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TOWN OF HEMPSTEAD

ONE WASHINGTON STREET

TOWN HALL PAVILION

HEMPSTEAD, NEW YORK 11550

DECEMBER 10, 2019

10:30 A.M.

BEFORE: LAURA GILLEN,

SUPERVISOR

APPEARANCES :

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DEPUTY SUPERVISOR/COUNCILMAN BLAKEMAN

SENIOR COUNCILWOMAN GOOSBY

Page | 2

COUNCILMAN D'ESPOSITO

COUNCILMAN DUNNE, SR.

COUNCILMAN MUSCARELLA

TOWN CLERK CABANA

DEPUTY TOWN CLERK TUMMINELLO

TOWN ATTORNY RA

HEMPSTEAD TOWN BOARD 12/10/19

1 SUPERVISOR GILLEN: All right, Good
2 Morning, I like to welcome everyone to this
3 regularly scheduled Town Board Meeting.

4 For those of you who never attended a Town ^{Page | 3}
5 Board Meeting before, we will have Public Hearings
6 followed by an Administrative Calendar.

7 There are meeting agendas available in the
8 rear of the Pavilion.

9 If you like to be heard on any matter,
10 please, fill out a form and hand it to our Public
11 Safety Officer.

12 After the meeting is adjourned, the Town
13 Board will follow our custom to remain in session
14 and hear any residents who would like to address
15 the Board on nay matters.

16 Madam Clerk, will you, please, call the
17 roll.

18 CLERK CABANA: Supervisor Gillen?

19 SUPERVISOR GILLEN: Here.

20 CLERK CABANA: Councilman Blakeman?

21 COUNCILMAN BLAKEMAN: Here.

22 CLERK CABANA: Councilman D'Esposito?

23 COUNCILMAN D'Esposito: I am here.

24 CLERK CABANA: Councilman Dunne?

25 COUNCILMAN DUNNE: Here.

1 CLERK CABANA: Senior Councilwoman Goosby?

2 SENIOR COUNCILWOMAN GOOSBY: Here.

3 CLERK CABANA: Councilman Muscarella?

4 COUNCILMAN MUSCARELLA: Here.

5 SUPERVISOR GILLEN: I, now, ask our Town
6 Clerk Sylvia Cabana to lead us in the Pledge of
7 Allegiance.

8 (Whereupon, Town Clerk Cabana led the
9 Assembly in the Pledge of Allegiance. After, the
10 following ensued.)

11 SUPERVISOR GILLEN: Okay, Madam Clerk, will
12 you, please, call our first Public Hearing.

13 Before you call the Public Hearing, the
14 Senior Councilwoman would like to say a few words.

15 SENIOR COUNCILWOMAN GOOSBY: Last week we
16 lost one of our residents from the community of
17 Uniondale.

18 I am sure that many of you will remember
19 Mrs. Marie Katonese, along with her husband, they
20 attended many Town Board Meetings and very active
21 in the community of Uniondale.

22 I could always count on the Katonese couple
23 to appraise us, of me, of anybody that was needed
24 for the community of Uniondale.

25 As a matter of fact, they were the first

1 ones to walk me through the community and also to
2 make sure that I knew where they wanted to have
3 the Uniondale street scape.

4 They were very much involved with that. Page | 5

5 We had the Katoneses to thank for the
6 farmhouse in Uniondale.

7 I thank the Katoneses for their service and
8 sacrifice of time and energy.

9 This husband and wife duo are among the
10 movers and shakers of Uniondale, united neighbors
11 in total effort.

12 We will miss her and we really ought to
13 make sure that we never forget her and her
14 husband.

15 She was 92 years old when she passed but
16 they always went into the newspapers and they
17 would make sure, even though they could not see
18 that well, they magnified and sent me anything
19 that affected this Town.

20 I did attend her Mass and we are going to
21 miss them. We should really remember people who
22 have given so much of themselves as they did.

23 SUPERVISOR GILLEN: Thank you, Senior
24 Councilwoman for those words of remembrance.

25 Madam Clerk, will you, please, call our

1 first Public Hearing.

2 CLERK CABANA: Proposed Local Law Re:
3 "Regulations and Restrictions" to limit parking in
4 North Bellmore, Oceanside, near Rockville Centre, ^{Page | 6}
5 Seaford, Uniondale, Wantagh, Woodmere, (To amend
6 Chapter 202 of the Code of the Town of Hempstead)

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 we close
15 the Hearing and adopt the item.

16 COUNCILMAN D'ESPOSITO: Second.

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 12/10/19

1 SENIOR COUNCILWOMAN GOOSBY: Aye.

2 CLERK CABANA: Councilman Muscarella?

3 COUNCILMAN MUSCARELLA: Aye.

4 SUPERVISOR GILLEN: Madam Clerk, please, ^{Page | 7}
5 call our next Public Hearing.

6 CLERK CABANA: Proposed Local Law Re:
7 "Parking or Standing Prohibitions" in East Meadow,
8 Elmont, Franklin Square, Hewlett, Lakeview, North
9 Bellmore, North Valley Stream, Oceanside,
10 Uniondale, near Westbury (To amend Section 202-1
11 of the Code of the Town of Hempstead)

12 SUPERVISOR GILLEN: I have a slip from
13 Susan Ryan.

14 SUSAN RYAN: Good morning, everybody.

15 SUPERVISOR GILLEN: Good Morning.

16 SUSAN RYAN: I really had, um, I wanted to
17 just come up - -

18 SUPERVISOR GILLEN: State your name and
19 address for the record.

20 SUSAN RYAN: Susan Gordon Ryan. I am at
21 100 Inwood Avenue, Point Lookout, New York.

22 And, um, I really just want to quickly - -
23 I have to leave, but I wanted to thank Supervisor
24 Laura Gillen for her leadership over the last two
25 years and Sylvia Cabana for your service.

1 Um, there just has been so many times over
2 the last two years that, um , I have gotten
3 involved and come down, here and learned about
4 local government and I really want to thank you, ^{Page | 8}
5 Laura for shining a spotlight on a lot of
6 different areas, you know, the Town of Hempstead
7 is a great place to live, but, we can always be
8 much better, you know, there has been hundred
9 years of one-party system and there is always a
10 way - -

11 SUPERVISOR GILLEN: Ms. Ryan, I thank you
12 so much for your remarks.

13 I have been pretty uniformed in telling
14 people to speak on items on the calendar.

15 I am so appreciative of your remarks. I do
16 have to keep you to the Public Hearing.

17 SUSAN RYAN: That would be great, I want to
18 thank and everybody up there just remember there
19 are many different changes.

20 We can always be better and we are going to
21 be staying involved and being part of it.

22 I thank all of you, Thank you, Laura and
23 thank you, Sylvia.

24 SUPERVISOR GILLEN: Thank you. I do not
25 have any other slips on this Public Hearing, is

1 there anyone else that 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 BLAKEMAN: I move the Public
7 Hearing be closed and the item be adopted.

8 COUNCILMAN D'ESPOSITO: 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: Councilman Muscarella?

21 COUNCILMAN MUSCARELLA: Aye.

22 SUPERVISOR GILLEN: Madam Clerk, please,
23 call the next Public Hearing.

24 CLERK CABANA: Proposed Local Law Re:
25 "Arterial Stops" in Franklin Square, Garden City

HEMPSTEAD TOWN BOARD 12/10/19

1 South, Inwood, Levittown, near Westbury - (To
2 amend Section 197-5 of the Code of the Town of
3 Hempstead)

4 SUPERVISOR GILLEN: I do not have any slips ^{Page | 10}
5 on this Public Hearing, is there anyone that would
6 like to be heard?

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

9 SUPERVISOR GILLEN: Hearing none, may I
10 have a Motion.

11 COUNCILMAN BLAKEMAN: Supervisor, I move
12 that the Public Hearing be closed and the Item be
13 adopted.

14 COUNCILMAN MUSCARELLA: Second.

15 SUPERVISOR GILLEN: Madam Clerk.

16 CLERK CABANA: Supervisor Gillen?

17 SUPERVISOR GILLEN: Aye.

18 CLERK CABANA: Councilman Blakeman?

19 COUNCILMAN BLAKEMAN: Aye.

20 CLERK CABANA: Councilman D'Esposito?

21 COUNCILMAN D'Esposito: Aye.

22 CLERK CABANA: Councilman Dunne?

23 COUNCILMAN DUNNE: Aye.

24 CLERK CABANA: Senior Councilwoman Goosby?

25 SENIOR COUNCILWOMAN GOOSBY: Aye.

HEMPSTEAD TOWN BOARD 12/10/19

1 CLERK CABANA: Councilman Muscarella?

2 COUNCILMAN MUSCARELLA: Aye.

3 CLERK CABANA: Proposed Local Law Re:

4 "Traffic Regulations in the Vicinity of Schools," ^{Page | 11}
5 in Oceanside, Uniondale (To amend Section 197-13
6 of the Code of the Town of Hempstead)

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 D'ESPOSITO: I move that the
15 Public Hearing be closed and the Local Law be
16 adopted.

17 SENIOR COUNCILWOMAN GOOSBY: Second the
18 Motion.

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 12/10/19

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: Councilman Muscarella?

6 COUNCILMAN MUSCARELLA: Aye.

7 SUPERIVSOR GILLEN: Madam Clerk, please,
8 call our next Public Hearing.

9 CLERK CABANA: Proposed Local Law Re: "Bus
10 Stops" in East Meadow (To amend Section 202-52 of
11 the Code of the Town of Hempstead)

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

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

17 SUPERVISOR GILLEN: May I have a Motion.

18 COUNCILMAN MUSCARELLA: I make a Motion to
19 close the Hearing and move the item.

20 COUNCILMAN BLAKEMAN: Second.

21 SUPERVISOR GILLEN: Madam Clerk.

22 CLERK CABANA: Supervisor Gillen?

23 SUPERVISOR GILLEN: Aye.

24 CLERK CABANA: Councilman Blakeman?

25 COUNCILMAN BLAKEMAN: Aye.

HEMPSTEAD TOWN BOARD 12/10/19

1 CLERK CABANA: Councilman D'Esposito?

2 COUNCILMAN D'Esposito: Aye.

3 CLERK CABANA: Councilman Dunne?

4 COUNCILMAN DUNNE: Aye.

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5 CLERK CABANA: Senior Councilwoman Goosby?

6 SENIOR COUNCILWOMAN GOOSBY: 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 Re: "U-
12 Turns Prohibited" in Baldwin (To amend Section
13 197-2 of the Code of the Town of 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 META MEREDAY: Meta J. Mereday, Baldwin
18 resident.

19 It is still morning. I definitely will be
20 on topic. I am in support of this particular item
21 because it will definitely provide, um, safety for
22 drivers who go down that particular route.

23 It is a tricky configuration and,
24 unfortunately, people do try to take advantage,
25 um, and we really need to make sure that we have

1 this in place.

2 So, I am in support of this.

3 And, I just hope that we can focus on
4 additional safety measures as far as the roadways, ^{Page | 14}
5 but, more importantly, if we could also make sure
6 that the Town does a better job fixing the roads
7 themselves because those potholes, as we are
8 getting into the Winter season are only going to
9 get worse, um, and that is all I have to say.

10 Thank you.

11 SUPERVISOR GILLEN: Thank you.

12 META MEREDAY: I would note that we are
13 hopeful that moving forward, the meetings, as far
14 as time consideration for residents coming here,
15 if the meeting is stated to start at 10:30, it
16 should start at 10:30.

17 Thank you.

18 SUPERVISOR GILLEN: I agree. Thank you,
19 Ms. Mereday.

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

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

25 SUPERVISOR GILLEN: Hearing none, may

1 I have a Motion.

2 SENIOR COUNCILWOMAN GOOSBY; I move that
3 the Public Hearing be closed and the item adopted.

4 COUNCILMAN D'ESPOSITO: Second.

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5 SUPERVISOR GILLEN: Madam Clerk.

6 CLERK CABANA: Supervisor Gillen?

7 SUPERVISOR GILLEN: Aye.

8 CLERK CABANA: Councilman Blakeman?

9 COUNCILMAN BLAKEMAN: Aye.

10 CLERK CABANA: Councilman D'Esposito?

11 COUNCILMAN D'Esposito: Aye.

12 CLERK CABANA: Councilman Dunne?

13 COUNCILMAN DUNNE: Aye.

14 CLERK CABANA: Senior Councilwoman Goosby?

15 SENIOR COUNCILWOMAN GOOSBY: Aye.

16 CLERK CABANA: Councilman Muscarella?

17 COUNCILMAN MUSCARELLA: Aye.

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

20 CLERK CABANA: Proposed Local Law Re:
21 "Gross Weight Restrictions" in Baldwin - Demott
22 Avenue (To amend Section 192-1 of the Code of the
23 Town of Hempstead)

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

1 like to be heard?

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

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

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

9 SENIOR COUNCILWOMAN GOOSBY: Second.

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: Councilman Muscarella?

21 COUNCILMAN MUSCARELLA: Aye.

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

24 CLERK CABANA: Proposed "Handicapped
25 Parking on Public Streets" in Bellerose Terrace,

HEMPSTEAD TOWN BOARD 12/10/19

1 East Meadow, Elmont, Roosevelt, West Hempstead
2 (239th Street, Sherman Avenue, Post Avenue, 237th
3 Street, Roquette Avenue, East Raymond Avenue,
4 Langley Avenue)

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

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

10 SUPERVISOR GILLEN: Hearing none, may I
11 have a Motion.

12 COUNCILMAN MUSCARELLA: I move that it be
13 closed and adopted.

14 SENIOR COUNCILWOMAN GOOSBY: Second.

15 SUPERVISOR GILLEN: Madam Clerk.

16 CLERK CABANA: Supervisor Gillen?

17 SUPERVISOR GILLEN: Aye.

18 CLERK CABANA: Councilman Blakeman?

19 COUNCILMAN BLAKEMAN: Aye.

20 CLERK CABANA: Councilman D'Esposito?

21 COUNCILMAN D'Esposito: Aye.

22 CLERK CABANA: Councilman Dunne?

23 COUNCILMAN DUNNE: Aye.

24 CLERK CABANA: Senior Councilwoman Goosby?

25 SENIOR COUNCILWOMAN GOOSBY: Aye.

HEMPSTEAD TOWN BOARD 12/10/19

1 CLERK CABANA: Councilman Muscarella?

2 COUNCILMAN MUSCARELLA: Aye.

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

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5 CLERK CABANA: Proposed "Handicapped
6 Parking on Public Streets" in Elmont, Franklin
7 Square, near Lynbrook, Roosevelt, Seaford,
8 Woodmere, (Ludlam Place, Hill Avenue, Doris
9 Avenue, Kensington Road, Neptune Avenue, West
10 Raymond Avenue, Howard Avenue, Woodmere Boulevard)

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

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

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

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

20 SENIOR COUNCILWOMAN GOOSBY: Second the
21 Motion.

22 SUPERVISOR GILLEN: Madam Clerk.

23 CLERK CABANA: Supervisor Gillen?

24 SUPERVISOR GILLEN: Aye.

25 CLERK CABANA: Councilman Blakeman?

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COUNCILMAN BLAKEMAN: Aye.

CLERK CABANA: Councilman D'Esposito?

COUNCILMAN D'Esposito: Aye.

CLERK CABANA: Councilman Dunne?

COUNCILMAN DUNNE: Aye.

CLERK CABANA: Senior Councilwoman Goosby?

SENIOR COUNCILWOMAN GOOSBY: Aye.

CLERK CABANA: Councilman Muscarella?

COUNCILMAN MUSCARELLA: Aye.

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

CLERK CABANA: Proposed Revised Public
Parking Field Maps in Wantagh (Field W A-7)

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

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

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

COUNCILMAN DUNNE: I make a Motion we close
the Hearing and adopt the law.

COUNCILMAN D'ESPOSITO: Second.

SUPERVISOR GILLEN: Madam Clerk.

CLERK CABANA: Supervisor Gillen?

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SUPERVISOR GILLEN: Aye.

CLERK CABANA: Councilman Blakeman?

COUNCILMAN BLAKEMAN: Aye.

CLERK CABANA: Councilman D'Esposito?

COUNCILMAN D'Esposito: Aye.

CLERK CABANA: Councilman Dunne?

COUNCILMAN DUNNE: Aye.

CLERK CABANA: Senior Councilwoman Goosby?

SENIOR COUNCILWOMAN GOOSBY: Aye.

CLERK CABANA: Councilman Muscarella?

COUNCILMAN MUSCARELLA: Aye.

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

CLERK CABANA: Application of Ramautor
Manoj, for a special exception (Public Garage) for
use of an auto body repair shop business with
outdoor storage for vehicles under repair -
northeast corner of Babylon Turnpike & Jackson
Avenue - Roosevelt.

ATTORNEY BROWNE: Good Morning, Supervisors
and Town Board Members:

Christian Browne from Sahn, Ward,
Coschignano, PLLC. 333 Earl Ovington Boulevard,
Suite 601, Uniondale.

I am appearing for the applicant, the

1 Proprietor of the application is seated to my
2 right.

3 Can you put your name on the record,
4 please.

5 APPLICANT: Manoj Ramautor.

6 ATTORNEY BROWNE: Address, please.

7 APPLICANT: 2882 Brower Avenue, Oceanside,
8 New York 11572.

9 ATTORNEY BROWNE: This is an application
10 for a public garage use at 105 Babylon Turnpike in
11 Roosevelt, um, the building, um, in which the use
12 is proposed is in the Industrial Zone, um, located
13 on the East side of Babylon Turnpike.

14 It is along a corridor that runs from South
15 to North on the East side of Babylon Turnpike,
16 that is improved with various commercial and
17 industrial uses.

18 In fact, the property directly to the North
19 of this is an, um, auto repair shop.

20 Behind it is an ice company, um, and this
21 part of the building that is before you, as you
22 can see, if you look at the site plan, there are
23 two tenant spaces in this building.

24 My client would be the proposed tenant in
25 the larger part of the building, larger part,

1 which is three thousand seven hundred one square
2 feet and there is an existing, um, flooring
3 company in the other part of the building, that is
4 about one thousand one hundred and fifty square feet. Page | 22
5

6 Prior to this, um, the vacant area in which
7 my client is proposing to put his auto repair
8 business was a shipping type of operation, so,
9 there were trucks coming in and out of there.

10 Um, the property has, as I said, it is
11 industrial property.

12 It has long been used for these types of
13 industrial or commercial uses.

14 There are CO's on the property that go back
15 to the 1960's, 1964.

16 The property was given a CO for Light
17 Manufacturing uses, so, it is consistent with the
18 history of the property.

19 Um, slight correction to the application,
20 this is not an auto body shop, it is an auto
21 repair only.

22 There will be no spray booth or other heavy
23 type of work done, here.

24 It is simply car repairs.

25 It is a small business.

1 Mr. Ramautor is a Town resident. He
2 currently has his employment in Farmingdale.

3 He is looking to move his business, here,
4 to the Town of Hempstead to be closer to home and ^{Page | 23}
5 have his own shop.

6 He has been, um, a mechanic for about
7 twenty years; in the business since he was a young
8 person for almost thirty years, so, this would
9 give him an opportunity to run his own small
10 business in Roosevelt in this Industrial area.

11 And, again, there is no spray booth or
12 anything of that nature.

13 It would be repairs only. All the work
14 would be done inside the premises.

15 Any cars that need to be stored, briefly
16 overnight will be stored in the parking area.

17 As you can see, there is ample parking
18 area, um, that is strictly adjacent to the
19 building that will be enclosed.

20 So, there won't be any unsightly storage of
21 cars overnight.

22 It is a small operation that will operate
23 Monday through Friday, 9:00 to 5:00.

24 He will be closed on weekends.

25 There are two mechanics, himself and one

1 other person and one office staff.

2 So, only a total of three people will be on
3 the premises.

4 Um, so, that is really our application. Page | 24
5 think it fits within the existing character of the
6 area.

7 Again, if you look up and down Babylon
8 Turnpike, you will see just to the South, there
9 are commercial stores and further South of that,
10 there are other auto repair shops and industrial
11 warehouse-type uses.

12 Immediately to the North is an existing
13 autobody repair shop.

14 So, this will fit in, won't change the
15 fundamentals nature and character of the area.

16 It is a good use for the Industrial Zone.

17 It will put a business into a large, vacant
18 space in Roosevelt and it won't have any
19 deleterious impact on the surrounding
20 neighborhood.

21 Again, this is an Industrial area abutted
22 by Industrial property and all work will be done
23 inside with minimal storage of cars in the
24 enclosed parking area.

25 Unless you have any questions, that is

1 really our application.

2 SENIOR COUNCILWOMAN GOOSBY: I have a
3 question.

4 ATTORNEY BROWNE: Yes, ma'am.

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5 SENIOR COUNCILWOMAN GOOSBY: Next to that
6 building that you are talking about, I know the
7 ice company is there - -

8 ATTORNEY BROWNE: Yes.

9 SENIOR COUNCILWOMAN GOOSBY: The other side
10 is that a building where they have all those tires
11 and so forth, are you next to that building?

12 ATTORNEY BROWNE: Yes, ma'am, but that is
13 not his site.

14 SENIOR COUNCILWOMAN GOOSBY: I know it is
15 not his, it is such a small space and I am looking
16 at photos.

17 I don't know if you have seen these or not.

18 Are you presently in that building?

19 ATTORNEY BROWNE: No, he is a tenant.

20 He will be a tenant in the building if this
21 is approved with an option to purchase.

22 Again, my client has followed all the
23 rules, so, he is not in there, he is not presently
24 operating, um, it has taken us about two years to
25 get to this point and he still has a ways to go

1 to get the permits and so forth.

2 He is very, very anxious to get onto the
3 site, clean it up and rehabilitate it, at least,
4 to start the interior alterations which we are Page | 26
5 hoping we will be able to do after today and work
6 with the Building Department to deal with any
7 issues related to parking.

8 And, I know that the Building Department
9 has raised some concerns about whether this
10 property, itself, was improperly subdivided off of
11 the ice company property many, many years ago.

12 So, I will work those issues through with
13 the Building Department if this Board sees fit to,
14 at least, grant the use and that will enable them
15 to get into the site and clean it up and prepare
16 to open.

17 SENIOR COUNCILWOMAN GOOSBY: There are
18 neighbors around that area, did you send out any
19 letters to them to let them know what the proposal
20 was?

21 ATTORNEY BROWNE: Yes, they were notified
22 pursuant to the Code.

23 SENIOR COUNCILWOMAN GOOSBY: Are there any
24 neighbors, here?

25 (Whereupon, members of the public raised

1 their hands. After, the following ensued.)

2 SENIOR COUNCILWOMAN GOOSBY: I would like
3 to listen to them.

4 ATTORNEY BROWNE: Sure, thank you.

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5 SUPERVISOR GILLEN: Thank you.

6 SENIOR COUNCILWOMAN GOOSBY: Joseph Thomas.

7 SUPERVISOR GILLEN: Joseph Thomas?

8 SENIOR COUNCILWOMAN GOOSBY: Mr. Thomas?

9 We have your name. We call you by your name.

10 Sir, would you like to speak, first?

11 SUPERVISOR GILLEN: Thank you, Mr. Thomas.

12 State your name and address for the record.

13 JOSEPH THOMAS: Um, I am Joseph Thomas. I
14 have a property in the area 4880 Nassau Road.

15 As far as I am concerned, my main concern
16 is it is a very congested area, also very
17 congested.

18 SENIOR COUNCILWOMAN GOOSBY: Excuse me, I
19 can't understand you. Speak a little slower.

20 SUPERVISOR GILLEN: What is your question?

21 JOSEPH THOMAS: It is already a congested
22 area.

23 SUPERVISOR GILLEN: Congested with traffic,
24 my mean?

25 JOSEPH THOMAS: Congested area, also, there

1 is a Park across from the property which will, you
2 know, if you add one more store or property to
3 congest very badly, that is the reason I am here,
4 presently.

5 SENIOR COUNCILWOMAN GOOSBY: Okay, thank
6 you, sir.

7 SUPERVISOR GILLEN: Thank you.

8 Next we have Calvert Jones.

9 SENIOR COUNCILWOMAN GOOSBY: Good Morning,
10 sir.

11 SUPERVISOR GILLEN: Start by stating your
12 name and address for the record, sir.

13 CALVERT JONES: Yes, can you hear me?

14 SUPERVISOR GILLEN: Yes.

15 CALVERT JONES: My name is Calvert Jones.

16 Residence 35 Lee Street in Roosevelt,
17 located there for fifty years in that one
18 location.

19 Um, the reason I am speak of, um, um,
20 Babylon Turnpike, I remember going back, there was
21 a body shop there and, um, he didn't do too good.

22 He didn't maintain the place.

23 The business there, now, keeps the place
24 very nice.

25 If you check with the Police, Nassau County

1 Police Department, there are a lot of accident
2 right there on that corner and there is a Park
3 right across the street.

4 My son use to play there in that Park.

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5 So, I am concerned with traffic there.

6 It would add a lot of traffic. It goes up
7 and sown, Babylon Turnpike for many years and also
8 I have seen accidents there on that corner because
9 of the traffic there.

10 So, sometimes they run up in the parking
11 lot of the Chinese place, there, the Chinese
12 restaurant there and, um, there were a lot of
13 accidents there.

14 And, um, that is my decision.

15 SUPERVISOR GILLEN: Thank you.

16 Mr. Browne, do you have anything to add
17 about the concerns about traffic?

18 ATTORNEY BROWNE: Just that compared to
19 what has been there in the past, this is a low-
20 intensity use unlike the ice company or the
21 previous delivery type of use.

22 There wont be any trucks coming in and out
23 of there.

24 It is a low intensity. It only does car
25 repairs.

1 So, it is not a retail use where there is
2 constant customer traffic coming in.

3 It is drop-off. Repairs are done and
4 picked up.

5 It is not the type of use that will
6 generate a lot of traffic and everything will be
7 done on the premises and inside.

8 So, it is not compared to what other uses
9 could go in there.

10 It is an industrial building in an
11 Industrial area, that is over three thousand
12 square feet.

13 You could put almost any kind of use in
14 there without having to come to the Board because
15 the Industrial Zone is so liberal.

16 It is only the way the Town of Hempstead
17 Code is written that auto uses have to come to
18 this Board.

19 But compared to say a trucking or a
20 manufacturing operation, this is very low
21 intensity use and those type of operations could
22 go in there without no special permission.

23 SUPERVISOR GILLEN: Thank you. Thank you,
24 sir.

25 I have a slip from John F. Boyd, Sr.

HEMPSTEAD TOWN BOARD 12/10/19

1 JOHN BOYD: Good Morning, Town Board.

2 SENIOR COUNCILWOMAN GOOSBY: Good Morning.

3 SUPERVISOR GILLEN: Good Morning.

4 JOHN BOYD: As you said, my name is John F. ^{Page | 31}

5 Boyd, Sr.

6 I am located at 34 Lee Street, Roosevelt,
7 New York for thirty-five years.

8 I am the current President for the
9 Roosevelt Chamber of Commerce.

10 And, um, we submitted a letter to the Board
11 stating our opposition for the Board to approve
12 this application for Mr. Ramautor.

13 We are concerned about what Mr. Thomas
14 said, the congested area.

15 Roosevelt is really only one square mile
16 and we don't have a lot of space for, um, all this
17 type of different businesses that want to come
18 into the community.

19 We already have an auto repair shop not
20 less than one hundred feet from where this
21 gentleman wants to propose his auto repair shop.

22 Um, I am pro-business and the people in the
23 community are pro-business.

24 However, if he were to be further down the
25 block somewhere it probably wouldn't be any

1 problem but right across the street from
2 Centennial Park where we see kids play basketball,
3 and sports all day, even through the Wintertime,
4 Summertime and all of a mile from Ulysses Byas Page | 32
5 School, we are concerned that it could create a
6 traffic problem that might make it difficult for
7 our young people and elderly people to get across
8 the street, you know, to be able to fellowship
9 with their friends and family and so forth.

10 So, for the record, we want to let you know
11 the Roosevelt Chamber of Commerce, um, objects in
12 the community of Roosevelt, does not support this
13 application.

14 And, we strongly suggest that the Town
15 don't approve it.

16 Thank you.

17 SUPERVISOR GILLEN: Thank you, sir.

18 Glenda Horraro?

19 GLENDA HARRARO: Good Morning.

20 SUPERVISOR GILLEN: Good Morning.

21 GLENDA HARRARO: Glenda Horraro.

22 SUPERVISOR GILLEN: Bring the microphone a
23 little closer to you.

24 GLENDA HARRARO: My address is 95 Babylon
25 Turnpike in Roosevelt.

1 It is a business.

2 I own the auto repair that is on Babylon
3 Turnpike in the corner.

4 It is auto repair, the same as him and
5 actually, there is a little bit of traffic because
6 of me and there is a Park and I am auto repair,
7 too.

8 And, we are just a wall distance.

9 It is not like there is a lot in between.

10 It is a wall distance.

11 I am here because I don't, I disagree with
12 him being an auto repair as me.

13 It is really hard to make it, so, I am here
14 - -

15 COUNCILMAN BLAKEMAN: Basically, are you
16 objecting because it is competition?

17 GLENDA HERRARO: Well, yes, it is
18 competition.

19 COUNCILMAN BLAKEMAN: Well - -

20 GLENDA HERRARO: There are a lot of cars
21 there.

22 COUNCILMAN BLAKEMAN: I don't find
23 competition a very good argument.

24 SENIOR COUNCILWOMAN GOOSBY: I will take
25 care of this Councilman.

1 I am just waiting for them.

2 COUNCILMAN BLAKEMAN: I am commenting, in
3 general, on any application that comes before us
4 when you come before this Board and you have Page | 34
5 legitimate concerns that is fine, but I do not
6 consider competition to be a legitimate concern
7 wherever the application maybe.

8 GLENDA HERRARO: I understand.

9 SENIOR COUNCILWOMAN GOOSBY: I understand
10 what she is saying, she is not saying it the right
11 way.

12 GLENDA HERRARO: It is not like it will be
13 in front of me, he is just behind me.

14 My clients can think his auto repair is
15 going to be mine.

16 My neighbors thought that I was going to
17 expand.

18 They came inside and said, "Hey, Glenda,
19 are you going to expand?"

20 And, I was like, no, it is just, I don't
21 know what is going on and I find out there is auto
22 repair that is going to be in my backyard.

23 It is not like it is a lot between him and
24 me.

25 It is behind me.

1 I am okay if it is in front of me, if there
2 is a lot, an amount of feet in between us, but, it
3 is a wall.

4 SENIOR COUNCILWOMAN GOOSBY: It is very Page | 35
5 congested there.

6 GLENDA HERRARO: It is not just me, there
7 is Leroy. There is a lot - -

8 SENIOR COUNCILWOMAN GOOSBY: I have visited
9 it, so, I know what it is like.

10 GLENDA HERRARO: I am done. Thank you.

11 SUPERVISOR GILLEN: Thank you.

12 Alan Farina?

13 ALAN FARINA: Good Morning, Alan Farina,
14 owner of South Shore Ice for over thirty-five
15 years.

16 Um, the building is part of my property,
17 105 and there is a driveway easement which leaves
18 me access to my building and to his building.

19 As you can see on the site plan, the
20 pictures that you have, I am watching you scroll
21 through them.

22 There is a security gate with a slider.

23 The last one who leaves the building at
24 night, we have a mutual understanding over the
25 last thirty years, they must close it.

1 We both have to access to our buildings.
2 The property in question, he has to cross my
3 property which is a driveway easement and for the
4 last thirty years, there has been three tenants Page | 36
5 and two owners.

6 And, I haven't had any issues and going
7 forward, I don't see any resolutions to parking.

8 It is just not going to happen.

9 As you can see, you can only back one or
10 two vehicles in.

11 You can't pull in, the pie is so small.

12 You can't even make a U-turn.

13 One car is acceptable, two cars is a
14 nightmare.

15 I have to back in off of the Turnpike.

16 You can't pull in. You can't make the turn
17 on the pie.

18 There is not just enough room.

19 And, I am there thirty-five years with
20 cameras on the parking lot and I laugh every time
21 two vehicles pull into the parking lot, that is
22 Number 1.

23 Number 2, it is zoned Light Commercial. I
24 have a food manufacturing plant. I built it
25 thirty-five years ago.

1 All my exhaust and intake vents for
2 manufacturing equipment and air conditioning and
3 refrigeration are on that side.

4 I have a drawing, here, that shows all the ^{Page | 37}
5 intake vents.

6 If you have multiple cars in and out, truck
7 deliveries, you will pick up dirt, dust, odors,
8 exhaust.

9 I cannot have that entering my building.

10 I have a food product.

11 I have strict FDA guidelines. I must follow
12 them.

13 I cannot have this converted for a special
14 permit.

15 It is light industrial but it doesn't
16 include what he wants to do.

17 And, that is it.

18 SUPERVISOR GILLEN: Thank you, Mr. Farina.

19 COUNCILMAN DUNNE: Did you speak with them?

20 Did you have a conversation with them and
21 voice your concerns?

22 ALAN FARINA: I spoke to a gentleman that
23 was doing some service clean up two weeks ago and
24 he said he was going to put in five-car lifts,
25 truck service and what not and I really didn't

1 get into a major conversation.

2 He said he was going to buy the building or
3 he did buy the building.

4 I really didn't get into that portion of Page | 38
5 it.

6 But, he driveway is an easement and you
7 can't block it.

8 I need access to my building and his
9 building.

10 COUNCILMAN DUNNE: I suggest that you speak
11 with the attorney while they are here and try to
12 work something out.

13 They are trying to move into this
14 neighborhood and you want them to be good
15 neighbors.

16 SENIOR COUNCILWOMAN GOOSBY: Councilman
17 Dunne, there is no space.

18 ALAN FARINA: There is zero space.

19 SENIOR COUNCILWOMAN GOOSBY: Zero space,
20 there is nothing.

21 ALAN FARINA: Did you see my trucks that
22 are backed in, you can't pull those trucks in.

23 SENIOR COUNCILWOMAN GOOSBY: Sir, I came
24 over and I went through the whole place.

25 ALAN FARINA: Thank you.

1 SENIOR COUNCILWOMAN GOOSBY: Yes, I have.
2 I don't do anything until I come and look at it
3 myself.

4 ALAN FARINA: Thank you.

5 SENIOR COUNCILWOMAN GOOSBY: So, I know
6 what you are talking about.

7 COUNCILMAN DUNNE: And, we do trust Senior
8 Councilwoman Goosby's judgement and it is her
9 District and she does a great job.

10 We back her one hundred percent, so - -

11 ALAN FARINA: Thank you.

12 SUPERVISOR GILLEN: Thank you, sir.

13 Audrey Little?

14 AUDREY LITTLE: Thank you, good morning. I
15 am Audrey Little. 15 East Centennial Avenue, side
16 street, Babylon Turnpike.

17 I am just going to piggyback; my concerns
18 are the traffic congestion.

19 As you know, it is very tight over there.

20 Um, my family has been in that neighborhood
21 67, 68 years, okay.

22 I have seen companies come and go.

23 We have an auto body shop right next door.

24 And, it is very tight. Sometimes we can't
25 even park in front of our house.

1 Um, noise impact, I am concerned about
2 that, um, waking up, hearing, you know, it is
3 right in back of my house, so, it is just like I
4 said, I am just piggybacking the traffic
5 congestion.

6 Babylon Turnpike, you have the buses. You
7 have the school buses. You have the Park.

8 Um, and, like the gentleman was saying that
9 owns the company, it is very tight. You can't
10 even pull into - - I just can't see you servicing
11 one or two cars at one time.

12 It just can't happen, if you are going to
13 have a business.

14 I just see it being very congested and very
15 tight.

16 It is not going to work.

17 Thank you. Have a good day.

18 SUPERVISOR GILLEN: Thank you, ma'am.

19 I do not have any other slips on this
20 Public Hearing. Yes, ma'am?

21 WILHELMINA FUNDERBURKE: Good Morning,
22 Wilhelmina Funderburke. 156 East Clinton Avenue,
23 Roosevelt, New York.

24 You should have a slip there because I did
25 fill one out when I came in.

1 Maybe I put the wrong title on it.

2 But, anyway, um, Roosevelt is a very small
3 community, one mile.

4 And, it seems to me as I sit back there ^{Page | 41} and
5 listen, everybody can see what should be good for
6 Roosevelt.

7 Okay, I heard this gentleman say, oh, the
8 business is good, you know, we know what is good
9 for our community and if this man is coming and he
10 is only going to travel to have service for two or
11 three cars, we all know that is a lot of bull,
12 okay.

13 And, we also know that if he is looking to
14 expand his business, he certainly coming to
15 Roosevelt, he is going to service more than one or
16 two cars because it is not even worth his time to
17 be in business to service one or two cars.

18 And, on that corner, there is a Park and
19 all our kids go there to play basketball, that is
20 where they have their tournaments and everything.

21 We have had a lot of accidents on that
22 corner.

23 And, if you travel down Babylon Turnpike,
24 you can see we don't need anything else like that
25 on Babylon Turnpike.

1 What we are trying to do is build our
2 community up.

3 Even on Nassau Road, everywhere you look,
4 we got wood yards, I mean that is our downtown, Page | 42
5 you know, and it looks worse than Babylon
6 Turnpike.

7 And, I am not against the gentleman doing
8 business.

9 He has a business and he should stay in
10 Farmingdale and if he didn't want to stay in
11 Farmingdale, but, then he needs to find a place
12 that is compatible for him and where the community
13 will welcome him because we are not welcoming him
14 there because it is not enough room there.

15 Our children will not be safe there.

16 And, we know what we need in our community
17 and we certainly do not need another car repair.

18 And, we know when people start bringing
19 cars, you cannot control how many people are
20 coming to get their car repaired on any day.

21 So, that is a lot of bull that his attorney
22 keeps saying, okay.

23 And, please, don't think that we are lying
24 around and we sleep and we don't see and we don't
25 know what is going on because we do.

1 I live a few blocks from there, but,
2 believe me, I am up all time of night driving and
3 looking and seeing what is going on in my
4 community because I have been there over fifty
5 years.

6 And, that is a bad corner for this Board to
7 approve a car place or anything like that, where
8 our children have to travel and play basketball
9 and enjoy themselves across from the Park.

10 Thank you.

11 SUPERVISOR GILLEN: Thank you.

12 Is there anyone else that would like to be
13 heard on this Public Hearing?

14 ATTORNEY BROWNE: May I make closing
15 remarks.

16 SUPERVISOR GILLEN: We have a lady coming.

17 JOANNE SANDERS: Good Morning.

18 SUPERVISOR GILLEN: Good Morning, ma'am.

19 JOANNE SANDERS: Joanne Sanders. I am a
20 resident and homeowner at 17 East Centennial
21 Avenue.

22 I have been there for forty years.

23 I am strongly opposed to this as a
24 resident.

25 There is definitely too much congestion

1 in the area.

2 There are too many vehicles, too many
3 accidents on the corner.

4 I maybe repeating what has been said, but, ^{Page | 44}
5 I need to be heard.

6 As a homeowner, as it stands right, now, if
7 I were to leave my home and go to a doctor's
8 appointment half the time I can't even park in
9 front of my house.

10 If you come down East Centennial, you will
11 see there are cones in front of the homes because
12 if we leave, there is nowhere to park, all right.

13 I had back surgery and I have to leave
14 several times a week to go back and forth to the
15 Doctors, I have to put cones out to ensure that I
16 had a place to park that I could maneuver myself
17 to get back indoors.

18 On Babylon Turnpike, there are schools,
19 Washington Road School, the kids walk to school.

20 There is a crossing guard right there on
21 that corner on Babylon Turnpike and, um, East
22 Centennial, I mean the cars are parked everywhere
23 that you can barely get the kids across the
24 street.

25 If I were to leave and come down Babylon

1 Turnpike going, um, North, in order for me to turn
2 down East Centennial, I have to make a wide turn
3 to get into the street because there is so much
4 congestion on that corner, itself.

5 Even like on a Sunday, I come home from
6 Church, I can barely get down the street.

7 Something - - we cannot let this be
8 approved.

9 It is not right.

10 We are homeowners. We cherish our homes.
11 We take care of our homes. As I said, I have been
12 in the area forty years and quite frankly, I am
13 really tired of how everything is just dumped on
14 us, as if we are not real people.

15 We are people. We are homeowners and we do
16 care about our properties.

17 I am begging the Board to, please, not
18 approve this.

19 Thank you.

20 SUPERVISOR GILLEN: Thank you, ma'am.

21 Is there anyone else that would like to be
22 heard on this Public Hearing?

23 META MEREDAY: Meta J. Mereday, Baldwin
24 resident.

25 I am living in Baldwin. I was born and

1 raised in Roosevelt.

2 I was one of those young people that had to
3 walk in that direction and my family was involved
4 in making sure we had some zoning that would bring ^{Page | 46}
5 businesses into that community.

6 And, my concern is for those who are not
7 familiar with that area, I mean you can stretch
8 your limbs in any direction, you will hit an auto
9 body repair workshop, body shop, paint shop in
10 that community.

11 And, it is detrimental to the ongoing or we
12 would like to see some type of economic
13 development when you have to read in Newsday about
14 the empty lots that are along Nassau Road, which
15 is the major thoroughfare and Roosevelt being
16 empty, when you see buildings going up overnight
17 in other communities.

18 I would like to see the number of auto body
19 shops that are bumper to bumper, neck to neck that
20 line Babylon Turnpike, maybe along Franklin Avenue
21 in Garden City.

22 Now, what would the residents say in Garden
23 City if they had to deal with that on a regular
24 basis with the exhaust?

25 Even in the pictures, here, you see cars

1 that are illegally parked on Babylon because there
2 is no place to park.

3 So, how would you like to come home and
4 have cars that are parked overnight in front of Page | 47
5 your house?

6 So, if you are going to give consideration
7 and don't give these residents the false hope that
8 you may table it today and there is another
9 meeting and it comes back and there is nobody here
10 to speak against it, that you pass it.

11 So, I am just hopeful that those residents
12 that are here today and I am grateful for the fact
13 that Senior Councilwoman Goosby is definitely
14 going to be on this situation because it is not
15 going to be beneficial.

16 That park was designed for industrial and
17 commercial to generate jobs and to also enhance
18 the overall atmosphere and ambience of the
19 community.

20 Roosevelt maybe a square mile, but, those
21 of us who are from Roosevelt are proud of it and
22 want to continue to see it grow because it is a
23 thriving and vital community and for me, it was a
24 great place to grow up.

25 And, I want it to be a great place for

1 those young people, those young homeowners and
2 those seniors, those residents and I know a number
3 of residents that had accidents right in that area
4 because it is very difficult to get around when ^{Page | 48}
5 you have trucks and deliveries and parked trucks
6 and things of that nature.

7 So, again, let's be mindful that there are
8 hardworking taxpayers who also live in Roosevelt.

9 Thank you.

10 SUPERVISOR GILLEN: Thank you, Ms. Mereday.
11 Mr. Browne, do you want to make your closing
12 remarks.

13 ATTORNEY BROWNE: Very briefly, to leave
14 you with these thoughts, um, again, this is a
15 Light Manufacturing District.

16 I think the testimony from the residents
17 establishes the character of the area up and down
18 Babylon Turnpike.

19 I think really analysis with these types of
20 applications whether they fit within the character
21 of the area and how they fit compared to other
22 things that could be done by right, so, if people
23 have concerns about traffic and the Park and so
24 forth, considering what could go in this thirty-
25 one hundred square feet without having to come

1 to this Board, twenty-four hour manufacturing
2 warehouse industrial-type uses, by right.

3 This is a two-person mechanic shop, all
4 right, so, when you compare the intensity of what ^{Page | 49}
5 could go there by right against this application,
6 I think this is among the lowest intensity type
7 uses found in a building of this size in this
8 zoning district.

9 And, it will only operate Monday to Friday
10 during business hours.

11 It is not a twenty-four hour operation.
12 There is not going to be anything there over the
13 weekend.

14 There are not going to be trucks coming in
15 and out with deliveries.

16 There not fumes or other noise generated by
17 manufacturing products.

18 So, I would ask the Board to look at it
19 from that prospective because the owner of the
20 property, obviously, has a right to use it and use
21 it consistent with the zoning and the question is
22 whether this particular use is a better use, a
23 more, um, favorable use to the surrounding
24 neighbors because of its low intensity, because
25 the Board has some control and can impose

1 Covenants to make sure what we are presenting,
2 here, today is what actually goes on instead of
3 allowing a manufacturing use to come in with
4 trucks and noise and so forth over which this
5 Board would have no control.

6 So, to the extent that people are also
7 concerned about the unsightliness of it and the
8 Chamber of Commerce doesn't want this building to
9 be cleaned up.

10 There is nobody in the place.

11 It is thirty-one hundred square feet of
12 vacant space in Roosevelt where we could have a
13 productive business.

14 And, a fine point, it takes almost two
15 years for someone who wants to open a mechanic
16 shop to get before this Board that is a long time
17 to keep somebody in limbo.

18 Most of the people who come, here, are
19 already operating.

20 This gentleman is not.

21 He waited and went through the process. I
22 am not saying that entitles him to a Grant, but, I
23 would ask the Board to think about going into the
24 next term whether the process for these types of
25 small auto repair and auto body shops

1 is a sensible one, whether people could get here
2 faster and get an answer. I would leave you with
3 that and thank you.

4 SENIOR COUNCILWOMAN GOOSBY: All right. Page | 51

5 SUPERVISOR GILLEN: All right, I do not
6 have any slips on this Public Hearing, may I have
7 a Motion.

8 SENIOR COUNCILWOMAN GOOSBY: My Motion is
9 thank you all for coming, especially the Roosevelt
10 community, thank you so much for coming because
11 this is your community and my motion is to close
12 the application and reserve decision.

13 COUNCILMAN BLAKEMAN: Second.

14 SENIOR COUNCILWOMAN GOOSBY: 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: Councilman Dunne?

22 COUNCILMAN DUNNE: Aye.

23 CLERK CABANA: Senior Councilwoman Goosby?

24 SENIOR COUNCILWOMAN GOOSBY: Aye.

25 CLERK CABANA: Councilman Muscarella?

1 COUNCILMAN MUSCARELLA: Aye.

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

4 SENIOR COUNCILWOMAN GOOSBY: Before she
5 does that, I would like to say something to the
6 Roosevelt residents, thank you for coming. Thank
7 you for reminding everyone that Roosevelt is one
8 square mile, so, we do not have a lot of property
9 in Roosevelt that needs to be sold.

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10 There are two small pieces of property on
11 Nassau Road that are not really applicable for
12 what people want to do.

13 I hope anyone that wants to come to
14 Roosevelt, as long as I am the Senior
15 Councilwoman, make sure you come right and make
16 sure the residents are involved because that is
17 where they live.

18 We are one square mile. There is not a lot
19 of property in Roosevelt to be sold, which I saw
20 in Newsday so many times and other people think
21 that it is there, but it is not.

22 So, forget it.

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

25 SUPERVISOR GILLEN: Madam Clerk, will

1 you, please, call our next Public Hearing.

2 CLERK CABANA: Application of Path Land
3 Holdings, LLC for a permit to include existing
4 gasoline service station with "GSS" District and Page | 53
5 demolish the existing one-story building with
6 basement and construct a new, one story, 2996'
7 convenience store without basement with eight
8 multiple product dispensers providing sixteen
9 fueling stations, additional site work for parking
10 approximately 33,572' of landscaping and a trash
11 enclosure are also proposed no automotive repairs,
12 bodywork, automotive painting or automotive sales
13 will occur - East side of Hicksville Road and
14 South side of Central Avenue - Bethpage.

15 ATTORNEY BONESSO: Good Morning, Supervisor
16 Gillen, Members of the Board:

17 William Bonesso, Forchelli, Deegan Terrano.
18 333 Earle Ovington Boulevard, Uniondale, New York,
19 here on behalf of the applicant Path Land Holdings
20 - -

21 SUPERVISOR GILLEN: Good Morning.

22 ATTORNEY BONESSO: - - LLC, rather, um,
23 the applicant is the owner of the parcel of
24 property situated on the East side of Hicksville
25 Road in the Hempstead portion of Bethpage

1 just South of the convergence of North Wantagh
2 Avenue and Hicksville Road.

3 Um, presently, the property is developed
4 with a closed bank building that had a drive-thru ^{Page | 54}
5 building associated with it, as well.

6 And, as noted, the proposal, here, is to
7 convert the property, redevelop the property for
8 the introduction of a 7-Eleven gasoline service
9 station and convenience market on the site.

10 Um, we have handed up, um, handouts that
11 will allow the Board to follow along in the
12 presentation.

13 Also, we have provided the Board with
14 copies of the traffic and parking study that was
15 performed by our engineering firm and will be
16 getting to the testimony of our real estate expert
17 and traffic expert in just a few minutes.

18 Just to give an introduction to the
19 application, I would further point out this is an
20 extremely large parcel of property.

21 It is situated in the "Business X" District
22 on the East side of Hicksville Road.

23 The property is entirely zoned "Business X"
24 District.

25 It is over three hundred and

1 thirty feet deep.

2 It maintains present curb cuts on
3 Hicksville Road, as well as Central Park on its
4 North side.

5 There is a driveway that runs behind the
6 building on the corner of Hicksville Road and
7 Central Park that curb cut is presently there.

8 The proposed development represents what we
9 feel is a very good use of the property.

10 It is one which will provide for a very low
11 building coverage, a very low intensity other than
12 up on the front of the property at the Hicksville
13 Road side of the property where the fueling
14 stations, the eight pumps and sixteen fueling
15 stations are proposed to be.

16 There is, as noted by the Town Clerk, over
17 thirty-three thousand square feet of landscaping
18 on this property, over three quarters of an acre
19 of landscaping on this property.

20 This is property that will be significantly
21 green, significantly landscaped.

22 It will be an attractive site.

23 The convenience market, itself, is only
24 three thousand square feet, just under twenty-
25 nine, ninety six, um, it has more than

1 the required parking.

2 SUPERVISOR GILLEN: Mr. Bonesso, could I
3 interrupt you for a moment, with the landscaping,
4 are you talking about landscaping that is already ^{Page | 56}
5 existing on the property?

6 ATTORNEY BONESSO: No.

7 SUPERVISOR GILLEN: That you are going to
8 add to the property?

9 ATTORNEY BONESSO: Yes, right, now, behind
10 the bank there is a large parking lot that will be
11 totally redeveloped.

12 If you take a look at the, I guess, it is
13 the fourth page in, you can see a page that is
14 listed as "subject site key dimensions and
15 proposed setbacks," there you can see there is a
16 large green area proposed in the rear of the
17 property adjacent to the residences to the East.

18 There is fencing proposed there.

19 SUPERVISOR GILLEN: That is what, right
20 next to you all those nice little green trees?

21 ATTORNEY BONESSO: Yes.

22 SUPERVISOR GILLEN: Thank you.

23 ATTORNEY BONESSO: My client went to the
24 trouble of making a model for the Board's review
25 and consideration.

1 There will be a six foot high PVC fencing
2 running the entire easterly property line adjacent
3 to the residential properties to the East.

4 There will be significant landscaping
5 there.

6 And, then, there will be that very large
7 grass area that separates the residents to the
8 East from the beginning of the parking area
9 situated to the West.

10 There is 117.8 feet to the back of the
11 building.

12 There is two hundred and fifteen feet to
13 the closest part of the canopy and over two
14 hundred and twenty feet to the closest, um,
15 fueling pump.

16 So, this is a very large site developed in
17 such a way to keep all the activities forward on
18 Hicksville Road and away from the residents to the
19 East.

20 The parking, as I began to indicate, is
21 more than what is required for a 7-Eleven of this
22 size.

23 We are providing thirty-three parking
24 spaces whereas - - just a moment, excuse me,
25 thirty-two parking spaces where fifteen space are

1 Required.

2 And, just, again, to reiterate the size of
3 this property, we have, here, almost two acres of
4 property that will only be for this gas station Page | 58
5 and convenience market, as you will hear from Mr.
6 Nelson, our real estate expert.

7 This property being as large as it is could
8 either be subdivided and developed with multiple
9 commercial uses all of right or it could be done
10 without subdivision.

11 There could be multiple uses put on this
12 property all at once which would significantly, we
13 think, increase the intensity and significantly
14 impact the neighbors in a much greater way that
15 this application will.

16 Now, we recognize that 7-Eleven is a
17 twenty-four hour operation, that is true.

18 But, again, 7-Eleven could go on this site,
19 again, as of right, that is not the issue, that is
20 not the reason we are before this Board.

21 We are before this Board, simply to have
22 the right to have gasoline service with the 7-
23 Eleven and because we are keeping the gasoline
24 service all the way up on the Hicksville Road, it
25 will be serviced from there.

1 My client will agree to covenants that
2 require all fuel deliveries, all deliveries to the
3 7-Eleven store and all sanitation pick-up to come
4 from Hicksville Road, not utilizing the Central Avenue access point. Page | 59

6 He is willing to landscaping significantly
7 even more than what is shown if the neighbors have
8 an inclination to put high walls, sound walls,
9 sound attenuation, we have made indications to the
10 neighbors who have contacted us about that, that
11 we are prepared to do those things, put sound
12 baffling as needed on the 7-Eleven HVA system,
13 whatever the case maybe in order to address their
14 concerns.

15 So with that introduction, if I may, I
16 would like to call Mr. Nelson, unless, Mr. Dunne,
17 do you have a question?

18 I am sorry, Councilman Dunne?

19 COUNCILMAN DUNNE: Yes, there has been
20 quite a few calls with concerns from the
21 neighbors, so, you are saying you spoke to
22 neighbors, was there an effort put forth to have
23 the neighbors come and discuss what was there or
24 did you go to the Board of Zoning Appeals?

25 Did you need to do that?

1 ATTORNEY BONESSO: We do not need to go to
2 the Board of Zoning Appeals.

3 We sent letters with the Notice of the
4 Hearing advising that if anyone had questions they ^{Page | 60}
5 could call us.

6 COUNCILMAN DUNNE: This Hearing?

7 ATTORNEY BONESSO: Yes, of this Hearing.

8 COUNCILMAN DUNNE: You have not met with
9 them, yet?

10 ATTORNEY BONESSO: Pardon?

11 COUNCILMAN DUNNE: You have not met with
12 them?

13 ATTORNEY BONESSO: No, we have not met.
14 Neighbors I have spoken to, three neighbors that
15 contacted me, we advised it they wanted to get
16 together, if they wanted to come in and see the
17 plans, we would be happy to do that.

18 There was no indication that they wanted to
19 do that.

20 COUNCILMAN DUNNE: I have been advised by
21 the local Assemblyman that his concerns are the
22 gas station and that there is sixty - - a petition
23 signed by sixty of the neighbors that are
24 concerned about the gas station, also.

25 We, we are interested in hearing everything

1 you have to say.

2 ATTORNEY BONESSO: Sure.

3 COUNCILMAN DUNNE: Anybody here about this
4 Hearing? Page | 61

5 (Whereupon, a show of hands was observed
6 raised from members of the audience. After, the
7 following ensued.)

8 COUNCILMAN DUNNE: You have plenty of
9 people, here, okay, so, I am glad you are here to
10 discuss this, telling them what is going on.

11 If there is anything that could be done,
12 you know, talk to them to make any compromise if
13 there is anything like that available that would
14 be great.

15 There is a room right back there with the
16 glass, you can sit with them and talk to them,
17 but, you did an awful lot of planning, really, you
18 should have talked to them a little earlier to see
19 what their pros and cons are.

20 But, I like to hear exactly what is going
21 on with that bank building, is that going to be
22 demolished?

23 ATTORNEY BONESSO: Yes, the bank building
24 is going to be removed.

25 There is presently a 7-Eleven - -

1 COUNCILMAN DUNNE: Across the street?

2 ATTORNEY BONESSO: North Wantagh Avenue on
3 a small site, a tight site, um, that is going to
4 be closed, that is a 7-Eleven owned site. Page | 62

5 It is not a leased site.

6 They are going to market that property for
7 sale.

8 It is a commercial use. They would,
9 obviously, put a restriction on it that it not be
10 a convenience market or a gas station if this was
11 to be approved.

12 The idea is to locate - - relocated the 7-
13 Eleven from that site to this site with the gas.

14 COUNCILMAN DUNNE: The other concern was
15 right next door is Winthrop University, they do
16 dialysis there and primary care, is your parking
17 going to be disrupting that at all?

18 ATTORNEY BONESSO: Not in any way, shape or
19 from.

20 As indicated, our site requires fifteen
21 parking spaces.

22 We are going to have thirty-three parking
23 spaces on site.

24 So, we have more than ample parking for our
25 use.

1 COUNCILMAN DUNNE: I use to drive Mom there
2 when she was alive to the primary care facility in
3 that facility and parking was very tight, then,
4 you know, even if - -

5 ATTORNEY BONESSO: It won't be affected by
6 our parking.

7 In fact, I would say that this site being
8 that we will have more than the required parking
9 for the 7-Eleven, it would relieve whatever
10 overflow parking maybe occurring on that property.

11 COUNCILMAN DUNNE: I am not going to
12 interrupt anymore of your presentation so the
13 neighbors can hear exactly what you are doing and
14 come up and voice their questions and opinions and
15 we are going to listen to you.

16 Thank you.

17 ATTORNEY BONESSO: If I may I would like to
18 have Mr. Nelson, Barry Nelson, who is here, he is
19 a recognized real estate expert, recognized by
20 this Board and permitted to give opinion
21 testimony as to property values to the impact on
22 the character of the neighborhood.

23 I would ask that he be permitted to provide
24 opinion testimony in that fashion.

25 REAL ESTATE EXPERT NELSON: Good Morning.

1 SUPERVISOR GILLEN: Good Morning, Mr.
2 Nelson.

3 REAL ESTATE EXPERT NELSON: It is Barry
4 Nelson. 220 Petit Avenue, Belmore, New York
5 11710.

6 I did hand in a packet of photographs that
7 include the subject property.

8 It is developed, currently and the
9 surrounding uses that would be found on Hicksville
10 Road, Wantagh Avenue, Central Park Avenue, also
11 known as Central Avenue, as well as the
12 residential along Monica Court and Lynn Place, as
13 well as Edward Street, which are the residential
14 streets in the vicinity of the subject property.

15 I have been practicing probably over
16 thirty-five years before this Board, many times -
17 -

18 SUPERVISOR GILLEN: I am going to ask
19 whoever is chatting in the gallery, if you could,
20 please, keep it down, we are having a hard time
21 hearing Mr. Nelson.

22 REAL ESTATE EXPERT NELSON: I am sorry, I
23 will speak up.

24 It is one of the largest sites for a GSS
25 Overlay District that I have worked on, as

1 I mentioned, probably in thirty-five years.

2 As Counsel mentioned, it is almost two
3 acres, eighty-six thousand square feet.

4 It is currently improved with a bank
5 facility that has been closed for several years.

6 Substantially, the entire parcel is
7 asphalted with some landscaping in the front and
8 some in the rear where it meets the residential
9 community which would be Monica Court and Lynn
10 Place.

11 The uses will find Wantagh Avenue, North
12 and South, Hicksville Road, North and South are
13 main arterial roads and Central Park Avenue, East
14 and West.

15 Those uses that you will find along those
16 arterial roads would be professional services,
17 retail, restaurants.

18 There are numerous auto repairs and in
19 close proximity to the subject site, there is
20 another gasoline with a "C" store and there are
21 other gas stations North and South.

22 Typically, you will find gas stations are
23 corner-size interior sites on parcels that are,
24 approximately, one hundred feet, may be a little
25 bit greater in depth and most of the time are

1 adjacent to residential communities.

2 This site meets and exceeds all of the
3 minimum requirements for the GSS zone.

4 I read the Code numerous times before
5 coming, today.

6 I read it over the years since it was
7 introduced back in the late '70's, early '80's.

8 I think it was an many times the sites are
9 tight.

10 They don't provide the landscaping to
11 mitigate any impacts of residential and the
12 commercial.

13 Before we even get into this, the site is
14 proposed to have almost forty percent of the site
15 landscaping over thirty thousand square feet.

16 The majority of the landscaping would be in
17 the rear where it is abutting the residential.

18 Uniquely, I think Councilman Dunne brought
19 up would be the impact to the medical use which
20 would be to the North and to the South and if you
21 look at the renderings and exhibits that have been
22 prepared and this is unique to most stations that
23 come before this Board for a GSS where they are
24 providing twenty foot landscaping on the northerly
25 side and the southerly side where it meets

1 the commercial developments, usually you find some
2 fencing and parking right up to the property line,
3 but, you will see that there is landscaping of, at
4 least, twenty feet both on the North side and
5 South side and that is a minimum twenty feet.

6 I looked and before I get into what I
7 looked at, of similar developments, what you have
8 in almost one of the last pages of the exhibit
9 that was handed in earlier by Counsel and that is
10 as of right development scenarios for this parcel.

11 Again, it is over eighty-six thousand
12 square feet entirely within a Business District
13 and some of the uses that were brought up were
14 noted on that exhibit would be alternative uses to
15 the site.

16 Currently, this site, now, has real estate
17 taxes over one hundred and ten thousand dollars
18 with, um, seventy percent of it to the School
19 Districts.

20 There is substantial burden on that.

21 Those taxes would not go away and why I say
22 that, I looked at similar developments on Grand
23 Avenue between Sunrise Highway and Merrick Road, a
24 similar development as proposed to today's
25 application on, I think, it is approximately

1 Twenty-two to twenty-three thousand square feet,
2 same size convenience store, approximately, three
3 thousand square feet as proposed, slightly smaller
4 canopy and, um, I think two islands and four
5 double pump dispensers, that station, itself, has
6 a "C" store has real estate taxes over one hundred
7 and five thousand dollars.

8 So, with this development, it is going to
9 be similar or greater than what is already
10 existing.

11 In fact, let's go back to that location
12 that I just mentioned, it is adjacent to Business.

13 It is medical uses.

14 It is opposite a religious institution.
15 There is multi-family, single families on Edna
16 Court and I forget the street to the South,
17 nevertheless, it is a parcel that runs from street
18 to street and is on the West side of Grand Avenue.

19 Similar type development as what is
20 proposed, probably one third the size of what is
21 being proposed today, eighty-six thousand square
22 feet, same convenience store, slight increase on
23 the pump islands, those pump islands, as Counsel
24 mentioned is over the nearest to the canopy is
25 over two hundred and fifteen feet to the rear

1 property line.

2 With that said, the GSS requires a parcel
3 to be one hundred in feet, in depth, so, the
4 proximity to the canopy is double the minimum
5 requirements of the GSS zone.

6 The "C" store would be replaced in the
7 middle, mitigating any impacts to the residential
8 to the East and you will have, at least, thirty-
9 plus feet from the paved area to the property line
10 that will be landscaped.

11 I looked at it twofold; you have numerous
12 locations where gas stations are adjacent to
13 residential.

14 And, you will find them on main arterial
15 roads and secondary roads and the secondary roads
16 would be considered the Central Park Avenue,
17 Melville Road, Wantagh Avenue.

18 I looked and this Board has entertained
19 applications by competitors on smaller streets,
20 where they are adjacent to residential.

21 I looked at just convenience stores and
22 convenience stores on this site is a matter of
23 right, where they are located in the Business
24 Districts backing up to residential on Merrick
25 Avenue in Merrick, in East Meadow on corners

1 with similar size and slightly larger convenience
2 stores opened twenty-four hours.

3 On the exhibit that Counsel handed in, you
4 will see the alternative uses and these are just ^{Page | 70}
5 several items.

6 You can put a twenty-one thousand plus
7 square foot, two story, mixed use building
8 upfront.

9 When I say, "mixed use" you can have retail
10 on the first floor, offices on the second floor,
11 still include a "C" store, a convenience store,
12 have a 7-Eleven with deli, take-out, a Chinese
13 take-out, office on the second floor, one hundred
14 plus parking spaces and that would be almost up to
15 the rear property line, maybe a ten foot setback
16 as it exists today.

17 Easily, this site can accommodate a ten
18 thousand square foot typical restaurant, such as a
19 Friday's TGIF Friday's, Houlihan's and Outback
20 Steakhouse and with ten thousand square feet, they
21 normally have approximately, two hundred and fifty
22 seats with a bar interior, so, this site can
23 easily accommodate a use like that.

24 It can easily accommodate a pharmacy on a
25 modest size of fourteen thousand plus square feet

1 that could be opened twenty-four hours with a
2 drive-thru for the medications.

3 And, it could also and we have Orlin &
4 Cohen-type operations that are opening up
5 throughout many locations and open almost seven
6 days a week, late hours, early in the morning,
7 which would increase substantially the amount of
8 activity to the site.

9 Getting back to - -

10 COUNCILMAN DUNNE: Let me see if I heard
11 that correct, the deliveries are going to be done
12 during the daytime?

13 REAL ESTATE EXPERT NELSON: No, no, a
14 pharmacy - -

15 COUNCILMAN DUNNE: Okay.

16 REAL ESTATE EXPERT NELSON: A twenty-four
17 hour operation, Rite-Aid, CVS, Walgreens, then can
18 have a drive-thru open twenty-four hours a day.

19 COUNCILMAN DUNNE: That would be great, one
20 of my concerns, one of the things was brought to
21 my attention is the big gas trucks coming at
22 night, deliveries and the convenience store food
23 coming at night.

24 ATTORNEY BONESSO: We can control that,
25 Councilman Dunne.

1 COUNCILMAN DUNNE: Put a covenant in the
2 contract.

3 ATTORNEY BONESSO: To have limitations on
4 delivery times for inventory, delivery times for ^{Page | 72}
5 fuel and on sanitation pickup.

6 We will be using private sanitation, so, we
7 can put limitations that on that to make sure that
8 it is not occurring in the dead of night.

9 COUNCILMAN DUNNE: And, you know, it wasn't
10 mentioned or I didn't hear it, um, that you are
11 right in the middle of Levittown, Island Trees,
12 Bethpage, Hicksville, a very patriotic area, men
13 and women are coming home that are serving right,
14 now.

15 They love seeing the American Flag flying,
16 displayed.

17 ATTORNEY BONESSO: We have proposed a flag.

18 COUNCILMAN DUNNE: That is a concern for
19 me.

20 ATTORNEY BONESSO: It will be on the
21 property.

22 COUNCILMAN DUNNE: I am sorry, please,
23 finish.

24 REAL ESTATE EXPERT NELSON: I will start to
25 finish up, in conclusion, I believe it is

1 compatible use with the commercial developments
2 along Hicksville Road and Central Park Avenue.

3 The concern would be to mitigate any
4 possible impact to the residential, single-family ^{Page | 73}
5 homes that are well maintained on Monica Court and
6 Lynn Place and that is where the developer has
7 taken the development of this parcel with over
8 forty plus feet of landscaping, moving the drive
9 aisles and the parking away from the residential
10 and providing for new fencing and double layer of
11 trees within, at least, ten feet of the property
12 line of screening that will mature and help with
13 any visual impacts that the residential community
14 might have.

15 Those other locations that I mentioned, I
16 looked at the property values and some of them
17 were developed within the last ten or fifteen
18 years, especially the "C" stores, the convenience
19 stores, 7-Eleven, as well as gas stations and what
20 they would do to the values going forward.

21 The subject site was developed in, around
22 1963, early '60's.

23 Monica Court, I believe, was developed in
24 the similar timeframe.

25 No, they were developed afterwards, in

1 the middle to late '70's up until around 1980's.

2 As far as Lynn Place, they were developed
3 after the Commercial was developed on Hicksville
4 Road in the '60's. Page | 74

5 You have Edward Street to the South, they
6 were built in the late '40's and early '50's.

7 Property values have continued to
8 appreciate and will continue to appreciate
9 regardless of whether this site is developed or
10 not.

11 So, I looked at other locations that were
12 developed and by competitors; Mobil, Exxon, Bolla,
13 how property values were reflected in those
14 instances and most of them are in the Town of
15 Hempstead, some were nearby in the Town of Oyster
16 Bay, they appreciated, the residential appreciated
17 consistent with the trends for that timeframe in
18 those areas.

19 So, what I am saying the values appreciated
20 there percent, five percent.

21 Those homes that were near and abutted
22 Commercial and CVS, I mean, um, "C" stores and gas
23 stations appreciated at the same rate granted the
24 impact of the Commercial already existed in this
25 area.

1 It is my opinion that this proposed
2 development is not going to be more deleterious,
3 more negative impact than what is as of right
4 development for the site.

5 Again, the Code requires fifteen thousand
6 square feet.

7 The applicant is proposing over thirty
8 thousand square feet of landscaping on the site.

9 Forty percent of the site will be
10 landscaped, fenced to mitigate any impact to the
11 commercial and the residential.

12 COUNCILMAN DUNNE: Okay, we have quite a
13 few people that are waiting for quite awhile that
14 have questions.

15 I only have two more concerns that
16 Assemblyman and myself thought about and one of
17 them was, it is not going to affect the school
18 taxes at all.

19 It is not going to diminish the amount of
20 money that you pay to the schools - - money you
21 pay for school taxes where the residents have to
22 pay more?

23 ATTORNEY BONESSO: No.

24 REAL ESTATE EXPERT NELSON: Probably be
25 greater.

1 COUNCILMAN DUNNE: All right, okay, that is
2 one.

3 The other thing, most important thing, um,
4 first thing that came to my mind, when you said Page | 76
5 gas station, there was United States Navy had been
6 on that property in that area for many, many, many
7 years.

8 And, there is a plume and the fear of
9 putting a gas station anywhere near in that area
10 where the plumes already existing, can you give us
11 something that is going to make hanging our hat
12 and say, all right, we are okay, is this up to the
13 state-of-the art, um, tanks?

14 Is it going to be special - - tell us about
15 how you are going to help us not increase the
16 plume?

17 ATTORNEY BONESSO: Councilman, we took that
18 into consideration.

19 The neighbors had mentioned that when I
20 spoke to them.

21 This will be a state-of-the-art
22 development.

23 There will be double wall fiberglass tanks
24 that have leakage alarms in them.

25 They are immediately notified if by some

1 chance a tank should fail, um, all installation is
2 overseen by New York State DEC, by the local Fire
3 Marshal's Office, everything that is required will
4 be done to the highest level. Page | 77

5 Now, with regard to the plume, we spoke to
6 Environmental Counsel, one of my partners in the
7 office, an Environmental Attorney who has been
8 working on the Grumman properties.

9 Um, and he advised that in this area, there
10 is certainly the plume but that is hundreds of
11 feet belowground.

12 This site, when it is excavated, will come
13 nowhere near the contaminated areas where the
14 ground water contamination is.

15 There is no basement on this building.

16 The tanks will be sunk but they will not be
17 sunk to anywhere close to affecting the plume area
18 in any way, shape or form.

19 So, when this is installed, it will have no
20 impact whatsoever on the plume.

21 Additionally, if there are concerns, my
22 client would be prepared to create, because the
23 concern about contamination when you open the
24 ground is vapor.

25 So, vapor leakage, my client is prepared

1 to put a vapor barrier system when he constructs
2 his building to make sure there is no vapors that
3 can escape from the property and he will put
4 venting in there if it turns out that he needs to ^{Page | 78}
5 make it an active system, he would make it an
6 active system.

7 And, we would put all of that in the
8 restrictive covenants.

9 COUNCILMAN DUNNE: I am kind of glad to
10 hear that, that the back of the 7-Eleven building
11 is, at least, thirty-seven yards, which is wider
12 than a football field from the fence.

13 ATTORNEY BONESSO: It is one hundred and
14 seventeen feet from the fence, that is the closest
15 part of the building.

16 COUNCILMAN DUNNE: Roughly, the width and
17 the benches of the football field with the
18 benches?

19 ATTORNEY BONESSO: Right.

20 COUNCILMAN DUNNE: It is far enough away.

21 Now, you said the tanks have a system if
22 there is a crack or a leak an alarm will go off
23 and they will be able to stop it immediately?

24 ATTORNEY BONESSO: My next witness is Chuck
25 Olivo (phonetic spelling), he is with our

1 Engineering firm.

2 I will have him speak to that more
3 directly.

4 COUNCILMAN DUNNE: Okay, we will hear from ^{Page | 79}
5 the people, hear from them first?

6 What would you like to do?

7 ATTORNEY BONESSO: I would like to complete
8 my direct presentation.

9 COUNCILMAN DUNNE: Yes, yes, finish the
10 application and we will have them speak.

11 This may answer your questions that are
12 really concerning.

13 ATTORNEY BONESSO: Before Mr. Nelson goes,
14 I want to touch upon one point that he said and
15 make sure that I got it correctly, so, Mr. Nelson,
16 based upon your review of this application, based
17 upon your review of the uses that could go on the
18 property as of right, those four scenarios that
19 you gave which are only four of many uses that can
20 go on the site, I believe you said and correct me
21 if I am wrong, but, I believe you said that it is
22 your expert opinion that if the site is developed
23 as proposed with these setbacks, with this
24 landscaping, with this amount of green space and
25 with the positioning of the building, if it

1 is developed as we have proposed, it will have no
2 greater affect, negative or positive on the
3 neighboring residential property values than would
4 a development of the property with the as of right ^{Page | 80}
5 uses, is that correct?

6 REAL ESTATE EXPERT NELSON: Yes, sir.

7 ATTORNEY BONESSO: Thank you, sir.

8 COUNCILMAN DUNNE: Your next witness,
9 please.

10 ATTORNEY BONESSO: I would like to call Mr.
11 Charles Olivo.

12 Mr. Olivo is with Stonefield Engineering,
13 that is our engineering firm.

14 He is also a transportation engineer who
15 has been qualified by this Board in the past to
16 provide expert testimony in traffic and parking
17 and we ask that he be permitted to speak in that
18 regard, here, today.

19 Before you get to your direct presentation,
20 let's just talk a bout the types of safety
21 measures that go into a facility we are talking
22 about.

23 ENGINEER OLIVO: Good Afternoon, Madam
24 Supervisor, Members of the Board, Members of the
25 Public:

1 Just for the record, my name is Charles
2 Olivo from Stonefield Engineering and Design.

3 We are the Civil Engineering firm and
4 Traffic Engineering firm that have prepared the Page | 81
5 documents that have been submitted for the
6 Board's review.

7 As Project Counsel has spoken about in
8 terms of the underground storage tanks that would
9 be installed as part of the gasoline fueling
10 service, this is a state-of-the-art monitoring
11 system in accordance with all modern standards and
12 in many cases exceeds the Department of
13 Environmental Protection's standards as it relates
14 to the monitoring that is required.

15 It is twenty-four hours a day, seven days a
16 week monitoring at the station and at the
17 convenience store and should there be - - there
18 are double wall tanks and should there be any type
19 of disruption within the layers between the tank
20 itself or on the outside of the tank, there is the
21 ability to completely shut off the facility and
22 inspect it at that time.

23 In addition to that, there are annual
24 third-party inspections that are conducted each
25 year, maintenance logs that are kept for the

1 purposes of making sure that the equipment
2 continues to be up to standards.

3 ATTORNEY BONESSO: Mr. Olivo, in terms of
4 fueling, in terms of putting the gas into the Page | 82
5 tanks, what is the process when there are fumes
6 released, when the gas is put into the storage
7 tanks?

8 ENGINEER OLIVO: This system, when a fuel
9 truck comes to the site to deliver, which is on an
10 as needed basis and this is close to the
11 Hicksville Road frontage, where the underground
12 storage tanks are located, but, there is a
13 procedure and there is training that is involved.

14 When a fuel delivery truck comes to the
15 site, it, essentially, locks into the underground
16 tank system.

17 The truck is turned off.

18 And, then, the fuel is unloaded from the
19 fuel tank into the system, itself.

20 Now, in accordance with Environmental
21 Protection Standards, there is also a vent system
22 that is located approximately to the State Highway
23 System, well elevated off the ground, also in
24 accordance with environmental standards and during
25 that time, the pressure system within the tank,

1 as you have air or an empty system and you are
2 inserting fuel into the tank, there is a release
3 of pressure and potential, whatever type of system
4 is in there is released through the vent system. Page | 83

5 But we are not having vapors leave the
6 system.

7 In fact, you are recovering that vapor and
8 utilizing it within the tank system, itself.

9 COUNCILMAN DUNNE: And, just to note, again,
10 on the last page, it shows subject site key
11 dimensions and proposed setbacks.

12 Those storage tanks would be,
13 approximately, two hundred and twenty feet from
14 the residences to the East, is that correct?

15 ENGINEER OLIVO: That is correct, yes.

16 COUNCILMAN DUNNE: While you are on this,
17 if I may, the trucks that deliver the fuel, they
18 are going to deliver during the day, put that
19 covenants in there, but, now, if they come 3:00
20 o'clock in the morning and they are diesel trucks,
21 they will wait until daytime to put the oil or gas
22 into the tanks that noise will keep the neighbors
23 awake.

24 Is there a way they will be outside the
25 area before they come to the site to do the

1 Deliveries?

2 Because whether it be the fuel or, um, I
3 just don't want to have any complaints.

4 You should have asked this.

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5 ATTORNEY BONESSO: It is not expected that
6 the vehicles will come - - if the vehicles are
7 being directed and controlled in terms of when the
8 deliveries occur, it is not expected that they
9 will come overnight and sit there and wait to
10 fuel, that wouldn't be efficient for the company.

11 They would come during the day and do their
12 service then.

13 But, even if a truck had, if an
14 extraordinary situation occurred and a truck came
15 too early before the permitted time for fueling,
16 it would come on the property, sit in the front of
17 the property next to Hicksville Road, turn off the
18 engine.

19 There would be no noise, no activity.

20 There would be nothing that would affect
21 the neighbors who would be two hundred and fifty
22 feet away.

23 COUNCILMAN DUNNE: If in fact, it did
24 happen and the neighbors do make me aware that
25 they are being kept awake at night from

1 either the air conditioning service, I haven't had
2 that complaint with 7-Eleven, but, from other
3 companies I have, but, um, maybe an agreement with
4 the Sears parking lot, they can wait there until ^{Page | 85}
5 the morning, until daylight when they can come and
6 deliver so we know that they won't be disturbed at
7 night.

8 ATTORNEY BONESSO: We can certainly look
9 into that, Counsel.

10 COUNCILMAN DUNNE: Okay, thank you.

11 ATTORNEY BONESSO: I would also remind the
12 Councilman what Mr. Nelson said, this property
13 could be developed with as of right uses which
14 would put commercial buildings.

15 COUNCILMAN DUNNE: We want to neighbor
16 friendly, I understand what you are saying.

17 ATTORNEY BONESSO: No, I understand that
18 but my point is commercial buildings put very
19 close to the residential property lines, vehicles
20 could be coming in delivering overnight at any
21 time, whatever times they wanted to.

22 This development will prohibit all of that.

23 It will prevent all of that type of
24 activity that the neighbors would be potentially
25 put out by.

1 COUNCILMAN DUNNE: Please finish and then
2 we can hear from the residents.

3 ATTORNEY BONESSO: You can provide your
4 general narrative testimony. Page | 86

5 ENGINEER OLIVO: Absolutely, you heard from
6 the Project Counsel and Mr. Nelson, it is a very
7 designed, well planned site, as it relates to the
8 building, areas of circulation and parking and in
9 addition to that, there is a strong green buffer
10 area, landscaped area provided that completely
11 wraps around the site.

12 In terms of the accessibility of the site
13 under existing conditions, there are two driveways
14 along Hicksville Road and that road is under the
15 jurisdiction of the Department of Transportation.

16 This is a State Highway that pumps and
17 moves a lot of the traffic volume through this
18 roadway network in the order of about thirty-three
19 thousand on a daily basis.

20 Thirty-three thousand vehicle trips
21 traverse this roadway section, today.

22 What is being proposed as part of the
23 access to the redevelopment of this site would be
24 a driveway that would be located to the northerly
25 extent of the property which would

1 be rights in and rights out access only.

2 So, similar to what you have today but
3 consolidated and pushed to the North as far as we
4 can with adequate spacing to the North, as well. Page | 87

5 In addition to that, we would be
6 maintaining the access point to Central Avenue.

7 Access would be provided there.

8 Central Avenue carries, approximately,
9 nineteen thousand vehicles on a daily basis.

10 So, in terms of traffic mobility, we
11 understand that this is a critical intersection
12 where we are located.

13 One of the things that I would mention for
14 a broader context is that the 7-Eleven that is
15 located on 1 Farm Edge Road, which his three
16 hundred and fifty feet away from the site to the
17 southwest would be relocated to this site, so that
18 7-Eleven would be removed and relocated, here, in
19 terms of the convenience option.

20 COUNCILMAN DUNNE: That was one of the
21 concerns.

22 ENGINEER OLIVO: Yes, so, some of that
23 traffic associated with that site, obviously,
24 people are not strangers to the 7-Eleven brand
25 along this corridor would likely

1 be directly or relocated to this subject property
2 as a result of this redevelopment of the site.

3 What studies show from a traffic
4 prospective is this type of use which is now
5 becoming more of a development trend, I am sure
6 the Board is familiar with, is integrated
7 convenience.

8 What I mean by that is the convenience of
9 the store, itself, under three thousand square
10 feet combined with gasoline fueling.

11 Saying this is a gas station, I would call
12 somewhat of a misnomer.

13 Typical gas stations have other automobile
14 services associated with hydraulic lifts.

15 You have a number of cars parked for long-
16 term purposes throughout the site that are
17 jockeyed around over the course of a day; oil
18 changes, body work, auto body shop-type of
19 activity.

20 None of that is being proposed, here.

21 The gasoline fueling is really part of the
22 convenience offering that is expected, here.

23 And, we are starting to see this more and
24 more with different types of integrated brands
25 that are providing the service.

1 What study show is that as much as almost
2 ninety percent of the traffic that comes in and
3 out of the driveways that are being proposed, this
4 type of use are already on the roads, today.

5 These motorists, these vehicles are on the
6 roadway system.

7 They temporary divert into the site on
8 their journey to work or their journey home in the
9 evening and, then they continue on their way.

10 They are not new to the roadway system.

11 In addition to that, you had a bank on the
12 site with over forty parking stalls, with a drive-
13 thru facility.

14 We are not taking any credit for the
15 removal of that traffic and associated with this
16 Business District.

17 As you have heard from Mr. Nelson, there
18 are a number of uses that could generate new
19 traffic to the site that would be compatible to
20 what is being proposed, here.

21 Again, I think it is important to note that
22 the large majority of the traffic that would come
23 in and out of the site is already on the State
24 highway system or the County roadway system being
25 that Central Avenue is under County

1 Jurisdiction.

2 But be that as it may, we conducted an
3 extensive and comprehensive traffic impact study
4 that has been submitted to the Board that includes ^{Page | 90}
5 turning movement counts and inventory and analysis
6 and assessment of the surrounding street network
7 and roadway network that has been provided to the
8 Board.

9 We have taken the traffic associated with
10 this project, we conveyed it and moved it through
11 the roadway network as a result of the
12 redevelopment of the site.

13 And, if you were to look at the level of
14 service standards that are provided or the metrics
15 that we use to look at whether or not there would
16 be an impact associated with this project, we are
17 looking at the order of less than two percent of
18 the overall traffic at the nearby intersection of
19 Central and Hicksville Road being associated with
20 this project and less than one percent if you were
21 to look at only new traffic associated with the
22 project that is minimal at best and is not
23 something that a drive-thru roadway network would
24 experience any change in their ability to move
25 through the network associated with

1 that little of traffic coming to and from the
2 site.

3 The access has been designed for the
4 purposes of promoting safe and effective movements Page | 91
5 to and from the site.

6 We have been approved by the Department of
7 Transportation for the subject access point and we
8 have an ongoing coordinated effort with Nassau
9 County DPW as part of the 239 F approval process
10 as it relates to Central Avenue driveway.

11 And, generally speaking, we have approval
12 for that access point from a traffic prospective.

13 The subject property would not have a
14 significant impact on the nature of traffic
15 through the roadway network and the adjacent
16 network would not have a significant impact on
17 nearby neighborhoods.

18 All the parking is contained on the site,
19 as you heard, we have thirty-two parking stalls
20 proposed where fifteen are being required.

21 More than enough to accommodate the
22 expected demand that we have here.

23 We also have sixteen fueling positions
24 located underneath the gasoline fueling canopy
25 which would provide adequate capacity

1 to accommodate the demand that we would expect at
2 the site, itself.

3 ATTORNEY BONESSO: Thank you.

4 That is our direct presentation.

5 COUNCILMAN DUNNE: I have one question, one
6 more question.

7 I appreciate, um, what corporate does with
8 the Marine Corp Toys for Tots.

9 It is a wonderful program.

10 Um, now, the men and women coming home, men
11 and women serving right, now, will there be
12 employment for them, any kind of priority for the
13 men and women that are serving with families to
14 get a job with 7-Eleven?

15 ATTORNEY BONESSO: I know 7-Eleven has
16 programs for returning Veterans.

17 I can't speak more than that. I will
18 inquire and provide that information.

19 COUNCILMAN DUNNE: While you are inquiring,
20 what about internships for High School or College
21 kids?

22 ATTORNEY BONESSO: I will find out about
23 both.

24 COUNCILMAN DUNNE: That is all good
25 neighbor stuff.

1 Thank you for your presentation.

2 Stay round because we have questions, a lot
3 of questions from our community.

4 SUPERVISOR GILLEN: We have a lot of slips. Page | 93

5 Senior Councilwoman, would you like you to
6 take into consideration NWBE when you are
7 retaining people to work at your facility.

8 ATTORNEY BONESSO: Surely.

9 SUPERVISOR GILLEN: Thank you, gentlemen.

10 COUNCILMAN DUNNE: First - -

11 SUPERVISOR GILLEN: Joseph David.

12 COUNCILMAN DUNNE: Mr. David, thank you for
13 coming. Thank you for waiting so long and being
14 patient.

15 JOSEPH DAVID: Good Afternoon.

16 SUPERVISOR GILLEN: Good Afternoon, if you
17 would start by stating your name and address for
18 the record.

19 JOSEPH DAVID: My name is Joseph David. 32
20 Lynn Place. I have been living there with my
21 family.

22 We have been there thirty-five years.

23 We have enjoyed living on Lynn Place. It
24 is a cul-de-sac.

25 It is a quiet street and we

1 have enjoyed living there.

2 I know have a new addition my family, my
3 granddaughter is living with us.

4 SUPERVISOR GILLEN: Congratulations.

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5 JOSEPH DAVID: So, we have a young child
6 that is one of my many concerns of being, here,
7 today.

8 Um, the area was a bank ever since we moved
9 in and it operated, you know, during the day and
10 there was traffic coming in and out that was fine.

11 It was a bank and it wasn't a problem.

12 Um, Route 107 is already a very busy road
13 and a gas station/convenience store, what concerns
14 me is the twenty-four hour operation.

15 What concerns me is the sale of alcohol
16 because we have seen from other convenience
17 stores, people who purchase their alcohol there,
18 they are going, you know, it is not for on-
19 premises consumption.

20 They will be in the neighborhoods around
21 the surrounding blocks, in the parking lot
22 consuming that alcohol and, especially, at night,
23 especially on the weekends, it will be loud.

24 There will be music coming from cars.

25 There will be groups coming

1 Together. There is no break, seven days a week,
2 twenty-four hours a day.

3 I don't know if the area is zoned for
4 twenty-four hours.

5 It has never been before.

6 My understanding it was 8:00 o'clock at
7 night, the latest that a business could operate.

8 No matter how high the fence is, the noise,
9 you know, from my deck, which is going to be above
10 the fence, there, goes my privacy.

11 My privacy is gone from my deck, which my
12 house is right behind, the, um, the proposed site
13 and there goes my privacy, all gone.

14 Running exhaust, we all know there is going
15 to be running exhaust.

16 We know there will be deliveries all the
17 time, whether it is a small van or a large truck
18 making that delivery.

19 We know that the rodent problem is going to
20 get worse because trash is going to be different
21 from the bank's.

22 There is going to be food stuff, empty
23 containers, discarded and expired food.

24 We know that we will have a rodent problem.

25 We know that.

1 Another thing that concerns me, the
2 gentleman - - we are talking about giving us
3 notice to talk to them, but the first I heard of
4 this letter is dated November 26, 2019, it was Page | 96
5 sent to me by registered mail, certified mail.

6 So, I had about ten-days notice and in
7 those ten days, all my neighbors have been getting
8 together, like I never seen in my thirty-five
9 years there.

10 And, you will hear from some of them.

11 We are up in arms, you know, we are up in
12 arms, what is going on and, especially, living on
13 the plume to begin with, it is not going to be
14 safe.

15 It can't be safe.

16 They told us 911 was safe a couple days
17 afterwards and it wasn't.

18 Um, you know, it is a business.

19 They are out to make money.

20 I don't blame them but my quality of life
21 and my family, I believe comes first.

22 My time is up, thank you.

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

25 SUPERVISOR GILLEN: Thank you, sir.

1 COUNCILMAN DUNNE: You had some good
2 questions.

3 A lot of 7-Elevens have "No loitering"
4 signs outside.

5 JOSEPH DAVID: You have the signs but - -

6 COUNCILMAN DUNNE: The 8th Precinct is right
7 up the block.

8 JOSEPH DAVID: The owner on Farm Edge Road
9 is the same owner. He has not been a good
10 neighbor there.

11 We have heard the fights and the music. We
12 hear it all night long from him already and that
13 is across Hicksville Road.

14 COUNCILMAN DUNNE: That is pretty much a
15 hidden, too, so, I know the kids from Island Trees
16 do hang out in there but they get shewed away.

17 JOSEPH DAVID: They haven't been shewed.

18 COUNCILMAN DUNNE: This is a more open
19 area.

20 JOSEPH DAVID: It is a bigger area. I am
21 afraid there will be more kids.

22 COUNCILMAN DUNNE: The one up the block
23 from my Mom's house is on, um, Jerusalem Avenue,
24 the East Village group, it is wide open and no one
25 hangs out there because it is wide

1 open.

2 I think this is going to be like that but
3 they still have to address that one, the sale of
4 alcohol.

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5 They do have covenants from certain time
6 that they don't.

7 JOSEPH DAVID: After 4:00 a.m. until 8:00
8 p.m., that is it.

9 So, they will buy this alcohol ten minutes
10 before 4:00 o'clock.

11 They will be there until the sun comes up.

12 COUNCILMAN DUNNE: If that can be addressed.

13 JOSEPH DAVID: It is a State Law, I don't
14 think it can.

15 COUNCILMAN DUNNE: The fencing, because of
16 the noise, it is not just a fence, it is going to
17 be shrubbery there, is that right, to buffer some
18 of the noise, the large arborvitaes.

19 SUPERVISOR GILLEN: Right there is the
20 model. (Indicating)

21 COUNCILMAN DUNNE: On the model you will
22 see the shrubbery.

23 JOSEPH DAVID: I see it.

24 COUNCILMAN DUNNE: They do have a beautiful
25 display right, up, here, um, so,

1 Hopefully that will - -

2 JOSEPH DAVID: I really doubt that. I
3 really do.

4 COUNCILMAN DUNNE: Because I remember my Page | 99
5 predecessor use to make them - - Pathmark made
6 them put in bushes.

7 JOSEPH DAVID: I am in a High Ranch. My
8 second floor will be above the fences, above the
9 shrubbery.

10 We are going to hear it.

11 COUNCILMAN DUNNE: Let's get them to
12 address that.

13 JOSEPH DAVID: There is nothing that high
14 up.

15 COUNCILMAN DUNNE: Write those notes down
16 when you guys go in the back and talk.

17 JOSPEH DAVID: Got it.

18 COUNCILMAN DUNNE: Thank you so much.

19 SUPERVISOR GILLEN: Thank you. Thank you,
20 sir.

21 Maybe we can have you address some of those
22 concerns after we hear from the other residents so
23 you can address them.

24 (Whereupon, calling out from the audience
25 was heard. After, the following

1 ensued.)

2 ROBERT KENNEDY: Good Afternoon.

3 SUPERVISOR GILLEN: Good Afternoon.

4 ROBERT KENNEDY: My name is Robert Kennedy. Page | 100

5 I am living at 16 Monica Court in Bethpage.

6 I am right behind the proposed 7-Eleven and
7 gas station.

8 First of all, I totally disagree with Mr.
9 Bonesso. I called him December 2nd, that is when I
10 received my letter.

11 I did ask to see you, not about
12 architectural stuff, he took my name and number.

13 Once I said I was opposed having a gas
14 station, the conversation kind of changed.

15 But, I said, I still wanted to look at the
16 plans.

17 I haven't heard from him since, okay.

18 So, it is not a good neighbor, yet, so far.

19 Okay, they are acting like this is Disney
20 World.

21 It is not because this back road is ten
22 feet from our property line.

23 Okay, coming in and out is going to be a
24 hassle.

25 There is going to be an accident

1 because you also have Winthrop's driveway right
2 next to it, okay.

3 So, now, you have two driveways coming in
4 and out making left and right turns, whatever, Page | 101
5 going over double yellow lines.

6 That is going to be a major problem.

7 They are acting like it is not going to
8 happen.

9 Second of all, it is northbound property.

10 You are driving southbound on Hicksville
11 Road, okay, you are going to have to make a U-turn
12 somewhere.

13 Where are you making that U-turn?

14 Most of the people go to - - I wish I had a
15 picture, go down a little further.

16 There is like a little triangle where the
17 BP station is, gas station is, five hundred feet
18 away from this, they make an illegal U-turns or
19 are they going to go up to Brenner Avenue, go into
20 our development and go down Edwards.

21 They will not tell us. Drivers will do
22 whatever they want or they will make a right, not
23 a right, a left onto Central Avenue into this back
24 road.

25 We see it all the time.

1 They can sit here and promise us
2 everything, okay, but, we see the deliveries
3 because we already deal with two commercial
4 properties behind us already.

5 4:00 o'clock in the morning, we get the
6 dumpsters dropped, okay, all day plowing when it
7 is snowing, you know, 2:00 o'clock in the morning
8 it starts.

9 It doesn't stop until 6:00 o'clock. I am
10 sure they will have to plow their property, too.

11 When is that going to be done?

12 It is going to be done when we are
13 sleeping, okay.

14 When they talk about real estate, I love
15 this, the values will go up.

16 I talked to our real estate broker in
17 Bethpage.

18 She had three customers in her office at
19 that time and she asked would you consider buying
20 a house behind a gas station?

21 Two of them said, no. The other one said I
22 wouldn't even look at it, so, you know, I might be
23 able to sell my house but I will not sell my house
24 at the value that I thought I was going to get
25 because I am going to have to take that

1 one person that wants to buy my house behind the
2 gas station and that is the price I am going to
3 get.

4 And, especially, I just got a forty-eight ^{Page | 103}
5 hundred dollar increase on my assessment, who is
6 going to buy a house with fifteen thousand dollars
7 worth of taxes behind a gas station?

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

10 ROBERT KENNEDY: I mean, I have so much. I
11 am sorry, three minutes, but they get to stay here
12 for an hour and say something.

13 If I can get a couple more minutes.

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

16 ROBERT KENNEDY: This is our lives.

17 COUNCILMAN DUNNE: If she gave her time it
18 would make it six minutes or no?

19 SUPERVISOR GILLEN: Are you conceding your
20 time to Mr. Kennedy?

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

23 ROBERT KENNEDY; Like I said, we went over
24 the U-turns.

25 Um, I love how they make this look

1 like it is all even, you know that is beautiful
2 that is going to be, I don't know how high that is
3 going to be.

4 It has to be, at least, sixteen feet in the ^{Page | 104}
5 air.

6 It has got to because I have a motor home
7 and if it was that small, I look at the top of my
8 motor home, so, you are looking at sixteen to
9 eighteen feet which will probably be over the
10 building, we will have all the lights in the back
11 which, now, in my backyard is going to be lit up
12 like, you know - -

13 SUPERVISOR GILLEN: Sir, I am so sorry to
14 interrupt you, I have been told by the Town
15 Attorney, um, you are not allowed to get all the
16 time for the other speaker, so, if you could try
17 to wrap up your remarks and have her pass them
18 along.

19 ROBERT KENNEDY: I just want to say I am
20 totally opposed to the gas station.

21 I understand there can be any commercial
22 property in there, that is what I purchased when I
23 went there.

24 I knew it was commercial property.

25 The thing about it, I knew

1 it wasn't ever going to be a gas station.

2 Now, they want you to permit that.

3 I don't care if 7-Eleven is there. I care
4 that the gas station is there and they act like Page | 105
5 cars aren't going to be running, they are.

6 We know it.

7 We see the 7-Eleven over there from our
8 windows.

9 Please, please, do not let them get the gas
10 station in there.

11 SUPERVISOR GILLEN; Thank you, Mr. Kennedy.

12 Ms. Medallion, would you like to come
13 forward?

14 BARBARA MEDALLION: Good Afternoon.

15 SUPERVISOR GILLEN: Good Afternoon.

16 BARBARA MEDALLION: My name is Barbara
17 Medallion. (Phonetic spelling)

18 I live at 5 Monica Court in Bethpage. I
19 have been living there for twenty-nine years, um,
20 Island Trees resident.

21 Um, just to reiterate, what Mr. Kennedy
22 said about just having a gas station in the back
23 of our property, our homes are all - - well, at
24 least mine is, it is a High Ranch.

25 So, I sit out on my deck, look

1 out on my deck, look out in the backyard and, now,
2 what is going to be there?

3 A huge gas station.

4 As yourselves, would you like a gas station
5 sitting in your backyard? Page | 106

6 Our property values are definitely not
7 increasing the way they are telling everybody that
8 their property values are going to increase.

9 Our homes - - our homes, we have a
10 beautiful cul-de-sac.

11 We all maintain our homes.

12 Now, we turnaround and we look in our
13 backyards and we are going to have a gas station.

14 They can glorify it all they want, but, it
15 is still a gas station.

16 These beautiful trees that they are saying,
17 that they are going to put, are they going to
18 bring forty-foot trees to cover what we are seeing
19 from our homes?

20 No, they will bring these little things and
21 maybe in fifteen, twenty years it will cover up
22 what is back there.

23 This is very upsetting to all the
24 residents.

25 And, we are just asking if you really

1 take it into your hearts and consider what we do
2 not want in our backyards.

3 Thank you.

4 SUPERVISOR GILLEN: Thank you, ma'am.

5 Michelle Kennedy?

6 MICHELLE KENNEDY: Hello, my name is

7 Michelle Kennedy and I live at 16 Monica Court.

8 I have lived in the Town of Hempstead for
9 fifty years and my current home for twenty-three.

10 So, this is an important Town to me.

11 I remained here when I got married and
12 decided that this is where I wanted to stay.

13 When we purchased our home, we knew there
14 was commercial property behind our house and we
15 took that into consideration in terms of the
16 values of our homes looking at commercial
17 property, though, it was professional buildings.

18 It was buildings that were open from 8:00
19 to 5:00, potential hours on the weekends.

20 Nothing was fulltime.

21 Um, as we look at this property and the
22 development that they are talking about, um, the
23 bank was there for years.

24 Um, and one of the things that the bank had
25 done was install all of these wonderful trees

1 along the back.

2 As time went on, those trees became a big
3 detriment.

4 People walked through the parking lot,
5 stopped, peed, their dogs were pooing and peeing
6 all along those trees.

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7 The bank, in consideration of the fact
8 that, us, as neighbors, were concerned about that,
9 removed those trees.

10 So, they are talking ab out these wonderful
11 trees and we already know what those trees bring;
12 people loitering around them because it is an area
13 to hide within.

14 So, how are you going to combat and address
15 the needs of, um, putting some type of a shield?

16 Because we know trees are going to be an
17 issue.

18 Um, we talked about property values, I will
19 agree with what Barbara said, there is no way that
20 is going to keep our property values increasing as
21 other houses within the area.

22 Traffic is a concern.

23 Um, we live the first block on Central
24 Avenue passed the entrance of this, at this point,
25 right, now, there is a lot of traffic and making

1 a turn out of our home is difficult.

2 More traffic going up and down that pathway
3 to get not the back side of this building, could
4 make it more difficult. Page | 109

5 There have been accidents.

6 I, myself, have been in an accident pulling
7 out of my driveway - - or my block and it was not
8 my fault.

9 Um, and, then, we look at, you know, some
10 of the other intersections, the one with Central
11 Avenue and 107, which is right up the road, there
12 are accidents there on a regular basis, bad
13 accidents.

14 My best friend of mine and her daughter
15 were killed at that intersection because of the
16 amount of cars that are up and down there.

17 The big thing, I am looking at the fact
18 that we have a 7-Eleven.

19 I understand it is the same owner.

20 I can see the 7-Eleven from my house.

21 It is not that there is a huge need for a
22 7-Eleven bigger than the one we have at that
23 point.

24 That parking lot is never jammed packed.

25 You will see it at times when there

1 are not cars in there at all.

2 There is also another gas station five
3 hundred feet away from there that has ten to
4 sixteen pumps.

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5 I don't know how many it is.

6 And, that is accessible easily from both
7 the northbound Wantagh and northbound 107 and the
8 southbound, um, Wantagh Avenue.

9 This one will technically only be
10 accessible on the northbound side.

11 And, if you look at the area, there are
12 within a mile, four gas stations.

13 There is not need for an additional gas
14 station.

15 People have mentioned the plume.

16 I mean that is a big concern that we are
17 going to disrupt that ground, potentially, or what
18 the affect would be on the environment and what
19 the neighbors in the area would be exposed to.

20 I appreciate if you deny this Motion.

21 Thank you.

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

24 SUPERVISOR GILLEN: Thank you, Ms. Kennedy.

25 Next we have Lilian Linarnack. (Phonetic

1 Spelling)

2 LILIAN LINARNACK: (Phonetic spelling) I
3 say hello to everyone, um - -

4 SUPERVISOR GILLEN: Start by stating your Page | 111
5 name and address, please.

6 LILIAN LINARNACK: Lilian Linarnack. 33
7 Lynn Place in Bethpage.

8 I am a resident there for forty-six years.

9 I raised three sons there. I love the
10 community.

11 We are a tight, tightknit area.

12 Um, I oppose this strongly. This is a
13 health issue, all right.

14 You are going to put a gas station there
15 that has fuel oil.

16 My husband was a driver for one of the
17 large fuel oil dealers. He died of throat cancer
18 and that was job related.

19 And, this will be in the back of my house.

20 I watch my grandchildren. My sons don't -
21 - if this is put up, my sons don't want the kids
22 to come there if that is going to happen, to watch
23 them.

24 And, it is pollution. I don't understand
25 how this can either be considered.

1 I am actually shaking inside, God forbid
2 there is an explosion.

3 It is probably not going to happen, but, it
4 could.

5 What if there is an explosion, our houses
6 are going to be gone, windows are going to be
7 trashed, okay.

8 You are going to have the smell of the
9 gasoline.

10 I went to fill up my gas the other day,
11 okay and I personally wore gloves when I got into
12 my car, I took the gloves off and I laid them on
13 the seat, picked them up, two hours later to smell
14 them, that was disgusting, I smelt the gasoline.

15 Um, this is a residential area.

16 I beg of you people, please, don't pass
17 this.

18 This is horrible for us.

19 What if there is gasoline leakage
20 underneath.

21 All right, we are dealing with the plume
22 already, which is a very, very scary thing for us.

23 It is going to be twenty-four hours, 7-
24 Eleven, sixteen pumps.

25 Would any of you want this behind your

1 home?

2 If this was Jericho or Syosset, everybody
3 would be fighting it too and chances are like
4 someone said, on another issue, Garden City.

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5 So, it is just not good, so, I rest my
6 case. I plead with you people, I beg of you
7 people, please, do not - - I don't want to have to
8 sell my house between the plume and then this, you
9 know, yes, it is going to be unsightly.

10 I et that. I can deal with that and I am
11 being honest with that, for me, it is a terrible,
12 terrible health hazard.

13 I lost my husband because of this, all
14 right, little different, but, he delivered and he
15 was on top of the trucks fueling.

16 And, I beg of you, please.

17 I know you. (INDICATING.)

18 I don't know if you remember me from Island
19 Trees.

20 My kids were, you know, played soccer and
21 all of that good stuff.

22 They are very upset about it.

23 They couldn't come because they don't live
24 with me.

25 Also, too, there is going to be loitering

1 there.

2 I am alone. My husband is gone.

3 So, therefore, if people get drunk back
4 there, I mean it could be farfetched, they can
5 come and break into our homes.

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6 I don't want to live being afraid.

7 So, I just, I beg of you, people, please, I
8 don't want to leave. I love Bethpage.

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

11 SUPERVISOR GILLEN: Thank you, ma'am.

12 COUNCILMAN DUNNE: Thank you for coming,
13 Lilian.

14 LILIAN LINARNACK: I have petitions.

15 SUPERVISOR GILLEN: If you give them to Ms.
16 Hanson, she will make copies and disperse it to
17 the members.

18 SUPERVISOR GILLEN: Mr. Bonesso, do you
19 want to close out your application?

20 ATTORNEY BONESSO: Yes.

21 SUPERVISOR GILLEN: Just to check, was
22 there anybody else that would like to be heard on
23 this? Two more people.

24 BRANDON DAVIS: My name is Brandon Davis.

1 32 Lynn Place, right behind the property.

2 Um, we currently have a twenty-four hour 7-Eleven
3 right there.

4 You spoke about the Village Green, how
5 nobody hangs out there, that is because before it
6 was put there, that 7-Eleven, there was no twenty-
7 four hour-store.

8 The 7-Eleven, we have, now, people hang out
9 there, now.

10 If we put a 7-Eleven there - - listen, I am
11 part of the younger generation, we hung out at 7-
12 Eleven.

13 It is a twenty-four hour store.

14 We were hanging out at midnight.

15 We have nothing better to do. We will be
16 hanging out, around, in a parking lot causing
17 trouble.

18 COUNCILMAN DUNNE: Are you one of the kids
19 on bicycles?

20 BRANDON DAVIS: I went to Island Trees.
21 We all had our fun.

22 We were troublemakers, you know that.

23 So, when I see twenty-four hour store right
24 my house, we see it from - - me and my friends
25 hang out on my deck at night, we see 7-Eleven.

1 We see, you know, people getting pulled
2 over right in front of it.

3 We see people fighting.

4 We laugh at it because we use to do it. Page | 116

5 So, if you put it right behind my house, it
6 is just bringing it closer.

7 Right, now, we have a gas station. We have
8 7-Eleven.

9 COUNCILMAN DUNNE: East Green, too, come
10 on, by the pool.

11 BRANDON DAVIS: That was recent, that
12 wasn't forever.

13 We have had a 7-Eleven there and we have
14 had a gas station there for the longest time.

15 The gas station closed for awhile because
16 it wasn't doing good.

17 This gas station just recently opened and
18 there have been five different gas stations since
19 then.

20 So, we have a gas station.

21 We have a 7-Eleven.

22 If it is not broke, don't fix it.

23 Thank you.

24 COUNCILMAN DUNNE: Thank you for coming.

25 SUPERVISOR GILLEN: The other speaker?

1 Sir, sit down and state your name and
2 address for the record, please.

3 JAY BLACKMAN: Good Afternoon.

4 My name is Jay Blackman from East Meadow, Page | 117
5 1566 Gary Street, East Meadow.

6 Um, I come at this from a little different
7 direction.

8 The last time I was here, someone else was
9 talking about putting up a gas station and I
10 recommended that maybe they would think of putting
11 in electric charging stations.

12 And, I was just reading that, um, a few of
13 the car producers are, now, turning to all
14 electric cars for something that is the wave of
15 the future.

16 There are countries who are going to be
17 outlawing gas-driven cars.

18 The transportation industry is one of the
19 key contributors to greenhouse gas.

20 So, you know, I would even ask you to make
21 a resolution of any type of gas station that would
22 be put up would have to have electric charging
23 stations.

24 Um, I know some people that it might take a
25 long time to charge their cars, but, with Tesla

1 coming out with a four hundred mile battery that
2 can drive a car four hundred miles, it wouldn't
3 take more than ten or fifteen minutes to charge a
4 car enough miles to get to where you are going. Page | 118

5 So, that would be, um, what I would suggest
6 that we look towards the future to eliminate
7 greenhouse gases and this would be one step in
8 that direction to put up electric charging
9 stations wherever we have gas stations.

10 I thank you.

11 COUNCILMAN DUNNE: We are considering that,
12 so, thank you.

13 SUPERVISOR GILLEN: Thank you.

14 COUNCILMAN DUNNE: And, our last person?

15 BARBARA DAVID: Hi, Barbara David. 32 Lynn
16 Place. I also live in the house that immediately
17 backs that gas station.

18 I have lived there for thirty-five years.

19 Um, as my son said, we can hear everything
20 that happens at the 7-Eleven across the street,
21 which is why I don't open my windows at night.

22 And, now, definitely will not be able to
23 because it would be right in my backyard, the
24 fumes.

25 The fact that it is twenty-four hours,

1 I am not sure what the law is.

2 When I bought my house, as far as I know,
3 that was zoned not to be twenty-four hours and not
4 to have any food.

5 And, I don't know if and when that changed
6 or if I was given incorrect information but, it
7 was never supposed to allow a twenty-four hour
8 operation there or a food operation.

9 So, those are both going against what I was
10 led to believe.

11 I could be wrong.

12 And, there is going to be rodents, the
13 noise and as my husband said, he is not a good
14 neighbor to begin with.

15 That 7-Eleven is dirty, filthy, disgusting
16 the dumpsters.

17 There is, um, like puddles of dirty water,
18 coffee, food.

19 It is never cleaned around the parking lot.

20 It is rarely swept up. So, I am going to
21 have rats in my backyard with my brand new
22 grandchild running around getting bit by them.

23 That is it.

24 Thank you.

25 SUPERVISOR GILLEN: Thank you.

1 COUNCILMAN DUNNE: Mr. Town Attorney, can
2 you see if there is a special covenant for no food
3 or twenty-four hours in that area?

4 She said when she bought her house, there ^{Page | 120}
5 was a covenant for no food sold there or twenty-
6 four hour service of any kind.

7 SUPERVISOR GILLEN: Mr. Bonesso - -

8 TOWN ATTORNEY RA: I can't even imagine
9 such a thing could even be upheld or legal.

10 It is possible that it was put in there in
11 1910.

12 If she had a Deed, it is in her Deed, maybe
13 it is a restrictive covenant to the property, but
14 there is no way for me to check.

15 SUPERVISOR GILLEN: Have you ran a search
16 on that, Mr. Bonesso, if there are any covenants
17 related to this property?

18 ATTORNEY BONESSO: There are no covenants
19 that restrict any kind of food use.

20 There are no covenants that restrict the
21 sale of alcohol.

22 There are no covenants that restrict the
23 hours of operation nor does the zoning have any
24 impact on those things.

25 The zoning by law cannot control - -

1 cannot impose twenty-four hour restrictions,
2 cannot restrict these things that are being talked
3 about.

4 This is a "Business X" zone.

5 It is the commercial zoning district for
6 the Town of Hempstead.

7 Restaurants are allowed.

8 7-Eleven's are allowed. Convenience
9 markets, retail, office, professional offices, all
10 of the personal service, retail-type and office-
11 type uses are unconditionally permitted in this
12 district.

13 SUPERVISOR GILLEN: Talk a bout how you can
14 address some of the neighbors' concerns, briefly.

15 And, perhaps you can meet with them in the
16 event that we reserve decision.

17 COUNCILMAN DUNNE: You're going to go with
18 the folks in the back room, in that conference
19 room and address some of their concerns.

20 ATTORNEY BONESSO: I will try.

21 COUNCILMAN DUNNE: you know, the glass,
22 back in there.

23 SUPERVISOR GILLEN: Your closing remarks?

24 COUNCILMAN DUNNE: I am going to make a
25 suggestion.

1 ATTORNEY BONESSO: Can I respond to the
2 assertions made and do a Close or are you closing
3 the Hearing?

4 COUNCILMAN DUNNE: No, close it.

5 SUPERVISOR GILLEN: Try to keep them brief,
6 Mr. Bonesso.

7 ATTORNEY BONESSO: In connection with the
8 - - some of the comments made, the twenty-four
9 hour operation, all the aspects of the 7-Eleven
10 that they are concerned about, again, this is not
11 bout 7-Eleven.

12 7-Eleven is an as of right use, so, it is
13 not pertinent.

14 7-Eleven has strict policies in place.

15 They don't want people loitering anymore
16 than anyone else does.

17 They have "no loitering" policies.

18 They have a protocol that they operate to
19 remove people who are loitering as need be.

20 They also will have twenty-four hour
21 cameras on this site, inside and out for security
22 purposes.

23 The concerns a bout deliveries, the
24 concerns about the activities at night, given
25 those are things that we can specifically address

1 were as of right use would be completely addressed
2 and we can impose conditions that there be no
3 deliveries beyond certain hours.

4 We would try to have no sanitation pickup,^{Page | 123}
5 no fuel deliveries after hours.

6 Everything could be controlled in the form
7 of restrictive covenants.

8 Similarly, we would restrict delivery
9 vehicles from using the Central Avenue curb cut
10 for access to the property.

11 Now, regarding that curb cut, there was
12 concern that it will generate traffic.

13 That curb cut is the secondary curb but for
14 this site.

15 The vast majority, as Mr. Olivo said, the
16 vast majority of traffic accessing this property
17 is already on the road and coming off Hicksville
18 Road.

19 The Hicksville Road site is right turns in
20 and right turns out.

21 And, it is specifically designed.

22 This site is designed for northbound
23 traffic on Hicksville Road.

24 There is assertion that other gas stations
25 just South of this is easily accessed from

1 Hicksville Road.

2 It is not accessed easily from Hicksville
3 Road. You either have to go up and make a U-turn
4 and, then, go back to get to that gas station or ^{Page | 124}
5 you have to cut through to find a way to cut
6 through North Wantagh Avenue and come up, so, that
7 is an inaccurate assertion.

8 The safety issues; the health issues that
9 are asserted, the possibility of an explosion, I
10 mean, look, obviously, anything can happen
11 anywhere.

12 A plane could crash into Town Hall tomorrow
13 but if we are going to make our decisions based
14 upon things like that, the Board better take into
15 consideration the many, many other gasoline
16 service stations and convenience markets approved
17 on sites that are much tighter than this, that
18 have much lower setbacks.

19 I am looking at a - - if you look at the
20 page in the handout that says, "Convenience Store
21 and gasoline service station, site comparisons
22 matrix," those are all gasoline service stations
23 that back up to residential properties.

24 Our rear buffer to the building is 117.8
25 feet.

1 We have gas stations here that have been
2 approved that three foot rear buffers, two foot
3 rear buffers, six foot rear buffers, zero foot
4 rear buffers, six foot rear buffers.

5 You have from the buffer to the pumps,
6 thirty-seven feet, fifty-seven feet.

7 We are two hundred and twenty feet to the
8 pumps in term of this site.

9 This is an extremely large site.

10 It will make for very good site
11 circulation.

12 The uses that can go on this property, as
13 we discussed, as of right, will be far more
14 intensive and far closer to the residential
15 property owners than would this development.

16 So, when all is said and done, you can have
17 a twenty-four hour CVS - - convenience market.

18 (Whereupon, calling out from the audience
19 was heard. After, the following ensued.)

20 ATTORNEY BONESSO: You can have a twenty-
21 four hour convenience market.

22 SUPERVISOR GILLEN: Can we wrap up the
23 comments and can everybody please not call out
24 from the gallery.

25 COUNCILMAN DUNNE: I make a Motion to

1 close the Hearing and we will reserve decision
2 because of the concerns of the citizens.

3 I would like you to meet with them and
4 maybe address some of the things that have been
5 said already that you are doing, now, in the back
6 room, one-on-one, with him and his crew and you
7 can tell the pros and cons of what you are talking
8 ab out.

9 We are reserving decision.

10 We are not going to vote "Aye" or "Nay."

11 SUPERVISOR GILLEN: Can I have a second.

12 SENIOR COUNCILWOMAN GOOSBY: Second the
13 motion.

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: Councilman Dunne?

22 COUNCILMAN DUNNE: Aye.

23 CLERK CABANA: Senior Councilwoman Goosby?

24 SENIOR COUNCILWOMAN GOOSBY: Aye.

25 Y CLERK CABANA: Councilman Muscarella?

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1 COUNCILMAN MUSCARELLA: Aye.

2 ATTORNEY BONESSO: Thank you for your time.

3 SUPERVISOR GILLEN: Thank you.

4 COUNCILMAN DUNNE: Thank you.

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

7 SUPERVISOR GILLEN: Speak with Mr. Bonesso,
8 he can address some of your concerns as the
9 Councilman suggested and you can stay in contact
10 with him, okay, thank you.

11 It will be on the Decision Calendar next.

12 Madam Clerk, will you, please, call the
13 Decision Calendar.

14 CLERK CABANA: Yes, there is one item on the
15 Decision Calendar.

16 This is the proposed improvement and
17 adoption of certain roads within Island Park
18 (Barnum Isle) into the Town of Hempstead Highway
19 System - near Island Park (Barnum Isle) -
20 Department of Engineering

21 SUPERVISOR GILLEN: May I have a Motion on
22 the Decision Calendar.

23 COUNCILMAN D'ESPOSITO: Before I make the
24 Motion, just I - - probably two months ago, there
25 were concerned residents, here, from Island Park

1 and I just want to thank from the Department of
2 Engineering, Commission Tuman and Deputy
3 Commissioner Tierney.

4 They met with the residents and put them ^{Page | 128} at
5 ease and explained exactly what was happening,
6 here.

7 So, I move the Decision Calendar.

8 SENIOR COUNCILWOMAN GOOSBY: 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: Councilman Muscarella?

21 COUNCILMAN MUSCARELLA: Aye.

22 TOWN ATTORNEY RA: Just for the record, you
23 move that the application be granted, is that
24 correct?

25 COUNCILMAN D'ESPOSITO: Yes, application

1 be granted on the Decision Calendar regarding the
2 improvement and adoption of roads within Island
3 Park.

4 SUPERVISOR GILLEN: Do we need to recall Page | 129
5 the vote, Mr. Ra?

6 TOWN ATTORNEY RA: No.

7 SENIOR COUNCILWOMAN GOOSBY: He said that.

8 SUPERVISOR GILLEN: All right, Madam Clerk,
9 will you, please, call the Administrative
10 Calendar.

11 CLERK CABANA: Yes, there are Items 14
12 through 87 on the Administrative Calendar.

13 SENIOR COUNCILWOMAN GOOSBY: I move the
14 Administrative Calendar.

15 SUPERVISOR GILLEN: Does anybody want to
16 sever anything before we make a Motion?

17 COUNCILMAN D'ESPOSITO: I move to amend
18 Item 30, the 2020 publication resolution, insofar
19 as to authorize and direct the Clerk to publish
20 required matters in the Long Island Business News
21 but, also in any weekly or daily newspaper
22 regularly published in the Town when such
23 publication cannot be timely effectuated.

24 And, I also move to table Item 70.

25 SUPERVISOR GILLEN: Councilman,

1 I just want to be clear on your Motion for Number
2 30, are you adding Long Island Business News to
3 all the publications that are listed?

4 COUNCILMAN D'ESPOSITO: I am removing the ^{Page | 130}
5 publications and only listing Long Island Business
6 News.

7 SUPERVISOR GILLEN: So, don't we need to
8 have a vote on the amendment, first?

9 TOWN ATTORNEY RA: Yes.

10 SUPERVISOR GILLEN: We need to have a vote
11 on the amendment, just to be clear, the Councilman
12 has move to amend the resolution which is Number
13 30, which provides for a publication of notices in
14 a whole laundry list of local newspapers and he is
15 adding that resolution to only provide for
16 publication in the Long Island Business News, is
17 that correct, Councilman?

18 COUNCILMAN D'ESPOSITO: And, also any
19 weekly or daily newspaper regularly published in
20 the Town when such publication cannot be timely
21 effectuated.

22 SUPERVISOR GILLEN: Okay, do I have a
23 second on that Motion?

24 SENIOR COUNCILWMAN GOOSBY: Second.

25 SUPERVISOR GILLEN: Madam Clerk.

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1 CLERK CABANA: Supervisor Gillen?

2 SUPERVISOR GILLEN: No.

3 CLERK CABANA: Councilman Blakeman?

4 COUNCILMAN BLAKEMAN: Aye.

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5 CLERK CABANA: Councilman D'Esposito?

6 COUNCILMAN D'Esposito: Aye.

7 CLERK CABANA: Councilman Dunne?

8 COUNCILMAN DUNNE: Aye.

9 CLERK CABANA: Senior Councilwoman Goosby?

10 SENIOR COUNCILWOMAN GOOSBY: Aye.

11 CLERK CABANA: Councilman Muscarella?

12 COUNCILMAN MUSCARELLA: Aye.

13 SUPERVISOR GILLEN: I just wanted to add to
14 my vote to just explain it, I do not think that it
15 is proper notice given to the residents when the
16 only publication is the Long Island Business News
17 because it is not a widely circulated publication
18 in the Town of Hempstead.

19 I also believe that, um, awarding notices
20 is really something that the new Supervisor should
21 have the opportunity to weigh in on and something
22 that he should be able to do as his incoming
23 organization meeting.

24 All right, are we severing anything?

25 COUNCILMAN D'ESPOSITO: I would like

1 to table Item Number 70.

2 SUPERVISOR GILLEN: So, Number 70 is the
3 resolution for the community choice aggregation
4 award of a contract to a contractor to negotiate
5 lower fuel rates on behalf of the residents in
6 small businesses living in the Town of Hempstead,
7 um, and so, we did receive a letter of support
8 from the Baldwin Chamber of Commerce supporting
9 this resolution, um, which we will make part of
10 the record.

11 If you could hand it to Ms. Hanson, rather
12 and there is one from LIBE, as well.

13 All right, so, we have a Motion and a
14 second to table the CCA.

15 SUPERVISOR GILLEN: Yes, just - - is the
16 letter in support or against?

17 Who is it from, sir?

18 (Whereupon, "all letters in support of the
19 CCA" was heard as the gentleman was standing
20 before the Board Members. After, the following
21 ensued.)

22 SENIOR COUNCILWOMAN GOOSBY: Second.

23 SUPERVISOR GILLEN: All right, so, we have
24 a Motion to table it and a second.

25 Madam Clerk?

1 CLERK CABANA: Supervisor Gillen?

2 SUPERVISOR GILLEN: I do not support
3 tabling this item.

4 If this item is not voted on at this
5 meeting, there is virtually no chance that any
6 residents will see any savings on their fuel costs
7 before the close of this Winter season according
8 to the vendor - - the new Supervisor - - in
9 Newsday, they reported that the incoming
10 Supervisor should have an opportunity to weigh in
11 on this, um, enabling legislation to allow the
12 Town to go out and seek a vendor to negotiate on
13 behalf of the residents, something that was
14 unanimously approved by this Council.

15 The incoming Supervisor will have an
16 opportunity to weigh in on this matter because
17 when the vendor goes out and negotiates rates,
18 they will have to come back to this Board, once,
19 again, to award the contract.

20 So, the Supervisor, the incoming Supervisor
21 will have an opportunity to weigh in.

22 I urge my colleagues to change their minds
23 because we really have an opportunity right, now,
24 to deliver some savings to our residents in this
25 Town.

1 And, this will only go forward if residents
2 save money and if we delay this, there is very
3 little chance that any residents will be able to
4 save money this Winter season.

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: Councilman Muscarella?

14 COUNCILMAN MUSCARELLA: Aye.

15 SUPERVISOR GILLEN: Okay, so, now, may I
16 have a Motion on the Administrative Calendar.

17 SUPERVISOR GILLEN: I move the
18 Administrative Calendar with the exception of
19 those items that have been tabled.

20 COUNCILMAN BLAKEMAN: Second.

21 SUPERVISOR GILLEN: I have a number of
22 slips; Felix Procacci?

23 FELIX PROCACCI: Felix Procacci. Um, on
24 Item Number 54, I think that it is written very
25 poorly, um, criminal law is a complex subject

1 but the resolution presented by the Town Board is
2 vague and does not address in any way that
3 complexity.

4 If the Board Members don't like parts of Page | 135
5 the State legislation, they should suggest
6 specific changes for the resolutions.

7 The Town should provide their position in
8 how they would like to see the legislation
9 written.

10 Just giving a lot of vague things, I don't
11 like this and I don't like that, really doesn't
12 give our elected officials in Albany any guidance,
13 you know, what we are going to do.

14 We should specify what we want, so they
15 have some guidance.

16 Um, on Item Number 69, authorizing
17 amendment to the Town procurement policy; getting
18 rid of the fifty thousand dollar limit, hooray, it
19 was illegal when you passed it.

20 Now, you are getting rid of it.

21 It is good that you did that.

22 Um, on Number 68, also, that is a good
23 thing suspending that rule of tabling things
24 indefinitely.

25 It was a dumb rule that violated minority

1 Rights.

2 It served no purpose except to frustrate
3 the Supervisor and that is all you wanted to do
4 and I guess you accomplished that.

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5 Um, Item Number 37, I am not sure is this
6 correct, we are authorizing acceptance of
7 sponsorship for the 2019 calendar, so that is from
8 last year's calendar not the 2020 calendar?

9 SUPERVISOR GILLEN: That is correct.

10 FELIX PROCACCI: All right, I just wanted
11 to understand that.

12 Um, the Franklin Square bulletin about the
13 newspaper, should not be one of our listed
14 newspapers because the person who owns the paper
15 is the editor of the paper is an employee and
16 there is no public disclosure of the input that he
17 has into that paper and it maybe - -

18 SUPERVISOR GILLEN: Are you talking about
19 30?

20 That has been amended.

21 FELIX PROCACCI: Thirty it - - um, the
22 designated papers.

23 SUPERVISOR GILLEN: Right, Councilman
24 D'Esposito has amended it so, now, it is Long
25 Island Business News.

1 FELIX PROCACCI: With no other papers?

2 SUPERVISOR GILLEN: Except in certain
3 circumstances.

4 FELIX PROCACCI: Okay, actually, I wanted
5 to speak on the amendment of that, that is why I
6 wanted to get that clarification.

7 We should never have an open-ended
8 resolution where it just anything someone feels
9 like doing.

10 TOWN ATTORNEY RA: This morning - -

11 FELIX PROCACCI: Those papers should be
12 specified in the resolution.

13 I don't like vague resolutions.

14 I don't think anyone should like vague
15 resolutions.

16 I think we should do that.

17 TOWN ATTORNEY RA: Supervisor, if I may,
18 for a moment; this morning I received a letter
19 from the editor of the Franklin Square Bulletin
20 requesting that his name be removed.

21 Anyway, that is what Councilman
22 D'Esposito's motion did.

23 They will not accept any advertising from
24 the Town or public notices from the Town.

25 FELIX PROCACCI: Okay, that is a good

1 Start.

2 Um, on the personnel issues, I believe we
3 have people who are, I didn't know that, at the
4 time, um, a relative of the Personnel Director. Page | 138

5 I think that is a conflict of interest.

6 That should never happen, you know, a
7 person like that should never be hired.

8 I don't see how you can have an
9 organization where you have - - we already have so
10 many relatives here, one that is related to the
11 Personnel Director is inappropriate - -

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

14 FELIX PROCACCI: I am happy to here Joe Ra
15 is enforcing meeting rules.

16 I am happy to hear that.

17 SUPERVISOR GILLEN: Thank you.

18 COUNCILMAN D'ESPOSITO: Mr. Procacci, I
19 need to comment on one thing, I know you mentioned
20 about the Human Resources Director and I have to
21 say because someone is, especially someone who has
22 been a victim of this, if there is someone that
23 works hard and earns a right to be promoted or,
24 um, improve in their career, they shouldn't be
25 held back because of their last name, all right.

1 People need to be held as individuals and I
2 know for a fact this individual works extremely
3 hard.

4 He is extremely competent and he deserves ^{Page | 139}
5 to have a promotion.

6 Just because he has a last name that you
7 don't like shouldn't be in consideration.

8 FELIX PROCACCI: That wasn't my point.

9 COUNCILMAN D'ESPOSITO: That is my point.
10 Your time is up. Thank you.

11 FELIX PROCACCI: You're not talking on what
12 I spoke to.

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

15 FELIX PROCACCI: Someone like that should
16 never have been hired to start with.

17 SUPERVISOR GILLEN: Thank you, Mr.
18 Procacci.

19 FELIX PROCACCI: I need to respond. He
20 said something.

21 Why does he get last licks?

22 SENIOR COUNCILWOMAN GOOSBY: You used your
23 three minutes, already.

24 FELIX PROCACCI: There are many companies
25 that will not hire relatives.

1 If you work there, they will not hire your
2 relatives because it becomes a conflict of
3 interest.

4 SUPERVISOR GILLEN: Thank you, Mr.
5 Procacci.

6 Valerie Lampe?

7 COUNCILMAN BLAKEMAN: Felix, Merry
8 Christmas.

9 VALERIE LAMPE: Good Afternoon. Valerie
10 Lampe, St. Augustine, Florida.

11 SENIOR COUNCILWOMAN GOOSBY: Wow.

12 VALERIE LAMPE: Yeah, I really recommend
13 it.

14 Um, I actually - - I wanted to ask about
15 Resolution Number 68, I just wanted to get a
16 little clarity because I am seeing this for the
17 first time but, um, so, this resolution is
18 reversing the procedure about indefinitely tabling
19 things.

20 SUPERVISOR GILLEN: It is suspending it.
21 Those items can be considered.

22 VALERIE LAMPE: Is that, um, is that going
23 to be retroactive?

24 SUPERVISOR GILLEN: It is suspending, this
25 meeting only.

1 VALERIE LAMPE: Am I the only one that is
2 confused?

3 I am sorry, I am trying to understand. So,
4 if I remember there was a meeting where they Page | 141
5 decided that they were going to table something
6 and the could table it indefinitely, so, that is
7 still their right or no?

8 SUPERVISOR GILLEN: That is part of the
9 rules.

10 VALERIE LAMPE: Okay, but, now, they are
11 suspending the rules for one meeting?

12 SUPERVISOR GILLEN: To consider those
13 times; that is a resolution to suspend the rules
14 so those items can be considered.

15 The rule is still in place, although, with
16 the new incoming Supervisor that rule might change
17 because I think it was especially designed for me.

18 SENIOR COUNCILWOMAN GOOSBY: That is not
19 fair. This is your last meeting, why did you say
20 that?

21 We didn't design anything for you. I am
22 sorry you feel that way.

23 VALERIE LAMPE: So can I ask what is being
24 brought back that was tabled indefinitely?

25 SUPERVISOR GILLEN: There is a list in the

1 Resolution.

2 VALERIE LAMPE: I know, I can't get to it
3 on my phone right, now.

4 It is three hundred and seventy-five pages ^{Page | 142}
5 and it is not coming up.

6 Can anybody save me the homework?

7 COUNCILMAN D'ESPOSITO: We have a block on
8 it because you live in Florida.

9 VALERIE LAMPE: I knew it.

10 Don't be jealous. Don't be jealous.

11 SUPERVISOR GILLEN: One of the items is
12 NOVIS agenda, which would have enabled you one of
13 the times that was tabled, would have modernized
14 the Clerk's Office and enabled you to actually
15 search the PDF format and actually pull that out,
16 eventually.

17 That is one of the items that is on there,
18 on that list and it would make it easier to review
19 the agenda to find things that you are interested
20 in.

21 VALERIE LAMPE: Okay, I don't know.

22 Anyway, um, the other question I just
23 wanted to ask because I am curious by nature but,
24 um with regards to the advertising, right, so,
25 Long Island Business News is excellent.

1 In spite of living in Florida, I still
2 subscribe to them and I think everyone could
3 benefit from them.

4 But, anyway, other than that, um, how do we ^{Page | 143}
5 go about selecting which newspapers to advertise
6 with or which periodicals?

7 And, I am just asking because in all
8 sincerity, it does seem many times that
9 newspapers, in general, it could New York Times,
10 it could be the Washington Post, they tend to
11 have, um, they tend to favor a political party,
12 whether it is the left or the right - - the New
13 York Post.

14 So, ow do we go about selecting advertising
15 dollars and picking which periodicals to advertise
16 with?

17 SUPERVISOR GILLEN: So, this resolution
18 relates to publications of notices and the way
19 that is decided by Town Board Resolution, so, that
20 is what this resolution actually does and if it
21 changes, it will also be in the next
22 administration by Town Board Resolution.

23 VALERIE LAMPE: Okay, thanks.

24 SUPERVISOR GILLEN: Thank you. Richard
25 Schurin?

1 (Whereupon, "pass" was heard calling out
2 from the audience. After, the following ensued.)

3 SUPERVISOR GILLEN: Robert Hass?

4 Have a seat and state your name and address ^{Page | 144}
5 for the record.

6 EFRIN GERSBERG: Efrin Gersberg. (Phonetic
7 spelling) Edison, New Jersey.

8 It is a shame that Councilman Blakeman is
9 not here to hear this.

10 Supervisor Gillen and Council; my name is
11 Efrin Gersberg, one of the owners of the Woodmere
12 Club.

13 What I am going to discuss over the next
14 few minutes could one of the most important
15 decisions you will make whether the Town of
16 Hempstead will be guaranteed to spend millions of
17 dollars in litigation costs.

18 You may recall that two years ago with no
19 Notice to the public or us, the owners of the
20 property, Mr. Blakeman and Mr. D'Esposito tried to
21 create a glove course zone restricting development
22 in the local golf courses.

23 It was obvious that this was targeted at
24 the Woodmere Club and in turn all golf courses in
25 Hempstead due to uproar from ourselves and the

1 Public, including the Five Towns Civic
2 Association.

3 The proposed zone was shelved for the last
4 two years.

5 Since that time, we attempted to meet with
6 Mr. Blakeman and Mr. Esposito - -

7 COUNCILMAN D'ESPOSITO: D'Esposito.

8 EFRIN GERSBERG: I apologize.

9 Both have refused to meet in that two years
10 and not one meeting.

11 This past year, we received a request from
12 Supervisor Gillen's Office to look at alternatives
13 for the Woodmere Club.

14 At that same time, we had a mass request
15 for over fifty residents, who asked us to consider
16 age-restricted condos so they can downsize and
17 still live in the Five Towns.

18 We were also asked to lessen the amount of
19 single-family homes in an effort to come up with
20 an alternative that would take into account these
21 requests.

22 We put together a plan which included only
23 sixty-five, one acre lots and age restricted.

24 The project which would be spread over ten
25 acres and twelve acres of active recreational

1 space which would be open for public use.

2 This plan reduced the number of single
3 family homes in the Hempstead sections of the
4 property by ninety percent by reducing the number Page | 146
5 of single family homes; 247 to 28 with the
6 remaining thirty-seven homes in Lawrence and
7 Woodsburgh.

8 To be clear, this proposal is financially
9 worse than our, "as of right" zoning.

10 We presented the plan to the Supervisor's
11 representative at a meeting which was also
12 attended by the Five Towns Civic Association.

13 The plan was well received by Hempstead and
14 attempted to bring the concept out to the Board of
15 Governors.

16 To this end, we invited Mr. D'Esposito, as
17 well as, representatives from the Village of
18 Woodsburgh and Lawrence to a meeting that would
19 take place tomorrow night to discuss this
20 alternative.

21 Instead of agreeing to meet with us to try
22 to work together, Mr. Blakeman has attempted to
23 influence all the other Village representatives to
24 not attend the meeting.

25 He had done the best efforts to foil an

1 settlement or attempts to work cooperatively.

2 Mr. Blakeman has also gone around espousing
3 mistruths, chief among them, we have not offered
4 to compromise. Page | 147

5 For the record, so, we are clear, today,
6 approximately, two and a half years ago, we
7 offered to reduce our zoning from two hundred and
8 eighty-five homes to one hundred and ninety homes;
9 over thirty-two percent reduction.

10 Moreover, we met with the representatives
11 of the Town of Hempstead government and presented
12 an alternative plan, which included sixty-five
13 homes age restricted and twelve acres of open
14 space, even with no one on the government's side
15 trying to come up with the solution cooperatively
16 and instead leading us down to an expensive trip
17 down to Federal Court, which the landowners are
18 still willing to compromise.

19 Having said that, if we are forced to go to
20 Federal Court and proceed with litigation, that
21 will cost the Town millions of dollars.

22 We will do so and win our two hundred and
23 eighty-five homes, of that I am certain.

24 If you ask me how I know I will win in
25 Federal Court - -

HEMPSTEAD TOWN BOARD 12/10/19

1 (Whereupon, the three-minute bell rang.

2 After, the following ensued.)

3 EFRIM GERSGERG: If you don't mind I will
4 my attorney and Robert just continue the speech. Page | 148

5 They will not speak if I finish.

6 SUPERVISOR GILLEN: The Town Attorney just
7 said I cannot allow people to concede their time.

8 EFRIM GERSGERG: So, I will have Mr. Weiss
9 continue.

10 SUPERVISOR GILLEN: Sure, thank you.

11 ROBERT WEISS: Robert Weiss, Weiss
12 Properties, 41 Barrett Street, New Brunswick, New
13 Jersey.

14 SUPERVISOR GILLEN: Thank you.

15 ROBERT WEISS: Okay, as you know, I have
16 been here two years ago, so, I will continue on.

17 If you ask me how I know we will win in
18 Federal Court, I will answer you, thanks to Mr.
19 Blakeman and to your Town Attorneys, this
20 resolution being put forward, today, will be
21 Exhibit 1.

22 This is the first time, Mr. Blakeman and
23 Mr. D'Esposito are all being honest about the
24 rezoning.

25 In the past, they have tried to say it was

1 for all the golf courses in Hempstead but, today,
2 they put forth the complete resolution attacking
3 only the Woodmere Club, thereby proving what
4 everybody already knew that this is spot zoning.

5 They even made the mistake of putting the
6 Woodmere Club in the name of the conservation
7 zone.

8 I really don't even understand that.

9 My attorney thanks your attorney for this
10 piece of information.

11 So, what are you being asked, today, to
12 vote on?

13 What you are being asked to vote on is for
14 a coordinated land use change, which is illegal in
15 nature and will give Hempstead's ability to zone
16 for itself.

17 What this agreement says is in the future
18 if Hempstead Officials want to change something in
19 your new conservation zone or get tired of
20 spending millions of dollars in litigation, you
21 will have given up the right to govern your own
22 land to Villages of Lawrence and Woodsburgh.

23 Yes, once this document is signed and you
24 go forward and create a new zone, Woodsburgh, the
25 Village of three hundred homes can tell

1 Hempstead exactly what to do.

2 Woodsburgh and Lawrence will have veto
3 rights over any amendments to the zone.

4 If you want to settle the litigation that ^{Page | 150}
5 is going to be filed by us against you for passing
6 this resolution, you will need to ask Woodsburgh
7 for permission to change the new zone you are
8 creating.

9 I note that you already sued - - I note
10 that we already sued Hempstead and Woodsburgh and
11 won both cases.

12 However, Mr. Blakeman passed a rezone of
13 700 apartments by Lawrence Train Station without a
14 proper SEQRA study and with care of the
15 environmental or traffic consequences and, then,
16 puts forward this resolution which includes
17 assertions that he knows nothing about.

18 All of the whereas in the beginning of the
19 resolutions are misleading.

20 First, are we in a flood zone?

21 Yes, so are thousands of homes in Hempstead
22 and Five Towns.

23 We put forth any regulations - - have you
24 put forth any regulations against the building and
25 any additions or any other restrictions?

1 No, you have not.

2 Second, all of the concerns put forth in
3 the regulations are covered under our SEQRA study.

4 All of you may not realize we have not only Page | 151
5 filed a SEQRA plan with the Nassau County Planning
6 Board, but, we are far along with our process.

7 In fact, we will be coming out with our
8 report for public comment by February of 2020.

9 And, yes, that report of almost a thousand
10 pages deals with all the concerns put forth in
11 this resolution; flooding, traffic, open space,
12 etc.

13 Here is a sneak peek at our report.

14 (Whereupon, the three-minute bell rang.
15 After, the following ensued.)

16 SUPERVISOR GILLEN: Thank you, sir.

17 COUNCILMAN BLAKEMAN: So, Mr. Weiss, I just
18 want to respond in a limited way.

19 First of all, um, let me say that, um, we
20 have been in touch with your attorney.

21 Your attorneys have revealed the plan that
22 you are going to unveil tomorrow.

23 Um, so long as we are in litigation or
24 threatened with litigation or both, um, we are not
25 going to attend the meeting, Councilman

1 D'Esposito and myself - - he can speak for
2 himself.

3 The fact is I did not coerce anybody not to
4 attend the meeting or tell anybody that they
5 should not attend the meeting.

6 I did discuss whether or not we would be
7 attending the meeting, Councilman D'Esposito and I
8 and for myself, I said so long as there was
9 litigation or threat of litigation that I was not
10 going to attend the meeting by the developer.

11 So, that is my position.

12 But, um, as you are aware and for the
13 record, um, we have been talking with your Counsel
14 and your Counsel has been sharing information with
15 us.

16 We have been sharing information with your
17 Counsel, which is something that I think could be
18 helpful sometime in the future but for, now, we
19 have this intermunicipal agreement which we think
20 is best for the residents of the Town of Hempstead
21 and basically, it is an agreement for the Town to
22 cooperate and work together with the Village of
23 Lawrence and the Village of Woodsburgh because we
24 all share jurisdiction in whole site, so that is
25 the purpose of this.

1 There is nothing nefarious about it.

2 It is just an agreement to work together.

3 ROBERT WEISS: With respect, Councilman
4 Blakeman, um, I have to correct something because

5 I personally spoke to people that said that you
6 called them, pressured them not to come to the
7 meeting.

8 I am sure - -

9 COUNCILMAN BLAKEMAN: Get a written
10 statement - - no, no, I want to respond to that,
11 get a written statement from them or have them
12 come before us and say that I exerted pressure.

13 There was a discussion on whether or not
14 Town Officials would participate and they were
15 told that we would not participate so long as
16 there was litigation or threatened litigation in
17 any meeting called by a litigant, okay.

18 If you want to meet with our attorneys
19 since there is litigation, we would be happy to
20 provide our attorneys to be available to meet.

21 Councilman D'Esposito, I think that pretty
22 much sums up - -

23 ROBERT WEISS: Well, I don't see where you
24 have litigation.

25 You were sent out a letter inviting

1 you to come to hear an alternative.

2 There was no mention of litigation in that
3 and I am sure I know you have been doing this a
4 long time that even if you thought there was
5 litigation, there is still a benefit to speak or
6 to hear a plan.

7 COUNCILMAN BLAKEMAN: Were you aware that
8 the Town Officials spoke with your attorneys about
9 what your roll-out was going to be tomorrow night?

10 ROBERT WEISS: My understanding was that we
11 had members of the Town that have agreed to come
12 and, then, after you spoke to them, they said they
13 are not coming, so, we cannot get into that.

14 We don't have to get into that today.

15 COUNCILMAN BLAKEMAN: They were under the
16 impression that I was coming and Councilman
17 D'Esposito was coming and on the advice of our
18 Counsel, said we are not coming.

19 So, I guess maybe they talked to their
20 attorneys, as well.

21 I am not going to try to speculate as to
22 why, but, there certainly was no pressure exerted.

23 I have no control neither does Councilman
24 D'Esposito over independent elected officials from
25 Villages.

1 ROBERT WEISS: The point is that there is
2 an invitation to come hear an alternative of what
3 has been going on for the last two and a half
4 years.

5 I have been doing this a long time, close
6 to forty years, I deal with hundreds of Townships,
7 I never experiences anything like this where you
8 don't come to listen.

9 You don't come and listen and say, we hate
10 it.

11 You can come listen, say, I don't think
12 this is going to be good.

13 You can say we are listening and this is
14 not for us.

15 COUNCILMAN BLAKEMAN: Did you sue us, Mr.
16 Weiss?

17 Did your organization sue us?

18 ROBERT WEISS: Yes, we sued you for an
19 illegal moratorium.

20 COUNCILMAN BLAKEMAN: Isn't it passed - -
21 isn't it best for your attorneys to be in touch
22 with our attorneys and they can discuss these
23 things and we can do it in a proper way?

24 If you are going to have a public meeting,
25 a Town meeting that you call for the public,

1 that is fine.

2 We are not objecting to that.

3 What we are saying, so long as there is
4 litigation or threatened litigation against the Page | 156
5 Town and I think the Villages feel the same way,
6 that it is not in our best interest to attend.

7 ROBERT WEISS: Okay, I hear what you are
8 saying.

9 SUPERVISOR GILLEN: I am sorry, sir, your
10 time is up.

11 If you want to have somebody else finish
12 the statement.

13 Mr. Browne, I suppose you can finish it.

14 ATTORNEY BROWNE: Christina Browne for the
15 applicant, here on this matter.

16 I will finish the statement of my client.

17 Um, with respect to the legality of the
18 resolution; to be clear, this resolution is
19 illegal in numerous areas including bonding this
20 Board to other Villages, impairing your ability to
21 do your job.

22 It does the same to the other Boards in a
23 sense, essentially, it is giving the various
24 jurisdictions the veto power over zoning decisions
25 made in one Village to be vetoed by the Town

1 or the other Villages and vice versa.

2 We would ask why you need to give up your
3 control over your own zoning and we also don't
4 believe that is permitted under the statute.

5 Finally, Mr. Blakeman has, um, indicated a
6 desire at one point for a nine-hole golf course to
7 remain on the site.

8 The County of Nassau has informed both of
9 my clients that they will not run a golf course as
10 a golf course will lose between a million and a
11 million dollars annually, not to mention the
12 exorbitant costs of purchasing the land from my
13 client.

14 So, I would ask that you, Hempstead - - I
15 am sorry, representatives inform the taxpayers of
16 Baldwin, Freeport and other areas in Hempstead,
17 that putting a million dollars towards the repair
18 and upkeep of roads and infrastructure is better
19 than running a nine-hole golf course.

20 My clients would suggest to you that all
21 the Members of this Board protect all the
22 residents of the Town and try to act in a way that
23 will prevent litigation.

24 To be clear, if the rezoning is
25 contemplated and the resolution is passed, we will

1 file action against it.

2 We made the same admonition to this Board
3 before with respect to the moratorium which we
4 won.

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5 And, we will pursue all of our rights in
6 Court if we are required to do so.

7 Please, don't make us pursue that same
8 course of action.

9 Just a final note, I have been in touch,
10 Mr. Blakeman, you are correct, I gave you a sense
11 of what my clients wish to discuss.

12 And, I want to say and I think it is okay
13 to say publicly on the record, obviously, anything
14 that would be discussed in this forum would not be
15 used in litigation, that would be agreed to
16 beforehand.

17 It would be the nature of settlement
18 discussions and I think what my clients are really
19 trying to implore the Board and the Members is to
20 work collaboratively on a plan for developing the
21 golf course.

22 This is a plan for single family homes and,
23 then, there is this alternative plan that has been
24 developed at their own cost and expense which I
25 personally think has quite a lot of merit.

1 It would provide and preserve a lot of open
2 space and radically reorient the kind of
3 development that is proposed.

4 All we are looking for is feedback and
5 direction and hope that by all the municipal
6 officials coming together with the developer, a
7 viable plan could be arrived at.

8 That is really the purpose of this.

9 But, with respect to this resolution - -

10 COUNCILMAN BLAKEMAN: Counselor, as I
11 indicated to Mr. Weiss, we are more than happy to
12 make our attorneys available to your Counsel, um,
13 for any meeting they want to discuss - - I am not
14 going to go point by point to refute what was
15 said.

16 I will say this, there is nothing in that
17 agreement that takes any power or control away
18 from this Town Board with respect to this matter.

19 ATTORNEY BROWNE: Well, with respect to
20 getting together, I will continue to be in touch
21 with Mr. D'Esposito, your office and the
22 Supervisor's Office and perhaps we can come to a
23 structure of a meeting that is comfortable and,
24 then, we can see everybody what it is that we are
25 proposing.

1 (Whereupon, the three-minute bell rang.

2 After, the following ensued.)

3 SUPERVISOR GILLEN: Thank you, Mr. Browne.

4 ATTORNEY BROWNE: Thank you very much.

5 SUPERVISOR GILLEN: Next we have Michael
6 Watts.

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

9 SUPERVISOR GILLEN: Marsha Deterio?
10 (phonetic spelling)

11 MARSHA DETERIO: Good Afternoon. Marsha
12 Deterio. (phonetic spelling) 34 Lee Avenue,
13 Merrick.

14 I am here, today, regarding, um, the
15 resolution for the Tree Preservation Act.

16 I have been coming for, approximately, 5
17 years and it is finally on the calendar.

18 And, I thank you for that.

19 I did email the Board Members, um, with a
20 wonderful article, the local paper and legal
21 notices. I don't know if you received the email.

22 If you would give one to the Supervisor.

23 SUPERVISOR GILLEN: Are you talking about
24 the Herald article?

25 MARSHA DETERIO: I am sorry?

1 SUPERVISOR GILLEN: Are you talking about
2 the Herald article?

3 MARSHA DETERIO: Yes, the Herald.

4 SUPERVISOR GILLEN: We already circulated Page | 161
5 it.

6 MARSHA DETERIO: Yes and I just wanted to
7 say, um, please, say yes to the resolution calling
8 to update the tree preservation law in our
9 Township for a cleaner, noise reducing, water
10 absorbing environment for our children and future
11 generations.

12 Please, don't give into developers. They
13 build only for profit, destroying our beautiful
14 environment and not around to see the consequences
15 of their actions.

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

18 MARSHA DETERIO: Thank you in advance.

19 SUPERVISOR GILLEN: Thank you, ma'am.

20 Ms. Kreye.

21 MARY ELLEN KREYE: Mary Ellen Kreye. 436
22 Locust Avenue, Uniondale.

23 Um, my first question is about Item Number
24 21, is that the large property on Uniondale Avenue
25 that use to be owned by the Doctor who was

1 sadly mowed down?

2 It is a large property.

3 SUPERVISOR GILLEN: Commissioner, can you
4 answer that question.

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5 MARY ELLEN KREYE: Along Uniondale Avenue?

6 SENIOR COUNCILWOMAN GOOSBY: Run over?

7 COMMISSIONER: Good Afternoon, Supervisor,
8 Members of the Town Board:

9 That is the old church property, the white
10 building.

11 MARY ELLEN KREYE: It is a white building,
12 right, but my confusion is because of this mixed
13 use building, what is "mixed use"?

14 COMMISSIONER: That is how it was
15 originally zoned, but, that is the property.

16 MARY ELLEN KREYE: Really, so, it has the
17 house, the garage in the back and, then, a large,
18 empty space.

19 COMMISSIONER: Correct.

20 MARY ELLEN KREYE: So, the South side, very
21 good.

22 You wouldn't know the house number?

23 COMMISSIONER: 615.

24 MARY ELLEN KREYE: 615, thank you.

25 SUPERVISOR GILLEN: Thank you,

1 Commissioner.

2 MARY ELLEN KREYE: On Item Number 24, I
3 presume that is already work that was done on
4 Nostrand Avenue, is that just approving that?

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5 Is there more work to be done on Nostrand?

6 I haven't gone down there recently.

7 SUPERVISOR GILLEN: Commissioner Tuman, I
8 believe this is additional work that is going
9 forward, is that correct?

10 Is he here?

11 Commissioner, that is correct, additional
12 work that is going forward there.

13 COMMISSIONER: Correct.

14 MARY ELLEN KREYE: Okay, thank you.

15 And, on the, um, Senior Centers, as Senior
16 Councilwoman Goosby knows, I make use of the
17 several Senior exercising programs and appreciate
18 the contribution to helping me keep on moving.

19 So, I am glad to see that Senior Enrichment
20 is a priority, here.

21 On, the, um, sponsorship for the calendar,
22 I really appreciate the calendar.

23 I know several people who had their photos
24 displayed in it and really is very pleasant thing
25 to see, also, give us an opportunity

1 to see what the calendar is going to be for the
2 future.

3 Um, on the water quality, of course, we
4 support anything that will improve the water
5 quality, um, but where these are competitively
6 bid.

7 SUPERVISOR GILLEN: Yes, Commissioner, can
8 you speak - -

9 DEPUTY COMMISSIONER O'CONNELL: Good
10 Afternoon, Supervisor and Members of the Town
11 Board, Donald O'Connell, Deputy Commissioner on
12 behalf of the Department of Water.

13 Um, the Department of Water issued a number
14 of RFP's to firms previously qualified under RFQ
15 6-2019 and based on the overall scores giving
16 consideration to the money, we feel that the
17 proposals that we received were the most
18 responsive for the best value.

19 SUPERVISOR GILLEN: Does that satisfy you,
20 Ms. Kreye?

21 MARY ELLEN KREYE: Okay, thank you.

22 SUPERVISOR GILLEN: Thank you, Deputy
23 Commissioner.

24 MARY ELLEN KREYE: So, I wanted to ask
25 about Item Number 54, could somebody

1 explain to me - -

2 COUNCILMAN DUNNE: I can address that.

3 MARY ELLEN KREYE: Please.

4 COUNCILMAN DUNNE: This is extremely
5 important to every resident in the Town of
6 Hempstead.

7 Um, Councilman D'Esposito and I - - I have
8 to tell you, Councilman D'Esposito in his previous
9 life to being a Councilman was a Detective in New
10 York City and he had to live under the existing
11 rules of law and the judiciary system.

12 Now, there has been a whole attack on our
13 judiciary system where the Members of the Town
14 Board is asking them to reconsider the legislation
15 that they put forth, where our resolution is
16 imploring the State of New York to immediately
17 amend or delay implementation of the bail and
18 Discovery reform because that will endanger the
19 people of New York and reverse decades on
20 bipartisan progress in reducing crime.

21 There are things that are being looked at.

22 Thank you. Right, now, things are being
23 looked at alternative to incarceration.

24 Everybody wants to change a little bit, not
25 the wholesale what they are looking to do

1 with the incarceration.

2 January 1st, three hundred and forty-seven
3 prisoners will be let out of Nassau County Jail
4 into the streets of East Meadow, Salisbury. Page | 166

5 Right across the street is East Meadow High
6 School.

7 Right next to the jail is the Senior
8 Housing.

9 On the South side of it is the hospital
10 where people are really hurting.

11 To let three hundred and forty-seven
12 prisoners out on January 1st, is sinful.

13 It is wrong.

14 We have to stop it.

15 We have to do something.

16 We are going to do something, the Town
17 Board, which hasn't been done in the past, we have
18 to do something.

19 And, the wholesale attack on the judiciary
20 system affects the health, safety and quality of
21 life of the men and women in our Township.

22 So, we, in the Town of Hempstead, I don't
23 know what the rest of the State is going to say or
24 do, but, e are going to take a stand.

25 And, we are asking them to delay

1 it or eliminate it or immediately amend it so that
2 is what that has to do with.

3 It is a horrible thing.

4 They say it is for Discovery.

5 You know, I looked at a little bit of the
6 Hearing that the County Legislature had about this
7 and the District Attorney's Office said when
8 somebody is arrested for mugging somebody in their
9 home or rape or whatever, they are given fifteen
10 days to go back to the scene to do Discovery with
11 their Attorney.

12 Whoever the culprit is to go back to the
13 scene, so, the person that was traumatized once
14 and that is trauma you won't believe how bad that
15 kind of trauma is, they get traumatized again.

16 In fifteen days they are out, go back to
17 that bedroom in that house and traumatize you,
18 again, just being there and then traumatizes you
19 in Court when they have to testify about it.

20 This is nonsense.

21 It has got to be stopped and we have to do
22 something about it.

23 And, I want to thank Councilman D'Esposito
24 for bringing this to a head and making us do
25 something about it.

1 Maybe we are the only the only form of
2 government in the State of New York that is doing
3 something about it.

4 But, I really hope that my colleagues join ^{Page | 168}
5 with me in passing this with Councilman D'Esposito
6 in passing this and if anyone else wants to weigh
7 in on it and let us know how they feel.

8 COUNCILMAN BLAKEMAN: This law is dangerous
9 to the residents of the Town of Hempstead, that is
10 being passed in Albany, mandatory release, the
11 Discovery provisions in there.

12 So, I am very happy to join with Councilman
13 D'Esposito and Councilman Dunne.

14 And, I hope everybody on this Town Board
15 joins together in passing this Resolution and
16 letting the Governor and the State Legislature
17 know that they are going too far with criminal
18 rights.

19 And, they are not being as proactive as
20 they should be for the citizens of this State and
21 especially here in the Town of Hempstead.

22 SENIOR COUNCILMAN GOOSBY: And, I might
23 say, many of them are coming to the Village of
24 Hempstead, Uniondale and Roosevelt because
25 wherever they were picked up, that is

1 where they are coming.

2 So, I am concerned about that, as well.

3 We have many kids on the streets and I
4 don't want anybody touching the children or
5 adults, as far as I am concerned.

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6 I am certainly for this.

7 I already have spoken to many that are
8 involved with this and we will let - - we know
9 what we are doing.

10 We are going to do that.

11 We have to do something to protect us.

12 (Whereupon, calling out from the audience
13 was heard. After, the following ensued.)

14 SUPERVISOR GILLEN: Please, don't call out
15 from the Gallery.

16 COUNCILMAN DUNNE: We are already dealing
17 with the District Attorney's Office for
18 alternatives to incarceration with regards to
19 Veterans, men and women that come home from the
20 War scared mentally or physically and their
21 families have problems and they self-medicate.

22 They have to be taken care of differently
23 than a regular kid who graduated High School and
24 dropped out of College, whatever and did whatever
25 they had to do.

1 Men and women that serve our Country
2 proudly, they come home and they are mentally
3 scared or physically scared, there is an
4 alternative to incarceration.

5 Getting treatment for what is bothering
6 them, that is so important and that is what we are
7 trying to get done in Nassau County and our
8 neighboring Counties.

9 I can go on a long time about this, but,
10 you wanted a briefing on it and that is as brief
11 as we can get.

12 Anybody else want to - -

13 SUPERVISOR GILLEN: I would just say our
14 own District Attorney has grave concerns about
15 this legislation, as well, so - -

16 MARY ELLEN KREYE: So, now, on Items 58 and
17 59, that is to go from Front Street to Hempstead
18 Turnpike?

19 SUPERVISOR GILLEN: Commissioner, do you
20 know what the scope of this engineering is
21 offhand?

22 I just don't have it in front of me.

23 SENIOR COUNCILWOMAN GOOSBY: It is the
24 streetscape.

25 SUPERVISOR GILLEN: It is

1 Streetscaping.

2 No, no, no, I am trying to get the
3 parameters.

4 Is the Commissioner here?

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5 He is not here, but, we will get back to
6 you, Ms. Kreye with the direct boundaries.

7 MARY ELLEN KREYE: Thank you, we all have
8 been working on Nostrand Gardens, specifically and
9 we are very concerned to see that it is properly
10 done.

11 SENIOR COUNCILWOMAN GOOSBY: It is going to
12 be done properly.

13 We already have this in place.

14 SUPERVISOR GILLEN: Right.

15 SENIOR COUNCILWOMAN GOOSBY: Authorizing
16 the signing of the bid that we have put out
17 because one bid for the one for Uniondale, we only
18 got one bid, one time and it was sent back, again,
19 the same one, one bid, that is it.

20 And, now, we are doing what we are doing
21 and signing these bids.

22 SUPERVISOR GILLEN: I believe we are
23 extending the scope, as well.

24 SENIOR COUNCILWOMAN GOOSBY: It is being
25 extended two more blocks in Uniondale.

1 MARY ELLEN KREYE: Thank you.

2 On Item Number 70, I really regret to see
3 that this has been tabled.

4 I fell that this Board has chosen politics Page | 172
5 over the public and instead of helping us to have
6 savings for the residents, um, I just have to
7 shake my head over the way it is done.

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

10 SUPERVISOR GILLEN: Ms. Kreye, your time is
11 just about up.

12 MARY ELLEN KREYE: Yes, just doublechecking
13 to make sure that I covered all the items.

14 SUPERVISOR GILLEN: Thank you.

15 MARY ELLEN KREYE: Thank you.

16 SUPERVISOR GILLEN: I am surprised you
17 didn't say anything about trees.

18 I know that is your number 1 topic. I knew
19 you would be very happy to see that, Ms. Kreye.

20 Patty Harris?

21 PATTY HARRIS: Hello, Patty Harris from
22 Uniondale.

23 Um, I as inquiring about Number 16, Hofstra
24 doing the fireworks, can you tell me how many days
25 and also are you going to notify the

1 Neighbors when those dates are?

2 SUPERVISOR GILLEN: Fireworks, that
3 actually already happened.

4 PATTY HARRIS: Okay, thank you.

5 SUPERVISOR GILLEN: Thank you.

6 PATTY HARRIS: Senior Councilwoman Goosby,
7 um, I know that Uniondale Library is a Special
8 District, um, that the Town takes care of - -

9 SENIOR COUNCILWOMAN GOOSBY: You have
10 Trustees for the Library.

11 We don't take care of the Library.

12 PATTY HARRIS: I mean the Town pays the
13 Library.

14 SENIOR COUNCILWOMAN GOOSBY: No, we don't.
15 It comes out of your tax dollars.

16 Your Trustees, the people that you elect
17 through the School Board, those are the people
18 that take care of it.

19 The only thing you do is bring your budget
20 to us once you pass your budget and you bring it
21 to us and we include it in the Town Budget, but,
22 we do not provide any funds for the Library.

23 PATTY HARRIS: Okay, thank you.

24 SUPERVISOR GILLEN: Thank you, Ms. Harris.

25 Ms. Pearl Jacobs?

1 PEARL JACOBS: Pearl Jacobs, President of
2 the Nostrand Gardens Civic Association, speaking
3 on behalf of the Nostrand Gardens Civic
4 Association and Uniondale.

5 Um, Item 21, um, my question for that, I
6 would like to thank the, um, um, Building
7 Department.

8 I have been working quite a bit on this
9 issue to have this building demolished and I thank
10 them for that.

11 We have been going back and forth for
12 several months but I am glad it is finally on the
13 calendar.

14 Um, my question is when will the demolition
15 begin?

16 SUPERVISOR GILLEN: Commissioner, can you
17 answer that question, please.

18 COMMISSIONER: As per the contract, they
19 have sixty days to start.

20 Um, my office has reached out with the
21 contractor this morning, told them this was on the
22 calendar and we want to move it as quickly as
23 possible.

24 And, they said they would do everything
25 possible.

1 SUPERVISOR GILLEN: Thank you,
2 Commissioner.

3 PEARL JACOBS: Sixty days, we would say the
4 latest around maybe being liberal, March
5 timeframe.

6 COMMISSIONER: Yes.

7 SENIOR COUNCILWOMAN GOOSBY: Maybe.

8 SUPERVISOR GILLEN: Mr. - - Commissioner,
9 rather, I like to thank you for working with Ms.
10 Jacobs collaboratively and if you can keep her
11 abreast of what is going on going forward, that
12 would be, I am sure, appreciated by Ms. Jacobs and
13 the Nostrand Gardens Civic Association.

14 PEARL JACOBS: Thank you, Supervisor.

15 Items 50 and 59, again, um, Nostrand
16 Gardens Civic Association has been working
17 extremely hard on moving this project forward into
18 Phase 2.

19 And, I am happy that it is on the calendar
20 today.

21 We do have some additional, um, residents
22 in Uniondale that have come to actually see this
23 project on our calendar today and we appreciate
24 that.

25 My question is Ms. Kreye had

1 asked a couple questions before but my question is
2 when will this project, um, begin?

3 SUPERVISOR GILLEN: The streetscaping, when
4 is that going forward? Page | 176

5 The Commissioner is not here. We will find
6 out and give you a date.

7 PEARL JACOBS: Thank you, Supervisor.

8 And, lastly, I know it is tabled, but, um,
9 my question and I guess I would get, as Ms.
10 Mereday says, "crickets" on this.

11 Why would a program community choice
12 aggregation, why would this be tabled when
13 residents in the Town of Hempstead pay so much
14 taxes?

15 We pay a lot of money in taxes, anything
16 that would reduce monies that we pay out, why
17 would something like this be tabled?

18 This is not looking out for the residents
19 of the Town of Hempstead.

20 Crickets, but thank you.

21 SUPERVISOR GILLEN: Thank you, Ms. Jacobs.

22 I don't have any other slips on the
23 Administrative Calendar, is there anyone that
24 would like to be heard?

25 META MEREDAY: Meta, J. Mereday,

1 Baldwin residents.

2 Let's see, where does one begin, where does
3 one being?

4 Um, the issue with the fireworks, just, ^{Page | 177}
5 a commentary with regard to people that have PTSD,
6 like myself, um, it would be nice if we are
7 talking about notifying residents in the nearby
8 communities about such things if we let that be
9 known, I believe there was a group in Rockville
10 Centre that recently had their fireworks displayed
11 and I know the First Precinct got a number of
12 calls because we met with them and the new
13 Inspector with regard to that and a number of my
14 older residents were very concerned about that.

15 So, just some considerations for that.

16 Um, point of information, um, particularly,
17 I guess with, um, Legislator Dunne, I definitely
18 always appreciate your outreach and preference for
19 Veterans.

20 Women of color are the leading recruits in
21 the military, so, when we talk about Minority
22 women, Veterans, business development aspects,
23 they are the least in sales receipts, so, I would
24 hope that we focus collectively and
25 collaboratively when we talk about any

1 Covenants or regulations or policies or procedures
2 that are speaking to economic development and
3 empowerment.

4 That we look towards being inclusive,
5 consistently and with regards to that.

6 Item 41, 42, 43, 44, those business
7 organizations, H2M Architects seems to come up a
8 lot, um with regard to projects.

9 And, I am just concerned, again, about the
10 lack of outreach in terms of making this more of a
11 diverse and inclusive process and contracting.

12 I am concerned that there was one bid that
13 was mentioned with regard to the streetscaping,
14 again, I challenge the incoming team, for this
15 Body, for the Town of Hempstead to hopefully be a
16 little bit more aggressive and proactive and
17 actually have more results.

18 I know that, um, Supervisor Gillen had some
19 significant challenges but at the end of the day,
20 we still have residents leaving in droves, um, in
21 this location.

22 And, again, people of color are not being
23 represented whether we are talking about in an
24 entrepreneurial standpoint or employment
25 standpoint.

1 So, we need to make sure that we fix that
2 and work towards judiciously, um, addressing that.

3 Planning and economic development, we
4 definitely need to do a better job.

5 But, I would like to acknowledge, um,
6 reading recently about Mr. Peckera leaving.

7 I want to definitely give him kudos for the
8 work that he did and it was a pleasure working
9 with him and his various capacities because it is
10 a hard job in many instances.

11 And, we don't always recognize the people
12 who work behind the scenes.

13 I did want to make note of that.

14 I had a question about Number 20, if
15 someone could speak to that.

16 SUPERVISOR GILLEN: Yes, what is your
17 question, Ms. Mereday?

18 META MEREDAY: When we are talking about
19 this particular contract and connected to storm
20 recovery funding - -

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

23 META MEREDAY: - - I just want to know what
24 was some of the background with that and if there
25 is some type of, again, we were talking

1 earlier when the developer was here about all
2 these various covenants and how we will make
3 things work and make inclusive and address the
4 needs of residents.

5 I am just curious as to how we are
6 addressing State and Federal statutes?

7 SENIOR COUNCILWOMAN GOOSBY: He is right
8 there, ask him.

9 META MEREDAY: I understand that, I would
10 like to finish my point, Senior Councilwoman.

11 I am trying to warm up from being in these
12 seats for three hours, I would like to get my
13 points out before I get put out of the seat.
14 Thank you.

15 COMMISSIONER: Supervisor, Council Members,
16 Deputy of Engineering.

17 SUPERVISOR GILLEN: Thank you.

18 COMMISSIONER: This is one of the GOSNER
19 projects in terms of NWBE, it has a fifteen
20 percent goal for Minorities and Women Enterprises.

21 They are required to give utilization plan
22 that is approved by the Governor's Storm Recovery.

23 So, in this case, um, Allan Industry will
24 be doing the road grade raise for the Town.

25 And, again, they have to sub

1 Fifteen percent to Minority business enterprises
2 and fifteen percent to Women enterprises.

3 META MEREDAY: And, who actually monitors
4 how this happens on a local basis?

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5 COMMISSIONER: Both the Engineering
6 Department and the Governor's Office of Storm
7 Recovery.

8 META MEREDAY: Okay, would this qualify for
9 any type of waiver if they come back and say,
10 basically, we couldn't find anybody, so, we,
11 basically, want to bring in our same friend or
12 relative?

13 COMMISSIONER: Again, they are expected to
14 meet the fifteen percent for women and fifteen
15 percent on the Minority portion of the utilization
16 plan, they submitted with their bid.

17 META MEREDAY: Okay, okay, I guess I mean
18 that answered it for the most part.

19 COUNCILMAN BLAKEMAN: And, Deputy, thank
20 you very much for the work that you have done in
21 my District with respect to these matters.

22 The Park looks magnificent.

23 The conservation area looks great and the
24 Engineering Department did a magnificent job with
25 the State on this.

1 And, I know you will do a great job with
2 the road raising.

3 Thank you so much.

4 META MEREDAY: My last question, because ^{Page | 182}
5 had four second before my time went out; Item 52,
6 Item 52, I had question marks as to how much and
7 for what are we authorizing execution of the
8 personal services contract for Human Resources
9 related consulting services for the year 2019, as
10 we are coming to the end of 2019?

11 SUPERVISOR GILLEN: Mr. Ra, can you or Mr.
12 Sammon?

13 HUMAN RESOURCE DIRECTOR SAMMON: This is
14 primarily interaction with the State Civil Service
15 Commission regarding the regulations involving
16 what is called 211 waivers, which are for public
17 employees that are retired from one entity that go
18 to work to another public employer.

19 That is the process that has to be, um,
20 administered and the results provided to the State
21 for their approval.

22 META MEREDAY: How much is it?

23 HUMAN RESOURCE DIRECTOR SAMMON: Fifteen
24 hundred dollars, I believe.

25 META MEREDAY: So, this is one

1 case for fifteen hundred dollars or is this
2 fifteen hundred dollars per case?

3 HUMAN RESOURCE DIRECTOR SAMMON: No, it is
4 fifteen hundred dollars for one issue but there Page | 183
5 were several steps in the issue, civil actions
6 that had to be taken.

7 META MEREDAY: I see, okay, thank you.

8 Lastly, I agree with Item 66 with regard to
9 accepting the final generic impact statement.

10 Um, and I will address Item 69 with the
11 incoming Supervisor.

12 SUPERVISOR GILLEN: Thank you, Ms. Mereday.

13 Okay, Madam Clerk, can you call the roll on
14 the Administrative Calendar.

15 CLERK CABANA: Supervisor Gillen?

16 SUPERVISOR GILLEN: With respect to Item
17 Number 14, um, which is a parade permit filed by
18 Matt Brennan, he is a member of my staff, I recuse
19 myself.

20 With respect to Item Number 18, I also
21 recuse myself because I am a member of that club.

22 With respect to Item Number 49, I abstain.

23 With Item Number 50, I also abstain because
24 I have grave concerns about the legality of that
25 agreement.

1 I agree that municipalities were there is
2 overlapping jurisdictions should absolutely work
3 together but I would ask for a legal opinion to
4 make sure that this agreement is legal.

5 Um, with respect to the Administrative, the
6 rest of the Administrative Calendar, I vote no on
7 Item Number 72, which is the appointment of John
8 Mastromarino, as Comptroller.

9 Um, this certainly should be something that
10 is done with the new incoming Supervisor.

11 I believe he should vote on who the
12 Comptroller of the Town of Hempstead is since he
13 would be helping him administer his budget.

14 I did make sure to make the incoming
15 Supervisor aware of the personnel calendar, um,
16 and urged him to speak on this, but, as a matter
17 of principal, under Mr. Mastromarino's prior
18 tenure as Comptroller, taxes went up 63.5 million
19 dollars.

20 Our residents can't afford this kind of
21 budget management.

22 The salary for the Comptroller that was
23 budgets by this Board for 2020 is one hundred and
24 fifty thousand dollars.

25 Again, it was unanimously

1 adopted by this Board, but, this appointment
2 calls for a salary of one hundred and seventy
3 thousand dollars, twenty-five thousand dollars
4 higher than what was put in place.

5 Um, so, for these concerns and the fact
6 that Mr. Mastromarino was the architect of
7 something that was called "less savings,"
8 something that I objected throughout my tenure, I
9 must vote no on Mr. Mastromarino.

10 And, I encourage the incoming Supervisor to
11 find a better choice.

12 Also with respect to Item 76 which is the
13 personnel calendar, um, I vote yes on the
14 personnel calendar.

15 I congratulate the Tozner people who can
16 finally get fulltime employment.

17 I encourage this Board going forward to do
18 what we did in 2018 was to bring people up, um,
19 periodically throughout the year and not make them
20 wait until the end of the year to make them
21 fulltime because this is something that can make
22 the world of difference in the life of some of our
23 hardworking employees.

24 Um, on 76, I do vote no to the following
25 people, Michael Camputi. (phonetic spelling)

1 DGS has no vacancies right, now, and this
2 position and discretionary raise was not budgeted
3 for by the Department.

4 Jessica Drunker, this promotion was not Page | 186
5 budgeted for in the 2020 budget.

6 Stephanie Gerber, there are no vacancies or
7 funding available to accommodate this transfer.

8 Nicholas Giovanelli, discretionary raises
9 were not budgeted in the unanimous budget in 2020.

10 Matthew Gravanga, the position and fifty
11 thousand dollar salary were not considered in the
12 2020 budget.

13 Ryan Love, this position and one hundred
14 and seven thousand dollar salary were not
15 considered in the 2020 budget.

16 Michael Russo, discretionary raises were
17 not budgeted in the 2020 budget.

18 Casey Sammon, this promotion was not
19 budgeted for in the 2020 budget.

20 Michelle Spirogy, there is no funding in
21 the DGS admin to support this transfer and the
22 raise in the 2020 budget.

23 Gregory Tardson, discretionary raises were
24 not budget in the 2020 budget.

25 Alex Pessella did a great job for

1 Councilwoman King-Sweeney, um, there is no funding
2 or vacancy to support this transfer.

3 Um, Bruce Blower, the new person being
4 appointed as Director of Communications, um, I
5 have no opinion about Mr. Bruce Blower's talents
6 or anything like that.

7 However, we have a Director of
8 Communications, I think it would be nice to let
9 her serve out her term and let Mr. Clavin appoint
10 whatever Director of Communications he and the
11 Board feel is appropriate for the next term of
12 this Board.

13 Um, but, also during the past few months,
14 um, I was criticized by the incoming Supervisor
15 hiring people that do not live in the Town of
16 Hempstead, um, and I looked at the personnel
17 action and Mr. Blower does not live in the Town of
18 Hempstead.

19 So, I am not sure, Mr. Clavin would support
20 this move.

21 So, I think he should weigh in on this when
22 he takes office.

23 Um, the new hires, transfers, raises and
24 promotions will increase spending in the DGS admin
25 by three hundred and eighty thousand dollars

1 and the Parks Department by ninety-five thousand
2 dollars.

3 Um, a Press Release from the Town Council
4 on October 8th stated that the Receiver of Taxes, ^{Page | 188}
5 Don Clavin worked along with the Council to create
6 a sensible lean 2020 budget proposal.

7 Yet, all of these moves are not in the
8 2020 budget.

9 Um, they should know what they passed.

10 Um, when I came into office, my budget was
11 put out of whack at the last Board meeting to the
12 tune of two million dollars.

13 I didn't appreciate that.

14 I did write to the incoming Supervisor and
15 warned him of this, of these moves putting his
16 budget out of whack.

17 I don't think it is good for him.

18 I don't think it is good for the
19 administration.

20 And, I don't think it is good for the
21 taxpayers.

22 And, I vote no on those individuals and I
23 vote yes on the rest of the calendar.

24 CLERK CABANA: Councilman Blakeman?

25 COUNCILMAN BLAKEMAN: I vote aye with

1 Respect to the Administrative Calendar with the
2 exception of Items 68, 69, 84, 85 and 87 which I
3 vote no.

4 CLERK CABANA: Councilman D'Esposito?

5 COUNCILMAN D'ESPOSITO: Regarding the
6 Administrative Calendar, I vote aye.

7 I want to comment on Item 54 and just thank
8 my fellow Board Members for taking a stance
9 against these criminal affairs agenda that New
10 York State has put into play.

11 Not only does it put our residents here in
12 the Town of Hempstead in danger, but, it also puts
13 law enforcement in danger.

14 So, I thank you all for supporting this.

15 Um, I also will vote no on 68, 69, 84, 85,
16 86 and 87.

17 I want to welcome Mr. Mastromarino back to
18 the team.

19 I think he is a great Comptroller. He
20 brings institutional knowledge, a decade of
21 working hard for the taxpayers, here, in the Town
22 of Hempstead and I know he will be a great
23 addition.

24 And, to all of you, I wish you a Merry
25 Christmas, Happy Hanukkah, Happy Holidays and

1 a blessed 2020.

2 CLERK CABANA: Councilman Dunne?

3 COUNCILMAN DUNNE: Okay, with regards to
4 the Administrative Calendar, I vote yes on all the Page | 190
5 items except for Item 68, 69, 84, 85, 86 and 87,
6 but I am especially proud of voting yes for Item
7 54, the entire Town Board being one form of
8 government is going to stand up for the citizens'
9 rights.

10 So, no on 68, 69, 84, 85, 86 and 87 and yes
11 on the rest of the calendar.

12 And, again, like my colleagues said, Merry
13 Christmas and Happy Hanukkah and for those that
14 celebrate Happy Kwanza.

15 CLERK CABANA: Senior Councilwoman Goosby?

16 SENIOR COUNCILWOMAN GOOSBY: I like to make
17 a statement as far as the Tozner list is
18 concerned, I know that may not be the right time
19 to wait to the end of the year.

20 When I you first came here, there were many
21 people that worked here part-time for years
22 without any, any, anything, no comp. time, no
23 vacation time, no sick time or anything and that
24 is one of the things that I fought for once I
25 became a Member of the Board.

1 And, I have to say that the Council people
2 went along with me and I happen to be a Democrat
3 and they were Republicans, they went along with
4 me.

5 This is how this is set up, so, everybody,
6 once they have the opportunity to get themselves
7 ready and have worked and proven that they are
8 good employees, can become fulltime and they are
9 and that is why we have the Tozner list.

10 It is my baby and I am tired of people
11 taking credit for what I have done.

12 As, I want to, again, speak about the
13 Katoneses because of the Katoneses and because of
14 the many residents that live in Roosevelt, we have
15 the, um, streetscape and we even have a vision
16 where all the residents can come in and see.

17 So, I am tired of people taking credit for
18 whatever people do.

19 It is nice to have people work for you, not
20 take credit for it and I am voting no on Items 68,
21 69, 85, 86 and - - 84 through 87, all of those.

22 You got that?

23 CLERK CABANA: Councilman Muscarella?

24 SENIOR COUNCILWOMAN GOOSBY: No, I am not
25 finished.

1 I want to wish everyone a very Happy New
2 Year, Happy Hanukkah, Happy Christmas and Happy
3 Kwanza, everybody is invited to come to Kwanza on
4 the 20th of this month at 4:00 p.m. for a wonderful Page | 192
5 celebration.

6 That is it.

7 CLERK CABANA: Councilman Muscarella?

8 COUNCILMAN MUSCARELLA: I am going to vote
9 yes on all the items except 68, 69, 84 through 87
10 which includes 85 and 86.

11 Thank you.

12 COUNCILMAN BLAKEMAN: Supervisor, I would
13 like to rise to a point of personal privilege.

14 I ask everyone to stand for a moment.

15 It is just come to my attention one of my
16 constituents, a friend of mine, someone who has
17 been a great resident of the Town of Hempstead,
18 just passed.

19 He was a retired Police Chief, Vincent
20 DeMarino, he is from North Valley Stream.

21 And, he is the fifth person to die in a
22 week of 911 related illnesses.

23 I asked that we have a moment of silence
24 for Chief DeMarino.

25 (Whereupon, a moment of silence

1 was observed. After, the following ensued.)

2 COUNCILMAN BLAKEMAN: While we are
3 standing, I would like, at this time, to
4 congratulate our Supervisor and our Town Clerk on
5 their two years of service to the Town of
6 Hempstead, um, putting partisanship aside, it is a
7 tremendous sacrifice to serve the public.

8 It is a lot of time away from your family
9 and you brought expertise Laura and experience to
10 the job and a lot of time to it.

11 Sylvia, you are just a joy, loved working
12 with you.

13 You were a pleasure to be around, um, and
14 you created a real aura around here of goodness.

15 So, I would like to congratulate them and
16 wish everybody a Merry Christmas, a Happy
17 Hanukkah, a Happy and Healthy New Year.

18 So, let's give applause to our two outgoing
19 elected officials.

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

22 SENIOR COUNCILWOMAN GOOSBY: I move we
23 adjourn.

24 COUNCILMAN DUNNE: Before we adjourn, one
25 more thing, you know our Commissioner, you have

1 done a great job this year, absolutely, so proud
2 of each and every one of our Commissioners, the
3 job that you have done.

4 Our elected officials and employees, God ^{Page | 194}
5 Bless you and our wonderful, hardworking staff.

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

8 COUNCILMAN DUNNE: And, of course the staff
9 of the Board, God Bless you, you keep us up.

10 SENIOR COUNCILWOMAN GOOSBY: Thank you,
11 Commissioners.

12 Have a Happy New Year.

13 Don't forget the Town Attorney's Office,
14 they have been great.

15 SUPERVISOR GILLEN: Okay, can we have a
16 motion to adjourn.

17 SENIOR COUNCILWOMAN GOOSBY: I make a
18 Motion to adjourn.

19 COUNCILMAN BLAKEMAN: Second.

20 SUPERVISOR GILLEN: Madam Clerk.

21 CLERK CABANA: Supervisor Gillen?

22 SUPERVISOR GILLEN: I would say it has been
23 my privilege and my honor to serve as the
24 Supervisor of the Town of Hempstead for the past
25 two years.

1 Um, it has been a pleasure serving a long
2 Sylvia Cabana, who has been an excellent Clerk,
3 who really pushed forward an amazing agenda in the
4 Clerk's Office and tried to make it a really great Page | 195
5 place to come and visit, where so many of our
6 residents interacted.

7 Um, it has been a pleasure to serve with
8 Deputy Supervisor Bruce Blakeman, I thank for the
9 service to the Town.

10 We did not always agree on things, um, but,
11 he was always available to talk and try to work
12 things out.

13 I thank Deputy Supervisor Blakeman.

14 I wish good luck to the incoming Supervisor
15 and the new Councilman, Mr. Carini, as well as to
16 the current Council Members in their next term.

17 I like to thank so many of the wonderful
18 men and women that I have met, here in the Town of
19 Hempstead, who have brought so much joy to our
20 time, here, um, whether it has been teaching me
21 things like the members of the Highway Department,
22 who taught me how to operate a payloader, um, who
23 taught me how to operate a chainsaw.

24 You can rest easy, I will not do any of
25 these things, again without proper

1 Supervision.

2 To the people that would give a kind word
3 to me, my staff, to encouraging you, so many
4 unsung heroes of this Town, you pick up our
5 garbage, you are kind, wonderful people.

Page | 196

6 I will miss you. I want to say thank you
7 to my staff.

8 Um, I don't know how I convinced many of
9 you to join me on this journey.

10 I was so glad that I did and you leave this
11 place with your head held high knowing that you
12 were among the brightest most hardworking
13 dedicated greatest talent that ever worked in this
14 building, among them.

15 Um, you should be proud and I am proud of
16 the work that we did together, um, I believe it
17 was no for naught and I hope that we leave this
18 Town a better place going forward.

19 Um, again, I just want to thank everybody
20 for their kindness during my tenure, here.

21 And, um, to my staff, let's move onto the
22 next chapter starting in about four hours.

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

25 SUPERVISOR GILLEN: I vote yes to adjourn.

HEMPSTEAD TOWN BOARD 12/10/19

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CLERK CABANA: Councilman Blakeman?

COUNCILMAN BLAKEMAN: Aye.

CLERK CABANA: Councilman D'Esposito?

COUNCILMAN D'Esposito: Aye.

CLERK CABANA: Councilman Dunne?

COUNCILMAN DUNNE: Aye.

CLERK CABANA: Senior Councilwoman Goosby?

SENIOR COUNCILWOMAN GOOSBY: Aye.

CLERK CABANA: Councilman Muscarella?

COUNCILMAN MUSCARELLA: Aye.

(Whereupon, the official meeting of the
Hempstead Town Board was concluded.)

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CERTIFICATE BY COURT REPORTER

I, do hereby certify that the foregoing testimony
in the matter of the Hempstead Town Board Meeting
held on December 10, 2019, consisting of pages 1
through 198 inclusive is an accurate transcription
of my cryptic notes.

IN WITNESS WHEREOF, I SET MY HAND THIS DAY.



MDW

CERTIFIED COURT REPORTER
NORTH SHORE COURT REPORTERS
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