra Winrid who is  
16 supposed to be a new hire, um, to be Counsel to  
17 DGS.

18 There is no position in DGS's budget for an  
19 Attorney and if we are hiring Attorneys, the Town  
20 Attorney's Office is in desperate need of help.

21 We should not be depleting funds from the  
22 Town Attorney's Office which is supplying and  
23 attorney to the department when no attorney to my  
24 knowledge has ever been assigned to that  
25 department before.



1 Um, there is no money in DGS's budget for  
2 it and, in addition to that, with respect to the  
3 hires from the Town Attorney's Office, we tried to  
4 conduct an open and transparent process to provide<sup>Page | 137</sup>  
5 an opportunity for anybody who is interested in  
6 being employed by the Town Attorney's Office to  
7 submit their resumes.

8 We posted the job, which is what we should  
9 do at a Town to create an environment where  
10 anybody can have the opportunity to do business or  
11 to work for the Town, that job was posted.

12 We have resumes on file.

13 We are willing to work with the Town  
14 Attorney's Office to interview the candidates that  
15 submitted their resumes within these resumes was  
16 not Ms. Winrid's, who did not submit a resume.

17 This is not an open and transparent  
18 process. I have never seen her resume. There is  
19 no money in the budget, I vote no on Ms. Winrid.

20 CLERK CABANA: Councilman Blakeman?

21 COUNCILMAN BLAKEMAN: I vote yes with  
22 respect to the Administrative Calendar with the  
23 exception of Item 23 which I vote no and I abstain  
24 on Item 52.

25 CLERK CABANA: Councilman D'Esposito?

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1 COUNCILMAN D'ESPOSITO: I vote aye on the  
2 Administrative Calendar with the exception of  
3 Number 23 which is a resolution establishing  
4 electric vehicle sharing pilot program, I think Page | 138  
5 there are some issues, some of the roads, actually  
6 have listed there are in the County's  
7 jurisdiction, so, I vote no to that and I am  
8 abstaining from Number 52.

9 CLERK CABANA: Councilman Dunne?

10 COUNCILMAN DUNNE: I am going to vote no on  
11 Item 23, abstaining from Item 52 and I vote aye on  
12 the rest of the calendar.

13 CLERK CABANA: Senior Councilwoman Goosby?

14 SENIOR COUNCILWOMAN GOOSBY: I vote no on  
15 23, abstain from 52 and abstain from 74, first of  
16 all they are under investigation.

17 These items are already being investigated.  
18 I don't see why we need to hire lawyers.

19 SUPERVISOR GILLEN: They filed a lawsuit  
20 against us.

21 SENIOR COUNCILWOMAN GOOSBY: I don't agree  
22 with this.

23 Wait until what the Federal Government has  
24 to do and FBI.

25 We have a Compliance Officer that we hired,

1 so, we have someone that can help.

2 SUPERVISOR GILLEN: Senior Councilwoman,  
3 there is a lawsuit that has been filed against us  
4 and we need to defend ourselves. Page | 139

5 SENIOR COUNCILWOMAN GOOSBY: Nope, not on  
6 this one, I am abstaining on 52 and abstaining on  
7 74, that is it.

8 CLERK CABANA: Councilwoman King-Sweeney?

9 COUNCILWOMAN KING-SWEENEY: Yes, with the  
10 exception of 23 for all the reasons everyone has  
11 explained and Number 52, I am abstaining on that  
12 and I do note that Polk & Wardwell is incredibly  
13 well respected.

14 The Attorney that the Supervisor selected,  
15 um, is a very impressive Attorney.

16 He would be fine to handle the case.

17 With that said, the reason why, um, I am  
18 voting in favor of the law firm in Rochester, the  
19 location of someone in Rochester was purposeful  
20 and was a Member of the Democratic Party, not the  
21 Republican Party.

22 We tried to have no political interference  
23 and influence because he has a New York City  
24 Office that will, um, be fine, um, and, then, I  
25 also want to mention just publicly, I did send

1 a letter yesterday to the Eastern District of New  
2 York providing them with copies of resolutions for  
3 both law firms in case either one was selected,  
4 um, advising them that no one intends to obstruct,  
5 um, their investigation or otherwise impede it and  
6 to have them, please, reach out to us should they  
7 have concerns about the hiring of either law firm.

8 Um, so, I am in favor of the Rochester Law  
9 firm.

10 And, then, finally, I am recusing myself on  
11 Item Number 58, um, the hiring of the security  
12 consultant simply because I recently accepted a  
13 campaign donation from one of the principals.

14 They are a well respected firm and I am  
15 sure they will serve the Town well.

16 COUNCILMAN BLAKEMAN: Supervisor, if I may  
17 be heard with that issue with regard Item 74, I  
18 just want to explain if you pay careful attention  
19 to that resolution, it has nothing to do with any  
20 investigation.

21 It was the feeling of most members of the  
22 Town Board that we should have independent Counsel  
23 considering that there are some people in the  
24 County that have been involved in the controversy.

25 We want to remove that issue and have

1 Someone independent who will deal with the  
2 contracts only to give advice to the Town Board or  
3 to represent the Town in independent litigation or  
4 any other litigation concerning those contracts Page | 141  
5 but it is not an investigation of any way, shape  
6 or form.

7 We will do nothing to step on the toes of  
8 any investigation that is pending by any  
9 governmental agency.

10 And, we will not take part in any parallel  
11 investigation, that is not our function right, now  
12 and that is the purpose of hiring outside Counsel,  
13 just to administer these contracts, render advice  
14 to the Town Board and if necessary, to represent  
15 the Town of Hempstead in the event there is any  
16 litigation.

17 I have been advised this morning that there  
18 is litigation.

19 SUPERVISOR GILLEN: Yes, I heard that it is  
20 up to the FBI to conduct a criminal investigation.

21 It is not up to our Attorney to conduct a  
22 criminal investigation.

23 It is up to our Attorney to participate in  
24 the civil remedies that are available to us as a  
25 Township with respect to these contracts, um

1 and advocate on behalf of the Town and the  
2 taxpayers of this Town.

3 CLERK CABANA: Councilman Muscarella?

4 COUNCILMAN MUSCARELLA: Aye, I like to vote <sup>Page | 142</sup>

5 yes on all, no on 23 and I will be abstaining on  
6 Number 52.

7 SUPERVISOR GILLEN: All right, that  
8 concluded the formal portion of this Board  
9 Meeting.

10 We will take a five-minute break and return  
11 for Public Comment.

12 I am sorry, a Motion to adjourn.

13 SENIOR COUNCILMAN GOOSBY: I move that we  
14 adjourn.

15 COUNCILMAN BLAKEMAN: Second.

16 SUPERVISOR GILLEN: Madam Clerk?

17 CLERK CABANA: Supervisor Gillen?

18 SUPERVISOR GILLEN: Aye.

19 CLERK CABANA: Councilman Blakeman?

20 COUNCILMAN BLAKEMAN: Aye.

21 CLERK CABANA: Councilman D'Esposito?

22 COUNCILMAN D'ESPOSITO: Aye.

23 CLERK CABANA: Councilman Dunne?

24 COUNCILMAN DUNNE: Aye.

25 CLERK CABANA: Senior Councilwoman Goosby?

**HEMPSTEAD TOWN BOARD 8/6/19**

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SENIOR COUNCILWOMAN GOOSBY: Aye.

CLERK CABANA: Councilwoman King-Sweeney?

COUNCILWOMAN KING-SWEENEY: Aye.

CLERK CABANA: Councilman Muscarella?

COUNCILMAN MUSCARELLA: Aye.

(Whereupon, the official meeting of the  
Hempstead Town Board held on August 6, 2019 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 August 8, 2019, consisting  
of pages 1 through 144 inclusive is an accurate  
transcription of my cryptic notes.

IN WITNESS WHEREOF, I SET MY HAND THIS DAY.



*MDW*

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CERTIFIED COURT REPORTER  
NORTH SHORE COURT REPORTERS  
NOTARY PUBLIC - STATE OF NEW YORK