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**TOWN OF HEMPSTEAD**

**TOWN BOARD MEETING**

**ONE WASHINGTON STREET**

**TOWN HALL PAVILION**

**HEMPSTEAD, NEW YORK 11550**

**MARCH 1, 2022**

**7:00 P.M.**

**BEFORE: DONALD CLAVIN, JR.**

**SUPERVISOR**

**APPEARANCES :**

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SENIOR COUNCILWOMAN GOOSBY

COUNCILMAN CARINI

COUNCILMAN D'ESPOSITO

COUNCILMAN DUNNE, SR.

COUNCILWOMAN MILLER

COUNCILMAN MUSCARELLA

TOWN CLERK MURRAY

DEPUTY TOWN CLERK POKALSKY

TOWN ATTORNEY NOCELLA

CHIEF OF STAFF LIBERT

COMPTROLLER MASTROMARINO

**HEMPSTEAD TOWN BOARD    MARCH 1, 2022**

1            SUPERVISOR CLAVIN: Welcome to the March 1,  
2 2022 Hempstead Town Board Meeting.

3            Madam Clerk, will you, please, call the  
4 roll.

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5            CLERK MURRAY: Supervisor Clavin?

6            SUPERVISOR CLAVIN: Here.

7            CLERK MURRAY: Councilman Carini?

8            COUNCILMAN CARINI: Here.

9            CLERK MURRAY: Councilman D'Esposito?

10           COUNCILMAN D'ESPOSITO: Here.

11           CLERK MURRAY: Councilman Dunne?

12           COUNCILMAN DUNNE: Here.

13           CLERK MURRAY: Senior Councilwoman Goosby?

14           SENIOR COUNCILWOMAN GOOSBY: Here.

15           CLERK MURRAY: Councilwoman Miller?

16           COUNCILWOMAN MILLER: Here.

17           CLERK MURRAY: Councilman Muscarella?

18           COUNCILMAN MUSCARELLA: Here.

19           SUPERVISOR CLAVIN: I am, now, going to ask  
20 Senior Councilwoman Goosby and birthday girl,  
21 Councilwoman Goosby to lead us in the Pledge of  
22 Allegiance.

23           SENIOR COUNCILWOMAN GOOSBY: Hand over your  
24 heart.

**HEMPSTEAD TOWN BOARD    MARCH 1, 2022**

1           (Whereupon, Senior Councilwoman Goosby led  
2 the Assembly in the Pledge of Allegiance. After,  
3 the following ensued.)

4           SUPERVISOR CLAVIN: Senior Councilwoman, <sup>Page | 4</sup>  
5 want to stress congratulations, Happy 55<sup>th</sup>  
6 Birthday.

7           SENIOR COUNCILWOMAN GOOSBY: Thank you.  
8           (Whereupon, applause from the audience was  
9 heard. After, the following ensued.)

10          SUPERVISOR CLAVIN: Madam Clerk, please,  
11 call the first Public Hearing.

12          CLERK MURRAY: Yes, we have a proposed  
13 Local Law Re: "Regulations and Restrictions" to  
14 limit parking in Lido Beach, Oceanside (To amend  
15 Chapter 202 of the Code of the Town of Hempstead)

16          SUPERVISOR CLAVIN: I do not have any  
17 slips, does any Member of the Board wish to be  
18 heard on this?

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

21          SUPERVISOR CLAVIN: All right, is there  
22 anybody that did not sign in that wished to be  
23 heard on this Hearing?

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

**HEMPSTEAD TOWN BOARD    MARCH 1, 2022**

1            SUPERVISOR CLAVIN: If not, may I, please,  
2            have a Motion.

3            COUNCILMAN D'ESPOSITO: Supervisor, I move  
4            that the Public Hearing be closed and the proposed <sup>Page | 5</sup>  
5            Local Law be adopted.

6            SUPERVISOR CLAVIN: Can I have a second.

7            COUNCILMAN CARINI: Second.

8            CLERK MURRAY: Supervisor Clavin?

9            SUPERVISOR CLAVIN: Aye.

10           CLERK MURRAY: Councilman Carini?

11           COUNCILMAN CARINI: Aye.

12           CLERK MURRAY: Councilman D'Esposito?

13           COUNCILMAN D'ESPOSITO: Aye.

14           CLERK MURRAY: Councilman Dunne?

15           COUNCILMAN DUNNE: Aye.

16           CLERK MURRAY: Senior Councilwoman Goosby?

17           SENIOR COUNCILWOMAN GOOSBY: Aye.

18           CLERK MURRAY: Councilwoman Miller?

19           COUNCILWOMAN MILLER: Aye.

20           CLERK MURRAY: Councilman Muscarella?

21           COUNCILMAN MUSCARELLA: Aye.

22           SUPERVISOR CLAVIN: Madam Clerk, will you,  
23           please, call the next Item.

24           CLERK MURRAY: Proposed Local Law Re:  
25           "Parking or Standing Prohibitions" in Franklin

**HEMPSTEAD TOWN BOARD    MARCH 1, 2022**

1     Square, Oceanside, South Hempstead, Uniondale (To  
2     amend Section 202-1 of the Code of the Town of  
3     Hempstead.)

4             SUPERVISOR CLAVIN: I do not have any slips <sup>Page | 6</sup>  
5     on this in front of me, does any Member of the  
6     Board wish to be heard on this Hearing?

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

9             SUPERVISOR CLAVIN: Is there any Member of  
10    the Public that did not sign in that wished to be  
11    heard on Item Number 2?

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

14            SUPERVISOR CLAVIN: If not, may I, please,  
15    have a Motion.

16            COUNCILWOMAN MILLER: I move that the  
17    Public Hearing be closed and accepted.

18            SENIOR COUNCILWOMAN GOOSBY: Second the  
19    Motion.

20            CLERK MURRAY: Supervisor Clavin?

21            SUPERVISOR CLAVIN: Aye.

22            CLERK MURRAY: Councilman Carini?

23            COUNCILMAN CARINI: Aye.

24            CLERK MURRAY: Councilman D'Esposito?

25            COUNCILMAN D'ESPOSITO: Aye.

**HEMPSTEAD TOWN BOARD    MARCH 1, 2022**

1            CLERK MURRAY:    Councilman Dunne?

2            COUNCILMAN DUNNE:    Aye.

3            CLERK MURRAY:    Senior Councilwoman Goosby?

4            SENIOR COUNCILWOMAN GOOSBY:    Aye.

Page | 7

5            CLERK MURRAY:    Councilwoman Miller?

6            COUNCILWOMAN MILLER:    Aye.

7            CLERK MURRAY:    Councilman Muscarella?

8            COUNCILMAN MUSCARELLA:    Aye.

9            SUPERVISOR CLAVIN: Madam Clerk, please,  
10            call the next Item.

11            CLERK MURRAY:    Proposed Local Law Re:  
12            "Arterial Stops" in Baldwin, Bellmore (To amend  
13            Section 197-5 of the Code of the Town of  
14            Hempstead.

15            SUPERVISOR CLAVIN: Any Member of the Board  
16            wish to be heard on this?

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

19            SUPERVISOR CLAVIN: I do not have any slips  
20            on this, is there any Member of the Public that  
21            did not sign in that wishes to be heard on Item  
22            Number 3?

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

25            SUPERVISOR CLAVIN: If not, may

1        I, please, have a Motion.

2                    COUNCILMAN CARINI:    I move the Public  
3        Hearing be closed and the Board adopt the Item.

4                    COUNCILMAN D'ESPOSITO:    Second the Motion. Page | 8

5                    CLERK MURRAY:    Supervisor Clavin?

6                    SUPERVISOR CLAVIN:    Aye.

7                    CLERK MURRAY:    Councilman Carini?

8                    COUNCILMAN CARINI:    Aye.

9                    CLERK MURRAY:    Councilman D'Esposito?

10                    COUNCILMAN D'ESPOSITO:    Aye.

11                    CLERK MURRAY:    Councilman Dunne?

12                    COUNCILMAN DUNNE:    Aye.

13                    CLERK MURRAY:    Senior Councilwoman Goosby?

14                    SENIOR COUNCILWOMAN GOOSBY:    Aye.

15                    CLERK MURRAY:    Councilwoman Miller?

16                    COUNCILWOMAN MILLER:    Aye.

17                    CLERK MURRAY:    Councilman Muscarella?

18                    COUNCILMAN MUSCARELLA:    Aye.

19                    SUPERVISOR CLAVIN:    Madam Clerk, please,  
20        call the next Item.

21                    CLERK MURRAY:    Proposed "Handicapped  
22        Parking On Public Streets," in Elmont, Franklin  
23        Square, Lido Beach, Oceanside (Meacham Avenue,  
24        Locustwood Boulevard, North Ascan Street, Cherry  
25        Lane, Sharen Drive, Times Avenue, Chance Drive.)



**HEMPSTEAD TOWN BOARD    MARCH 1, 2022**

1            SUPERVISOR CLAVIN: Does any Member of the  
2 Board wish to be heard on this?

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

5            SUPERVISOR CLAVIN: I do not have any  
6 slips, does any Member of the Public, that did not  
7 sign in, wish to be heard on Item Number 4?

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

10           SUPERVISOR CLAVIN: If not, may I, please,  
11 have a Motion.

12           COUNCILMAN MUSCARELLA: I move it be  
13 accepted and approved.

14           SENIOR COUNCILWOMAN GOOSBY: Second.

15           CLERK MURRAY: Supervisor Clavin?

16           SUPERVISOR CLAVIN: Aye.

17           CLERK MURRAY: Councilman Carini?

18           COUNCILMAN CARINI: Aye.

19           CLERK MURRAY: Councilman D'Esposito?

20           COUNCILMAN D'ESPOSITO: Aye.

21           CLERK MURRAY: Councilman Dunne?

22           COUNCILMAN DUNNE: Aye.

23           CLERK MURRAY: Senior Councilwoman Goosby?

24           SENIOR COUNCILWOMAN GOOSBY: Aye.

25           CLERK MURRAY: Councilwoman Miller?

**HEMPSTEAD TOWN BOARD    MARCH 1, 2022**

1            COUNCILWOMAN MILLER:    Aye.

2            CLERK MURRAY:    Councilman Muscarella?

3            COUNCILMAN MUSCARELLA:    Aye.

4            SUPERVISOR CLAVIN:    Madam Clerk, please, Page | 10  
5            call the next item.

6            CLERK MURRAY:    Proposed Local Law Re:  
7            "Restricted Parking In Residential Areas Belmont  
8            Park Vicinity in Elmont"(To amend Section 202-58.)

9            SUPERVISOR CLAVIN:    Does any Member of the  
10           Board wish to be heard on this?

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

13           SUPERVISOR CLAVIN:    Are there any slips on  
14           Item Number 5?

15           I do not have any slips, does any Member of  
16           the Public wish to be heard on Item Number 5?

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

19           SUPERVISOR CLAVIN:    If not, may I, please,  
20           have a Motion.

21           COUNCILMAN MUSCARELLA:    I move that the  
22           Public Hearing be closed and the Board accept it.

23           COUNCILMAN D'ESPOSITO:    Second.

24           CLERK MURRAY:    Supervisor Clavin?

25           SUPERVISOR CLAVIN:    Aye.

**HEMPSTEAD TOWN BOARD    MARCH 1, 2022**

1            CLERK MURRAY:    Councilman Carini?

2            COUNCILMAN CARINI:    Aye.

3            CLERK MURRAY:    Councilman D'Esposito?

4            COUNCILMAN D'ESPOSITO:    Aye.

5            CLERK MURRAY:    Councilman Dunne?

6            COUNCILMAN DUNNE:    Aye.

7            CLERK MURRAY:    Senior Councilwoman Goosby?

8            SENIOR COUNCILWOMAN GOOSBY:    Aye.

9            CLERK MURRAY:    Councilwoman Miller?

10           COUNCILWOMAN MILLER:    Aye.

11           CLERK MURRAY:    Councilman Muscarella?

12           COUNCILMAN MUSCARELLA:    Aye.

13           SUPERVISOR CLAVIN:    Madam Clerk, please,  
14           call the next item.

15           CLERK MURRAY:    Application of UNITED GAS  
16           CORP. for permit to include an existing gasoline  
17           service station within "GSS" District to expand an  
18           existing convenience store and to install a canopy  
19           - UNIONDALE - southwest corner of Uniondale Avenue  
20           and Hempstead Boulevard.

21           SUPERVISOR CLAVIN:    Please, identify  
22           yourself, for the record.

23           ATTORNEY WHELAN:    Good Evening, Mr.  
24           Supervisor, Senior Councilwoman Goosby and other  
25           Council Members:

1            My name is Janice Whelan.

2            My office is at 23 Green Street,  
3            Huntington, New York.

4            I represent the applicant United Gas Corp. Page | 12  
5            in our request for permission to be included in  
6            the "GSS" District for the gas station located at  
7            510 Uniondale Avenue in Uniondale.

8            We also seek certain waivers of the "GSS"  
9            District regulations and for permission to expand  
10           our convenience store to capture an existing bay  
11           that is already in the building and permission to  
12           install a canopy for the protection of a  
13           convenience of our patrons.

14           Um, appearing with me this evening is  
15           Harold Gephardt, the Architect, who prepared the  
16           plan, as well as, Mr. Wayne Muller, a Traffic  
17           Expert at RM Engineering, who prepared the traffic  
18           report, which is before you, tonight.

19           I want to thank Mrs. Hanson and Mr.  
20           Porchelli, from the Town Clerk's Office, who  
21           assisted us throughout this application process.

22           I understand that an inspection was  
23           performed several days ago, um, at Mr. Porchelli's  
24           request and I want to assure the Board the items  
25           that are indicated, I believe, it was a roofed-

1 over lift, um, in the back, as well as, a car  
2 lift.

3 Those all have been taken care of, um, and  
4 they are no longer violations.

5 Um, I wish to confirm that the outside  
6 there will be a canopy installation.

7 The site will have no expansion.

8 There will not be any increase in the  
9 number of fuel pumps to the building site.

10 Um, the freestanding building already was a  
11 convenience store that measures four hundred  
12 square feet.

13 We are just capturing one of the three bays  
14 to increase, um, that "C" Store to about eight  
15 hundred and eighty-two square feet.

16 The site has been a gasoline station,  
17 service station for seventy-two years.

18 I am giving you four exhibits, Exhibit A is  
19 the records of the Nassau County Assessor which  
20 shows that the site dates back to 1949.

21 Exhibits B and C are Certificate of  
22 Occupancy and Certificate of Completion dated 1949  
23 and 2017 at which time, we installed two, new  
24 underground gas tanks.

25 Those were fully certified, approved by

1     the Nassau County Fire Marshal.

2             Um, over the last couple of days, I had the  
3     opportunity to speak to a neighbor to the rear of  
4     us. Page | 14

5             He was concerned about that - - he was  
6     concerned that we were installing new tanks.

7             I assured him that we were not.

8             And, I explained to him that our site plan  
9     proposes an overall improvement to this very old  
10    gas station.

11            We will be putting a five-foot buffer of  
12    Leyland Cypress trees between our property and his  
13    property along the rear and also along the South  
14    side which adjoins the municipal parking lot.

15            Of course, we will proudly display the  
16    American Flag on top of the building and on the  
17    South of the, um, premises.

18            It will be opened twenty-four hours.

19            We will have personnel to assist anyone  
20    that needs help pumping gas.

21            Um, if you have any questions, I will be  
22    happy to answer them.

23            SUPERVISOR CLAVIN: Before you move on, is  
24    it existing twenty-four hours, now?

25            ATTORNEY WHELAN: I believe so, it is.

1            SENIOR COUNCILWOMAN GOOSBY: I have a lot  
2 of questions for you.

3            SUPERVISOR CLAVIN: Do you want them to  
4 make the presentation? Page | 15

5            SENIOR COUNCILWOMAN GOOSBY: Let them make  
6 the presentation.

7            ATTORNEY WHELAN: There is nothing that I  
8 want to say.

9            I really rather respond to them.

10           SENIOR COUNCILWOMAN GOOSBY: I have some  
11 pictures that I want you to see and I wonder if  
12 you are aware of these.

13           I heard you had two or three inspections.

14           ATTORNEY WHELAN: We had one inspection  
15 just this past week and, um, that inspection  
16 yielded a four-point violation notice; (1) was  
17 that the property wasn't in the "GSS" District,  
18 that is why we are here tonight.

19           The second was the fact that we had a car  
20 lift in the back.

21           That has been removed.

22           And, um, the third was, I believe, it was  
23 like a roofed-over porch, that has also been  
24 removed.

25           And, the fourth violation was

1     an open building permit which we are, um, starting  
2     tomorrow seeking to close out.

3             SENIOR COUNCILWOMAN GOOSBY:   Okay, as soon  
4     as you come for the pictures, I will show them to <sup>Page | 16</sup>  
5     you.

6             I have some new ones.

7             ATTORNEY WHELAN:   I believe these are the  
8     pictures that I provided.

9             (Whereupon, Clerk Murray handed pictures  
10    from Senior Councilwoman Goosby to Attorney  
11    Whelan.)

12            SENIOR COUNCILWOMAN GOOSBY:   Look at those.

13            ATTORNEY WHELAN:   I have these pictures.

14            SUPERVISOR CLAVIN:   These are your  
15    submissions?

16            ATTORNEY WHELAN:   Those are my submissions.

17            SUPERVISOR CLAVIN:   Councilwoman's staff is  
18    getting additional photos, so, we will give it a  
19    moment.

20            Just a quick clarification, looking at your  
21    photos, I see, I guess, your application indicates  
22    you want to take one of the three bays and change  
23    that and expand the shopping center or the  
24    shopping unit, is that correct?

25            ATTORNEY WHELAN:   That is correct.



1            SUPERVISOR CLAVIN:    The closest unit to the  
2            current facility?

3            ATTORNEY WHELAN:    Correct, correct.

4            SUPERVISOR CLAVIN:    And, I appreciate the Page | 17  
5            fact that you have removed the lift in the back.

6            And, I know you spoke to the neighbor.

7            ATTORNEY WHELAN:    Mr. Wackenson.

8            SUPERVISOR CLAVIN:    Was he the neighbor  
9            facing where that lift was?

10           ATTORNEY WHELAN:    Yes, he was.

11           SUPERVISOR CLAVIN:    You spoke to him and  
12           assured him that you would put plants back there  
13           to buffer?

14           ATTORNEY WHELAN:    I did, as a matter of  
15           fact, I supplied him with a full set of our site  
16           plans including our landscaping.

17           SUPERVISOR CLAVIN:    Did you talk to him on  
18           the phone or did you go visit him?

19           ATTORNEY WHELAN:    Actually, I spoke with  
20           him several times, once when he was in Mrs.  
21           Hanson's office and twice I responded to questions  
22           that he had on the phone.

23           SUPERVISOR CLAVIN:    I don't know if he is  
24           here, tonight.

25           Was he receptive to the changes that you

1 were making for a better quality of life?

2 ATTORNEY WHELAN: He was very appreciative  
3 and I gave him my contact information if he has  
4 any issues in the future that he can always  
5 contact me.

Page | 18

6 SUPERVISOR CLAVIN: I know there was a bump  
7 in the road, some people thought it was an  
8 expansion of the pumps, but it is not?

9 ATTORNEY WHELAN: No, it isn't, no  
10 expansion of the pumps.

11 No expansions of the fueling stations. We  
12 will keep the same six that are there.

13 SUPERVISOR CLAVIN: As I look at the photo,  
14 just talk to me, you want to do a canopy off the  
15 building?

16 ATTORNEY WHELAN: Not off the building, the  
17 canopy is going to be nineteen by twenty-four.

18 It is about nine hundred square feet.

19 It is going to be above the fueling  
20 stations.

21 SUPERVISOR CLAVIN: Okay.

22 ATTORNEY WHELAN: To protect patrons and  
23 employees from weather elements.

24 SUPERVISOR CLAVIN: Because right, now, it  
25 is an open station.

1            ATTORNEY WHELAN:    It is.

2            SUPERVISOR CLAVIN:    Correct, okay.

3            ATTORNEY WHELAN:    Unfortunately, it is not  
4 as competitive as other stations.

5            We don't have a sufficient convenience  
6 store and we don't have the canopy.

7            So, we are trying to keep this business  
8 afloat and keeping it competitive and clean it up.

9            SUPERVISOR CLAVIN:    And, I do appreciate  
10 that.

11            We have a couple of residents, here, and  
12 people want their neighborhood, all of the  
13 neighborhood to look great.

14            And, I do appreciate the fact that you are  
15 looking at the plans and Councilman Dunne is very  
16 big on the American Flag, the location, so, we  
17 appreciate that, as well.

18            ATTORNEY WHELAN:    I would have had a  
19 picture of the Flag for you but the winds had bent  
20 it but it has been fixed as of this Meeting,  
21 tonight.

22            SENIOR COUNCILWOMAN GOOSBY:    There is all  
23 the garbage inside on the floor.

24            ATTORNEY WHELAN:    We took this picture to  
25 show the Board that this is the space we are

1 capturing.

2 That is the existing bay, that is  
3 immediately next door to our convenience store,  
4 that is pretty much where items are being stored. <sup>Page | 20</sup>

5 But, usually, it is closed.

6 But, I just wanted to show the space we are  
7 capturing.

8 SENIOR COUNCILWOMAN GOOSBY: It is a lot of  
9 garbage there.

10 I had some other pictures.

11 There are large - - so much stuff. I can't  
12 believe it.

13 Theresa, where are you?

14 But, I want you to see them. I showed them  
15 to my Attorney and he couldn't believe it either.

16 There is so much junk piled.

17 You have tires back there.

18 I don't know what it is like back there.

19 It is something round, some type, whatever you  
20 have shouldn't be there.

21 ATTORNEY WHELAN: It could have been the  
22 lift.

23 I can assure you that anything that takes  
24 place in the rear of our facility will be fully  
25 enclosed, landscaped.

1 I mean, obviously, with a service station,  
2 there is going to be some items that can't fit in  
3 the building.

4 But, none of this is going to be visible to <sup>Page | 21</sup>  
5 any of the rear residences or from the North and  
6 South, certainly, not from the front.

7 SENIOR COUNCILWOMAN GOOSBY: She is here,  
8 now.

9 SUPERVISOR CLAVIN: Your clients, are they  
10 short term?

11 ATTORNEY WHELAN: My client has been  
12 involved in this property - - rather United Gas  
13 Corp. has been involved in this property since  
14 1997.

15 In 2005, they purchased it and, um, it is  
16 leased to the operator but we are the owner and  
17 the face of this application.

18 SUPERVISOR CLAVIN: Senior Councilwoman,,  
19 if we can present this, it is not only the lift in  
20 the back, there seems to be a buffer of several  
21 feet where they have been storing motors, as well  
22 as other equipment or other vehicle parts out  
23 there.

24 Is your client intending to clean up that  
25 area and commit to not putting any

1 of those parts back there?

2 It is still going to be not only a gas  
3 station, it is going to be, obviously, still have  
4 repairs being done there in the other two bays, <sup>Page | 22</sup>  
5 I correct? <sub>ant</sub>

6 ATTORNEY WHELAN: Exactly, we are still  
7 going to be operating in the two, um, southern-  
8 most bays.

9 Um, there is - - it does appear that there  
10 is some equipment that is stored outside, what I  
11 can say to the best of our ability, we will put  
12 everything in the bays but there is probably still  
13 going to be a limited amount of outdoor storage.

14 That will be completely enclosed and  
15 buffered so nobody can see it.

16 I think the gates, with all due respect in  
17 answering the question, the gates must have been  
18 opened for these pictures to have been taken.

19 So, they are, generally, not visible to any  
20 of the neighbors.

21 SENIOR COUNCILWOMAN GOOSBY: Even if you  
22 are saying the gate might have been opened, they  
23 shouldn't have been there in the first place.

1 It is a fire hazard. That should have been  
2 cleaned up, especially since you are coming here,  
3 now, because you want to add something.

4 ATTORNEY WHELAN: Well, I will, um,  
5 immediately advise my client that everything  
6 should be kept in the bays.

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7 SUPERVISOR CLAVIN: And, like I said, I can  
8 understand, you can see where the lift was, we  
9 appreciate them removing that.

10 I guess my bigger concern is, I know you  
11 talked to the neighbors is the outdoor storage of  
12 vehicle parts.

13 You know what, if they have to buy a  
14 trailer to put in there, they just can't leave it  
15 in the back like that.

16 It is not being a good neighbor to people.

17 ATTORNEY WHELAN: Understood.

18 SUPERVISOR CLAVIN: As Councilwoman pointed  
19 out, it is a fire hazard.

20 It is something that we have to take into  
21 consideration with the application.

22 And, the fact that he has been doing it,  
23 you know, it is a little troublesome, you know.

24 ATTORNEY WHELAN: I will immediately  
25 contact Mrs. Hanson with our plan of how we

1 will address this.

2 SUPERVISOR CLAVIN: Okay.

3 ATTORNEY WHELAN: I apologize, Mrs. Goosby,  
4 for this being brought to your attention.

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5 Please be assured we seek to be a good  
6 neighbor and make the site better than it is.

7 SENIOR COUNCILWOMAN GOOSBY: I am looking  
8 at these cars, are you parking cars there, as  
9 well?

10 ATTORNEY WHELAN: There are seven parking  
11 spaces.

12 There is no car sale, no sale of cars  
13 happening, here but we do provide, at least, six  
14 to seven parking spots including a handicapped  
15 spot.

16 SUPERVISOR CLAVIN: This is for customers?

17 ATTORNEY WHELAN: Customers.

18 SUPERVISOR CLAVIN: Employees? How many  
19 employees?

20 ATTORNEY WHELAN: Two in the convenience  
21 store and two in the bays.

22 We don't expect any increase in the number  
23 of employees at the site.

24 SUPERVISOR CLAVIN: When it comes to and  
25 you will explain to us the twenty-four hour



1        convenience store, full access, twenty-four hours  
2        a day, are there limitations through an exterior  
3        window during the evening?

4                    ATTORNEY WHELAN: As far as I know, it is <sup>Page | 25</sup>  
5        full access to the convenience store and, again,  
6        we made a commitment to providing any assistance  
7        to anybody who can't pump their own gas, the  
8        elderly or infirm people.

9                    We want to be a good neighbor.

10                   We want to make this a better site and  
11        certainly, it has been there for seventy-two  
12        years.

13                   SENIOR COUNCILWOMAN GOOSBY: The problem is  
14        this, too, I looked at the site, you did have  
15        someone come for an inspection but it doesn't have  
16        anything on there that I have shown to you, now,  
17        so, it makes me wonder, I just think it is not  
18        right, you cannot have that in the community like  
19        that.

20                   It needs to be cleaned up in the back.

21                   ATTORNEY WHELAN: Councilwoman Goosby, you  
22        have my word, regardless if it was on the  
23        violation notice or not, I will be communicating  
24        with Mrs. Hanson to address the issues that you  
25        brought up to me today.

1 I just want to remind the Board that part  
2 of this application seeks certain waivers from the  
3 "GSS" District regulation.

4 Most of which are, um, have to relate to Page | 26  
5 the geometry.

6 The "GSS" District requires fifteen  
7 thousand square feet, we only have ten thousand  
8 square feet.

9 Um, and one of those relaxations is seeking  
10 permission for a self-service facility in the  
11 future.

12 Right, now, we are full service but we plan  
13 to go over to self-service with the proviso that  
14 someone will always be there to help.

15 SENIOR COUNCILWOMAN GOOSBY: Certainly - -

16 ATTORNEY WHELAN: I am sorry?

17 SENIOR COUNCILWOMAN GOOSBY: Put everything  
18 in writing.

19 ATTORNEY WHELAN: Of course.

20 COUNCILMAN DUNNE: What she is saying, we  
21 don't want to rely on your word.

22 She wants it in writing.

23 ATTORNEY WHELAN: I understand.

24 Usually, Boards impose covenants as part of  
25 approvals.

1            And, I will speak with my client and I can  
2 communicate with anyone from the Town Attorney's  
3 Office to come up with mutually agreeable language  
4 to memorialize that into a covenant.

5            SUPERVISOR CLAVIN:    Okay, we will go - - I  
6 don't have any slips from the Public on his.

7            Is there anybody in the audience that  
8 wishes to be heard on this?

9            Great, if you go to the back and identify  
10 yourself, give your name and address.

11           Thank you so much.

12           Mrs. Whelan, be on standby to answer  
13 questions.

14           Thank you.

15           ATTORNEY WHELAN:    Absolutely.

16           SUPERVISOR CLAVIN:    Name and address for  
17 the record.

18           SENIOR COUNCILWOMAN GOOSBY:    Can I have the  
19 pictures back, please.

20           PEARL JACOBS:    Pearl Jacobs, Uniondale,  
21 President of the Nostrand Gardens Civic  
22 Association.

23           First, I would like to say that I haven't  
24 seen what is behind the fence or behind, you  
25 know, residents' homes, but, I can say that

1        the current proprietor, they run it very well.

2                They have it clean, as far as you look from  
3        Uniondale Avenue, they are one of the fewest  
4        businesses on Uniondale Avenue that makes sure  
5        that they put some beautification there and it  
6        is clean.

7                But, my question is, um, it is kept very  
8        clean, but, my question is will this expansion,  
9        will it be contained within the property?

10               ATTORNEY WHELAN: Absolutely.

11               PEARL JACOBS: There is no easement out  
12        into Uniondale Avenue or anything like that?

13               ATTORNEY WHELAN: We are not proposing any  
14        expansion beyond the existing building  
15        footprint.

16               The only, um, non-building expansion is the  
17        installation of the canopy to protect people  
18        from weather elements.

19               SENIOR COUNCILWOMAN GOOSBY: We can't hear  
20        you.

21               COUNCILMAN DUNNE: Speak into the  
22        microphone?

23               SUPERVISOR CLAVIN: Speak into the  
24        microphone.

25               ATTORNEY WHELAN: Just to reiterate,

1    we are not proposing any expansion beyond the  
2    building footprint except for the canopy which  
3    will be above the vehicle fueling stations.

4            PEARL JACOBS:    Thank you.

5            SENIOR COUNCILWOMAN GOOSBY:    You are on  
6    Uniondale Avenue and Hempstead Boulevard?

7            ATTORNEY WHELAN:    Correct.

8            SUPERVISOR CLAVIN:    Good Evening, if you  
9    would give your name and address for the record.

10           HEIDI SANFT:    Good Evening.    My name is  
11    Heidi Sanft.    116 Florence Avenue, Hempstead,  
12    right on the border of Uniondale.

13           I am also the Vice-President of the  
14    Nostrand Gardens Civic Association in Uniondale.

15           Um, I have a question regarding this new  
16    canopy that you're talking about.

17           It says "Uniondale" in large letters next  
18    to that, is that what it is going to say?

19           ATTORNEY WHELAN:    No.

20           PEARL JACOBS:    Is it going to say anything  
21    on the canopy?

22           ATTORNEY WHELAN:    I believe it is going to  
23    say "CONOCO."

24           PEARL JACOBS:    Is there anything going to  
25    be any flashing lights or anything?

1 ATTORNEY WHELAN: No, it is going to say  
2 "Conoco."

3 And, of course, it won't have any flashing  
4 lights.

5 I don't believe it is permitted in the Town  
6 Code, anyway, but, it is really to protect  
7 patrons from weather elements to make this  
8 station more viable with other stations.

9 PEARL JACOBS: The other thing that I would  
10 like to bring up and request, um, we have a big  
11 beautification part with the civic group and  
12 every year we plant about a thousand flowers and  
13 Senior Councilwoman Goosby knows about that and  
14 supports that.

15 Um, can you do any kind of plantings?

16 I know you said you will do a little bit  
17 of a buffer, could you add some flowers?

18 Ask the owners.

19 ATTORNEY WHELAN: I am sorry, right, now,  
20 we have proposed all along, five feet Leyland  
21 Cypresses and also on the southern boundary by  
22 the municipal parking lot, if you want to send  
23 me any proposals, I will be happy to share it  
24 with the owner.

25 PEARL JACOBS: Okay, that's it, thank you.

1            SENIOR COUNCILWOMAN GOOSBY:  There are some  
2            trees that are there that are dead, so, I know  
3            you are going to replace those, right?

4            ATTORNEY WHELAN:  Yes.

5            SUPERVISOR CLAVIN:  Thank you very much.

6            ATTORNEY WHELAN:  There has been a very big  
7            project, a Uniondale project which the Town has  
8            also supported, you know, millions of dollars  
9            putting in, so, we want to, um, you know, make  
10           it even better.

11           Thank you.

12           SUPERVISOR CLAVIN:  Thank you very much.  I  
13           don't have any other slips, is there any other  
14           Members of the Public that wish to be heard on  
15           this that haven't been heard?

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

18           SUPERVISOR CLAVIN:  Councilwoman, do you  
19           want to make a Motion.

20           SENIOR COUNCILWOMAN GOOSBY:  Yes, I move  
21           that we close and reserve decision.

22           COUNCILMAN D'ESPOSITO:  Second.

23           CLERK MURRAY:  Supervisor Clavin?

24           SUPERVISOR CLAVIN:  Aye.

25           CLERK MURRAY:  Councilman Carini?

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COUNCILMAN CARINI:    Aye.

CLERK MURRAY:    Councilman D'Esposito?

COUNCILMAN D'ESPOSITO:    Aye.

CLERK MURRAY:    Councilman Dunne?

COUNCILMAN DUNNE:    Aye.

CLERK MURRAY:    Senior Councilwoman Goosby?

SENIOR COUNCILWOMAN GOOSBY:    Aye.

CLERK MURRAY:    Councilwoman Miller?

COUNCILWOMAN MILLER:    Aye.

CLERK MURRAY:    Councilman Muscarella?

COUNCILMAN MUSCARELLA:    Aye.

SUPERVISOR CLAVIN:    Ms. Whelan, thank you  
very much for your presentation.

          If you could follow up with the residents,  
that would be ideal.

          Okay, thank you very much.

ATTORNEY WHELAN:    Happy Birthday to Senior  
Councilwoman    Goosby.

SENIOR COUNCILWOMAN GOOSBY:    Thank you.  
Come back and bring everything that you said you  
want to bring.

          I don't want to look at these pictures  
anymore.

          Thank you.

ATTORNEY WHELAN:    Absolutely.



**HEMPSTEAD TOWN BOARD    MARCH 1, 2022**

1            SUPERVISOR CLAVIN: Madam Clerk, please,  
2 call the Administrative Calendar.

3            CLERK MURRAY: On the Administrative  
4 Calendar, we have 7 through 43.

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5            SUPERVISOR CLAVIN: First, does any Member  
6 of the Board wish to be heard on the  
7 Administrative Calendar?

8            SENIOR COUNCILWOMAN GOOSBY: Yes, I wish to  
9 reserve 18 and 19 on the Administrative  
10 Calendar.

11           SUPERVISOR CLAVIN: Adjourning or reserve  
12 it?

13           SENIOR COUNCILWOMAN GOOSBY: Adjourn it.

14           TOWN ATTORNEY NOCELLA: Councilwoman, would  
15 tabling be acceptable?

16           SENIOR COUNCILWOMAN GOOSBY: Yes, we are  
17 tabling, that would be fine.

18           COUNCILMAN D'ESPOSITO: Second.

19           CLERK MURRAY: Table 18 and 19.

20           COUNCILMAN D'ESPOSITO: Yes.

21           CLERK MURRAY: Supervisor Clavin?

22           SUPERVISOR CLAVIN: Aye.

23           CLERK MURRAY: Councilman Carini?

24           COUNCILMAN CARINI: Aye.

25           CLERK MURRAY: Councilman D'Esposito?

**HEMPSTEAD TOWN BOARD**    MARCH 1, 2022

1            COUNCILMAN D'ESPOSITO:    Aye.

2            CLERK MURRAY:    Councilman Dunne?

3            COUNCILMAN DUNNE:    Aye.

4            CLERK MURRAY:    Senior Councilwoman Goosby? Page | 34

5            SENIOR COUNCILWOMAN GOOSBY:    Aye.

6            CLERK MURRAY:    Councilwoman Miller?

7            COUNCILWOMAN MILLER:    Aye.

8            CLERK MURRAY:    Councilman Muscarella?

9            COUNCILMAN MUSCARELLA:    Aye.

10           SUPERVISOR CLAVIN:    For the remaining  
11           Administrative Calendar, does any Member of the  
12           Board wish to be heard on it?

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

15           SUPERVISOR CLAVIN:    Okay, if not, I have a  
16           couple of slips in, we will start with Bonnie  
17           Garone.

18                      Good Evening, Mrs. Garone, name and address  
19           for the record, thank you.

20           BONNIE GARONE:    Good evening, Bonnie  
21           Garone, Rockville Centre.

22                      I first have two questions on Item Number  
23           27.

24                      I like to know what TVS System does for  
25           that Department and whether this is a typo?

1            Is this really based on a Resolution from  
2            1998?

3            SUPERVISOR CLAVIN:    Okay, hold on.    Come up  
4            to the mic, please, identify yourself.

5            Thank you.

6            BRIAN RICHARDS:    Brian Richards from IT.

7            Yes, it is a Resolution from '98.    We have  
8            been using the same person.

9            It is an antiquated mainframe system.

10           They are one of the only people that can  
11           support that system, so, we, now, are redoing  
12           the contract because we want to make sure that  
13           we start phasing him out because we will have a  
14           new system.

15           BONNIE GARONE:    Can you really extend the  
16           contract from 1998 or should there be a new  
17           contract?

18           BRIAN RICHARDS:    Right, he gave us a new  
19           contract for one year because we are trying to  
20           get off that old system and into the newer  
21           system and go on the new platform.

22           BONNIE GARONE:    It should be attached to  
23           the Resolution and it is not, so, I call for  
24           that to be on the website after this Meeting.

25           SUPERVISOR CLAVIN:    Okay, thank you, Mrs.

1 Garone.

2 BONNIE GARONE: Now, I have some questions  
3 about Item Number 11.

4 This is the 7.1 million dollar contract  
5 with Oracle for reimplementation or  
6 reinstallation, both words are used.

7 Enterprise Resource System, the ERP System,  
8 um, I like to know why it is necessary to  
9 reimplement, reinstall, what that means?

10 I also like to know what this contract is  
11 based on?

12 And, I ask that because this Resolution  
13 says Oracle has a New York State OGS centralized  
14 contract, um, with the State.

15 But, it doesn't say there is a contract we  
16 are using.

17 It just recites that they have one and in  
18 fact, Contract Number CM00884 which is  
19 referenced, it doesn't appear to exist.

20 It might have at one time. I have seen  
21 another copy but it is not a current contract.

22 I searched the OGS website, today and I  
23 called the OGS Procurement Section and they  
24 confirmed that.

25 So, first, can you tell me what

1 this is and why it is necessary?

2 And, then, how these contract terms were  
3 arrived at?

4 BRIAN RICHARDS: So, a couple of years ago, <sup>Page | 37</sup>  
5 we put out a bid for the implementation of the  
6 Oracle project and, unfortunately, the company  
7 that won the bid did not implement correctly.

8 We had multiple problems with them so, we  
9 contacted Oracle directly, so, they are going to  
10 reimplement for us in order to fix the problems  
11 that the current company has made mistakes on.

12 BONNIE GARONE: Have we tried to - -

13 COUNCILMAN D'ESPOSITO: What year was the  
14 contract that was implemented, that had all the  
15 issues?

16 BRIAN RICHARDS: It was either '18 or '19.

17 COUNCILMAN D'ESPOSITO: Okay.

18 BRIAN RICHARDS: That company was Cherry  
19 Road.

20 I cannot speak about getting the money  
21 back, but, I would assume that we would do that.

22 TOWN ATTORNEY NOCELLA: Let me address that  
23 to a certain extent.

24 I am not talking about any such efforts,  
25 nor would it be advisable, even if it were

1 something that were to be considered to discussed  
2 in an open Meeting with current litigation but  
3 in essence, this is a capital expenditure that  
4 will last decades that are essential to the  
5 services of the Town.

6 When you use the words and you saw the word  
7 "install" and "re-install," in affect, you may  
8 notice from operating your own home computers,  
9 oftentimes, there are improvements in a system,  
10 a correction of problems or bugs or glitches in  
11 a system, you have to uninstall the old system  
12 and reinstall the new one.

13 This is an upgrade, if you will.

14 It is a long-term capital expenditure.

15 The necessity of going with this particular  
16 company with Oracle would be based simple on the  
17 fact that the existing system that was  
18 purchased, I believe, in 2018, under the prior  
19 Administration, that system was also Oracle, so,  
20 that is the installation and reinstallation.

21 In other words, this is the next  
22 generation.

23 This is an improvement.

24 This gets out any glitches or problems that  
25 existed in the system.

1 And, as you might know, a program from  
2 your own computer, as I have said, you  
3 might want to install the latest version,  
4 the newest version, the version that was <sup>Page | 39</sup>  
5 prepared by the software company that fixed  
6 problems, programs, end users or the  
7 company, itself, the first thing that you  
8 have to do is uninstall the old system to  
9 reinstall the new system and that is fairly  
10 basic IT, that was explained to me because  
11 I asked the same questions as you did.

12 As to the prior contract, I understand  
13 what you are saying.

14 I heard what you said about the prior  
15 contract from the State, which would allow  
16 us to piggyback on it as a matter of  
17 procurement but you must note that there  
18 really isn't an alternative to going with  
19 Oracle for this purpose because we are  
20 currently using the current system which is  
21 Oracle.

22 It is the logical thing to uninstall  
23 and reinstall the new program.

24 BONNIE GARONE: Everything you said  
25 actually, Mr. Nocella, makes perfect

1 sense.

2 I don't often say that. I think what  
3 you explained is very helpful.

4 However, there is no such contract as <sup>Page | 40</sup>  
5 recited.

6 We are talking about transparency and  
7 we are also talking about pricing, we are  
8 not piggybacking off the State contract, we  
9 can't be.

10 This contract doesn't exist, then,  
11 where do we get the 7.1 million dollar  
12 price?

13 TOWN ATTORNEY NOCELLA: The contract  
14 was subject to negotiations by the Town  
15 Comptroller and by the IT Department.

16 Oracle has the product and they are  
17 contracted and it is up on the website.

18 I don't know if you saw it. The  
19 contract is in a form with certain minor  
20 terms, may be altered or changed. They  
21 will use a contract routinely for their  
22 services that states "and shall be governed  
23 and interpreted under the State of  
24 California."

25 We have negotiated with them to change



1 it to "the laws of the State of New York."

2 Um, the form of the contract in its  
3 essence and its essential terms include the  
4 price, the price which is identified in the <sup>Page | 41</sup>  
5 Resolution, the price is identified in the  
6 contract.

7 That is what they charge for their  
8 services.

9 And, it is not negotiable terms.

10 It is something that I can haggle to  
11 some extent, if you are talking about a  
12 massive system, that is going to span  
13 decades and be utilized for decades and of  
14 course, have a preservation of records for  
15 decades, that is the price.

16 BONNIE GARONE: I don't disagree,  
17 again, I don't disagree with anything that  
18 you have said.

19 However, to do this properly and to do  
20 this legally and to do this with full  
21 transparency, I suggest this needs to be  
22 tabled and you need a new Resolution to  
23 honestly say, essentially just what you  
24 said without saying the words.

25 This is a sole-source contract, not

1        a contract based on Contract Number CM, etc.,  
2                because that contract just plainly doesn't  
3                exist and the fact that I had to do  
4                research and actually talk to OGS is really Page | 42  
5                atrocious and this doesn't go to the  
6                legality, this goes to operation or  
7                transparency.

8                        You need to honestly say, this is sole  
9                source.

10                      It was negotiated and you know, this  
11                is the price.

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

14                      SUPERVISOR CLAVIN: Thank you, Mrs.  
15                Garone and thank you, Mr. Nocella for  
16                giving that great answer.

17                      And, I do appreciate the fact that  
18                Mrs. Garone paid you a nice compliment.

19                      So, you get a smiley face, tonight.

20                      Next, I have James Jacobs.

21                      BONNIE GARONE: Please, table this.

22                      SUPERVISOR CLAVIN: Mrs. Garone, thank  
23                you.

24                      Good Evening, name and address for the  
25                record.

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JAMES JACOBS: James B. Jacobs, Ash  
Court.

I want clarification on Item Number  
32, 33, 34 in Uniondale, clarification. Page | 43

SUPERVISOR CLAVIN: Identify yourself.

COMMISSIONER REINHARDT: Commissioner  
Reinhardt, Department of Water.

The second half of your question, I  
didn't actually hear, I am sorry.

JAMES JACOBS: Do you want me to  
restate it.

I notice in the paper, East Meadow got  
a new water treatment for 1.4. dioxane  
pollutants.

And, I see something for Uniondale was  
rejected and I was wondering why, for  
clarification?

COMMISSIONER REINHARDT: Each of these  
systems are being designed, each of these  
systems get bid independently.

Those bids are opened up.

Those bids are analyzed.

When the bids for the Uniondale  
project were opened up, there were a number  
of anomalies in the bid prices.

1                   Um, two of the contractors, in fact,  
2                   wished to throw their bids out right after  
3                   opening and the third contractor, there  
4                   were a number of errors in prices provided <sup>Page | 44</sup>  
5                   because of the, um deferral.

6                   Rather than getting involved in  
7                   legalities with various contractors, we  
8                   though it was best just to reject all bids  
9                   and rebid it.

10                  We are clarifying a number of items in  
11                  the contract that seemed to have caused  
12                  those errors with the contractors.

13                  JAMES JACOBS: From what I am  
14                  understanding, are they addressing those  
15                  issues included in the water system, sir?

16                  COMMISSIONER REINHARDT: That is what  
17                  these contracts are, to provide to remove  
18                  the pollutants.

19                  JAMES JACOBS: All right, I  
20                  understand.

21                  Let me calm down for a second. I  
22                  notice in certain hamlets they were issued  
23                  removal of water pollutants, such as 1.4  
24                  dioxane and others.

25                  The process doesn't seem to take

1 as long as when it comes to Uniondale.

2 I am hoping in the near future, our  
3 bid would be bidden and accepted so, the  
4 residents of the hamlet will have better  
5 water because I know there is no such thing  
6 as pure water but you still want to have  
7 water that doesn't have pollutants in it  
8 that won't affect your children, Seniors in  
9 our hamlet because our Senior Councilwoman  
10 Dorothy Goosby is our representative and I  
11 know she is a fighter but I know she can't  
12 cover all basis when it comes to air  
13 pollution, water pollution, things of that  
14 nature.

15 So, I am just asking when the bid is  
16 submitted and it is up to your standards  
17 that Uniondale - -

18 SUPERVISOR CLAVIN: I think that is  
19 what you are saying, they weren't happy  
20 with it, they are expediting it, that is  
21 why they have rejected it and have gone out  
22 there and to get more bids on it.

23 Am I correct?

24 COMMISSIONER REINHARDT: That is  
25 correct, four of these nine contracts that

1 was bided, so you know, it is actually one of the  
2 early ones that we designed for bid for  
3 this work.

4 There are five other contracts that Page | 46  
5 are in design stages and it will be bid  
6 over the next eighteen months.

7 The Uniondale project is pretty far  
8 ahead in the design phase.

9 JAMES JACOBS: This will be opened up  
10 to Minorities, also, the bidding?

11 COMMISSIONER REINHARDT: We are  
12 seeking New York State funding. It is  
13 Veteran encourage bidding, yes, the  
14 standard requirements.

15 JAMES JACOBS: I just want to make  
16 sure it is a fair process.

17 SENIOR COUNCILWOMAN GOOSBY: You can  
18 also let them know that we have asked the  
19 State to give us more money for our water,  
20 so, we asked that already and we have been  
21 working on it.

22 SUPERVISOR CLAVIN: Still working on  
23 that, New York State has not given us any  
24 money.

25 I don't have any other slips, is there

1    anybody that was not heard on the Administrative  
2    Calendar that would like to be heard?

3            Please, go to the back there, identify  
4    yourself with your name and address for the <sup>Page | 47</sup>  
5    record.

6            Thank you.    Good Evening, name and  
7    address, please.

8            FELIX PROCACCI:    Felix Procacci,  
9    Franklin Square.

10           Just, Item Number 21, first, why is it  
11    necessary for Town funds to be used to  
12    support DOR?

13           SUPERVISOR CLAVIN:    Commissioner, good  
14    evening, how are you?

15           Give your name and address.    Identify  
16    yourself to Mr. Procacci.

17           COMMISSIONER MOLLET:    Eric Mollet,  
18    Commissioner, DOR.

19           Good Evening to you.

20           SUPERVISOR CLAVIN:    Good evening.

21           COMMISSIONER MOLLET:    Mr. Supervisor,  
22    this is in relation to our, cost, the Town  
23    provides, rather, the State provides only a  
24    certain amount of money for each Grant.

25           So, in other words, they don't provide

1 enough so - -

2 COUNCILMAN D'ESPOSITO: So, where the  
3 State shortchanged us, the Town picks up  
4 the difference, okay, gotcha.

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5 FELIX PROCACCI: So, this is not  
6 Federal funds. I thought DOR was Federal.

7 SUPERVISOR CLAVIN: Yeah, the State  
8 gives the funding for it.

9 COMMISSIONER MOLLET: It is a program.

10 FELIX PROCACCI: The Resolution  
11 doesn't indicate what fund that money is coming  
12 from either.

13 COMMISSIONER MOLLET: It is the main  
14 Grant that we fund under.

15 FELIX PROCACCI: It should be in the  
16 Resolution, usually, you have an account number  
17 where the money is coming from.

18 This Resolution is short on  
19 information.

20 SENIOR COUNCILWOMAN GOOSBY: It is a  
21 Grant from the State.

22 FELIX PROCACCI: It is coming from a  
23 Grant, either I don't see it, either, did I miss  
24 it?

25 SUPERVISOR CLAVIN: John, come up to



1        the mic, sometimes we don't hear well.

2                                Thank you.

3                                COMPTROLLER MASTROMARINO:    Number 31,  
4        it references the adopted budget and the amended <sup>Page | 49</sup>  
5        to the adopted budget to pay for it, it is in  
6        two parts, 21 and 30.

7                                FELIX PROCACCI:    I didn't know that  
8        because it didn't say that.    Thank you.

9                                SUPERVISOR CLAVIN:    Is there anybody  
10       else that wished to be heard on the  
11       Administrative Calendar that did not sign in?

12                                ATTORNEY BONESSO:    Good Evening, Mr.  
13       Supervisor, Members of the Board:

14                                William Bonesso, Forchelli, Deegan,  
15       Turano.    333 Earle Ovington Boulevard,  
16       Uniondale, New York.

17                                I did sign in just as I got here, I  
18       was alerted very late this afternoon that a  
19       letter had come in regarding Items 18 and 19.

20                                SUPERVISOR CLAVIN:    We received  
21       communications, you know, we tabled it.

22                                The Councilwoman made the Motion, so, if  
23       you like, maybe stick around after a couple of  
24       minutes after the Meeting to talk to the Town  
25       Attorney about the communication we received.

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It was tabled.

ATTORNEY BONESSO: Would it be at all possible for the Board to consider putting back on the calendar, taking it of the table, based upon what I provide the Board this evening, what I indicate to the Board this evening?

TOWN ATTORNEY NOCELLA: Supervisor, it is technically possible if Mr. Bonesso wants to use the same amount of time as anybody else to speak on this issue and he convinces the Board that is a perfect option.

ATTORNEY BONESSO: Thank you.

Basically, the letter that was received by the Town, today, was from a labor union which asserted that it should be removed, that the Board should give it further consideration before it approves the site plan for this project, which is a distribution - - industrial distribution center in Uniondale at 107 Charles Lindbergh Boulevard because it is going to be an Amazon last mile facility.

Besides the fact that is completely irrelevant when it comes to the Town's consideration of whether or not if a site plan is adequate or not, it is simply untrue.

1            And, an identical letter, as the one  
2            received today by the Town, was sent to the  
3            Nassau County Planning Commission back when this  
4            matter went before them for their review and    Page | 51  
5            recommendation under 239M of the General  
6            Municipal Law, at that time, I appeared along  
7            with the site engineer for the project and we  
8            pointed out that Number 1, there is no letter of  
9            intent with Amazon to be a tenant at this  
10           property.

11                        Number 2, there is no lease in place  
12                        and most importantly, Number 3, the site cannot  
13                        accommodate a last-mile facility according to  
14                        the needs and specifications of Amazon and the  
15                        way they operate such facilities.

16                        In order for that to happen, if some  
17                        point in the future, Amazon came out of nowhere  
18                        and decided that they wanted this site.

19                        It would require significant  
20                        modifications to the site plan which would start  
21                        the site plan review process all over, again and  
22                        it would have to come back before this Board.

23                        So, this is really a delay tactic on  
24                        the part of the letter writer to prevent this  
25                        from being approved.

1                    They delayed it once before because of  
2                    the initial letter that they sent to the Nassau  
3                    County Planning Commission which caused a delay.

4                    And, now, they are asking or now they <sup>Page | 52</sup>  
5                    are attempting to delay this further by putting  
6                    false information before the Town Board.

7                    So, we would ask the Board to consider  
8                    placing it back on the Administrative Calendar  
9                    and approving it based upon all the information  
10                   I have provided.

11                   SUPERVISOR CLAVIN:    So, there is no  
12                   Amazon facility going in there, that was the  
13                   communication received.

14                   ATTORNEY BONESSO:    Not at all.

15                   SUPERVISOR CLAVIN:    Joe, just for  
16                   clarification, can a Motion be made to restore  
17                   that to the full Administrative Calendar?

18                   TOWN ATTORNEY NOCELLA:    Yes, it can.

19                   SUPERVISOR CLAVIN:    Would that have to  
20                   be severed before the Administrative Calendar is  
21                   adopted?

22                   TOWN ATTORNEY NOCELLA:    Yes, it needs  
23                   to be placed before the Administrative Calendar.

24                   SUPERVISOR CLAVIN:    Councilwoman, do  
25                   you have a Motion?

**HEMPSTEAD TOWN BOARD    MARCH 1, 2022**

1                    SENIOR COUNCILWOMAN GOOSBY: I make a  
2                    Motion to reinstate 18 and 19.

3                    TOWN ATTORNEY NOCELLA: Technically,  
4                    untable. Page | 53

5                    COUNCILMAN D'ESPOSITO: Second the  
6                    Motion to take 18 and 19 off the table, untable.

7                    TOWN ATTORNEY NOCELLA: To restore?

8                    COUNCILMAN D'ESPOSITO: Yes.

9                    CLERK MURRAY: Supervisor Clavin?

10                  SUPERVISOR CLAVIN: Aye.

11                  CLERK MURRAY: Councilman Carini?

12                  COUNCILMAN CARINI: Aye.

13                  CLERK MURRAY: Councilman D'Esposito?

14                  COUNCILMAN D'ESPOSITO: Aye.

15                  CLERK MURRAY: Councilman Dunne?

16                  COUNCILMAN DUNNE: Aye.

17                  CLERK MURRAY: Senior Councilwoman

18                  Goosby?

19                  SENIOR COUNCILWOMAN GOOSBY: Aye.

20                  CLERK MURRAY: Councilwoman Miller?

21                  COUNCILWOMAN MILLER: Aye.

22                  CLERK MURRAY: Councilman Muscarella?

23                  COUNCILMAN MUSCARELLA: Aye.

24                  ATTORNEY BONESSO: Thank you very much.

25                  SUPERVISOR CLAVIN: Thank you very

1        much.    Good job keeping it under three minutes.

2                    I do not have any other slips on the  
3    Administrative Calendar, if anybody would like to  
4    be heard that has not spoken on the Administrative <sup>Page | 54</sup>  
5    Calendar?

6                    Yes, ma'am, if you like to be heard  
7    that would be great.

8                    Good Evening, if you could give your  
9    name and address.

10                    HEIDI SANFT:    Good Evening, again,  
11    Heidi Sanft.    160 Florence Avenue, Hempstead, on  
12    the border of Uniondale and also Vice-President of  
13    the Nostrand Gardens Civic Association.

14                    I didn't know that I would be speaking  
15    about this but I do have a question regarding 18  
16    and 19.

17                    Um, the Attorney who just spoke,  
18    mentioned that 107 Charles Lindberg Boulevard is  
19    in Uniondale and here it says "Garden City" and  
20    so, I would just like clarification, is it in  
21    Uniondale or Garden City?

22                    TOWN ATTORNEY NOCELLA    Ma'am, that  
23    section it is not in the Village of Garden City  
24    and I think sometimes it is referred to as  
25    Uniondale and sometimes it is referred to as

1 "East Garden City," but, technically, in my view,  
2 it would be considered Uniondale.

3 I think, simply, sometimes people use  
4 the old designation. Page | 55

5 HEIDI SANFT: Right, it is really  
6 important to us in Uniondale to make sure if this  
7 is, in fact, in Uniondale that it is called  
8 "Uniondale."

9 There have been many, many, um, pushes  
10 to make sure that if a place is in Uniondale that  
11 is what it is called and East Garden City is no  
12 longer a census designated place.

13 There are all kinds of legal, um,  
14 actions that have been taken for many years.

15 There was an attempt to kind of rename  
16 parts of Uniondale as "East Garden City," because  
17 they thought it sounded more attractive for some  
18 reason.

19 So, we are very sensitive about this.

20 So, what I am saying is if this is, in  
21 fact, Uniondale, I would like you to, please,  
22 change this so it is correct.

23 Thank you.

24 SUPERVISOR CLAVIN: Thank you very  
25 much.

1                    Mr. Jacobs, I know you spoke earlier,  
2 did you want to speak on either 18 or 19?

3                    JAMES JACOBS: I am just asking in the  
4 future if, by chance, Amazon do come over to the Page | 56  
5 location, they keep the identity as part of  
6 Uniondale.

7                    It is very important to the residents  
8 and people that live in the hamlet.

9                    We support Councilwoman Goosby because  
10 we know she is a fighter, at the same token, she  
11 is a lone voice to be speaking for us and we like  
12 to have more support, especially, people that  
13 represent that side of Town.

14                    SUPERVISOR CLAVIN: Thank you, Mr.  
15 Jacobs.

16                    I don't have anymore slips, does  
17 anybody else wish to be heard on the  
18 Administrative Calendar?

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

21                    SUPERVISOR CLAVIN: If not, may I,  
22 please, have a Motion.

23                    SENIOR COUNCILWOMAN GOOSBY: I move  
24 the Administrative Calendar, Number 7 to forty-  
25 three including the two we just added.



**HEMPSTEAD TOWN BOARD    MARCH 1, 2022**

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COUNCILMAN D'ESPOSITO:    Second.

CLERK MURRAY:    Supervisor Clavin?

SUPERVISOR CLAVIN:    Aye.

CLERK MURRAY:    Councilman Carini?

COUNCILMAN CARINI:    Aye.

CLERK MURRAY:    Councilman D'Esposito?

COUNCILMAN D'ESPOSITO:    Aye.

CLERK MURRAY:    Councilman Dunne?

COUNCILMAN DUNNE:    Aye.

CLERK MURRAY:    Senior Councilwoman

Goosby?

SENIOR COUNCILWOMAN GOOSBY:    Aye.

CLERK MURRAY:    Councilwoman Miller?

COUNCILWOMAN MILLER:    Aye.

CLERK MURRAY:    Councilman Muscarella?

COUNCILMAN MUSCARELLA:    Aye.

SENIOR COUNCILWOMAN GOOSBY:    I make a  
Motion to adjourn.

COUNCILMAN D'ESPOSITO:    Second.

CLERK MURRAY:    Senior Councilwoman  
made a motion to move and Councilman D'Esposito  
seconded it.

CLERK MURRAY:    Supervisor Clavin?

SUPERVISOR CLAVIN:    Aye.

CLERK MURRAY:    Councilman Carini?



**HEMPSTEAD TOWN BOARD    MARCH 1, 2022**

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COUNCILMAN CARINI:    Aye.

CLERK MURRAY:    Councilman D’Esposito?

COUNCILMAN D’ESPOSITO:    Aye.

CLERK MURRAY:    Councilman Dunne?

COUNCILMAN DUNNE:    Aye.

CLERK MURRAY:    Senior Councilwoman  
Goosby?

SENIOR COUNCILWOMAN GOOSBY:    Aye.

CLERK MURRAY:    Councilwoman Miller?

COUNCILWOMAN MILLER:    Aye.

CLERK MURRAY:    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 March 1, 2022, consisting of pages 1 through 59 inclusive is an accurate transcription of my cryptic notes.

IN WITNESS WHEREOF, I SET MY HAND THIS DAY.



*CFM*

CERTIFIED COURT REPORTER

NORTH SHORE COURT REPORTERS

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