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**TOWN OF HEMPSTEAD**

**TOWN BOARD MEETING**

**ONE WASHINGTON STREET**

**TOWN HALL PAVILION**

**HEMPSTEAD, NEW YORK 11550**

**March 28, 2023**

**7:00 P.M.**

**BEFORE: DONALD CLAVIN, JR.**

**SUPERVISOR**

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**APPEARANCES :**

- DEPUTY SUPERVISOR GOOSBY
- COUNCIL MEMBER CARINI
- COUNCIL MEMBER DUNNE , SR.
- COUNCIL MEMBER MILLER
- COUNCIL MEMBER MUSCARELLA
- COUNCIL MEMBER RYDER
- TOWN CLERK MURRAY
- DEPUTY TOWN CLERK POKALSKY
- TOWN ATTORNEY MACCARONE
- COMPROLLER MASTROMARINO



**HEMPSTEAD TOWN BOARD    MARCH 28, 2023**

1            SUPERVISOR CLAVIN: I am glad everybody  
2 could join us here, tonight for the March 28, 2023  
3 Meeting at the Hempstead Town Hall.

4            And, now, I am going to ask Councilman  
5 Dunne to lead us in the Pledge of Allegiance.

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6            COUNCILMAN DUNNE: All rise, face the  
7 American Flag. Please, your right hand over your  
8 heart and join me.

9            (Whereupon, Councilman Dunne led the  
10 Assembly in the Pledge of Allegiance. After, the  
11 following ensued.)

12           SUPERVISOR CLAVIN: Before everyone sits,  
13 if we could have a moment of silence for  
14 Levittown's own Jack Kilbride, double purple heart  
15 recipient, two tours of Vietnam.

16           COUNCILMAN DUNNE: He was with the India  
17 326 in Khe Sanh, the worst battle and he was also  
18 in the first tour which was the "Walking Dead."

19           He was a real true American Hero, United  
20 States Marine, John Wayne of Levittown.

21           Everybody loved him and he passed away  
22 Friday.

23           SUPERVISOR CLAVIN: God Bless him.

24           Thank you, thank you all very, very much.

25           Madam Clerk, please, call the roll.

**HEMPSTEAD TOWN BOARD    MARCH 28, 2023**

1            CLERK MURRAY:    Supervisor Clavin?

2            SUPERVISOR CLAVIN:    I am here.

3            CLERK MURRAY:    Councilman Carini?

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4            COUNCILMAN CARINI:    Here.

5            CLERK MURRAY:    Councilman Dunne?

6            COUNCILMAN DUNNE:    Here.

7            CLERK MURRAY:    Deputy Supervisor Goosby?

8            DEPUTY SUPERVISOR GOOSBY:    Here.

9            CLERK MURRAY:    Councilwoman Miller?

10           COUNCILWOMAN MILLER:    Here.

11           CLERK MURRAY:    Councilman Muscarella?

12           COUNCILMAN MUSCARELLA:    Present.

13           CLERK MURRAY:    Councilwoman Ryder?

14           COUNCILWOMAN RYDER:    Here.

15           SUPERVISOR CLAVIN:    Madam Clerk, will you,  
16           please, call the first item.

17           CLERK MURRAY:    Proposed Local Law Re:  
18           "Regulations and Restrictions" to limit parking in  
19           Franklin Square (To amend Chapter 202 of the Code  
20           of the Town of Hempstead.)

21           SUPERVISOR CLAVIN:    Any Member of the Board  
22           wish to be heard?

23           (Whereupon, no comments were heard. After,  
24           the following ensued.)

25           SUPERVISOR CLAVIN:    I don't have any

1        slips on Item Number 1, is there any Member of the  
2        Audience who did not sign in that wishes to be  
3        heard?

4                    (Whereupon, no comments were heard.  
5        After, the following ensued.)

6                    SUPERVISOR CLAVIN:    If not, may I, please,  
7        have a Motion.

8                    COUNCILMAN MUSCARELLA:    I move that the  
9        Public Hearing be closed and the Board adopt the  
10       item.

11                    DEPUTY SUPERVISOR GOOSBY:    Second the  
12       Motion.

13                    CLERK MURRAY:    Supervisor Clavin?

14                    SUPERVISOR CLAVIN:    Aye.

15                    CLERK MURRAY:    Councilman Carini?

16                    COUNCILMAN CARINI:    Aye.

17                    CLERK MURRAY:    Councilman Dunne?

18                    COUNCILMAN DUNNE:    Aye.

19                    CLERK MURRAY:    Deputy Supervisor Goosby?

20                    DEPUTY SUPERVISOR GOOSBY:    Aye.

21                    CLERK MURRAY:    Councilwoman Miller?

22                    COUNCILWOMAN MILLER:    Aye.

23                    CLERK MURRAY:    Councilman Muscarella?

24                    COUNCILMAN MUSCARELLA:    Aye.

25                    CLERK MURRAY:    Councilwoman Ryder?

**HEMPSTEAD TOWN BOARD**    **MARCH 28, 2023**

1            COUNCILWOMAN RYDER:    Aye.

2            SUPERVISOR CLAVIN:    Madam Clerk, please,  
3            call the next item.

4            CLERK MURRAY:    Proposed Local Law Re:            Page | 6  
5            "Parking or Standing Prohibitions" in Oceanside  
6            (To amend Section 202-1 of the Code of the Town of  
7            Hempstead.)

8            SUPERVISOR CLAVIN:    Any Member of the Board  
9            wish to be heard on this?

10            (Whereupon, no comments were heard.    After,  
11            the following ensued.)

12            SUPERVISOR CLAVIN:    I do not have any slips  
13            on Item Number 2, is there anybody that wishes to  
14            be heard on Item Number 2 that did not sign in?

15            (Whereupon, no comments were heard.    After,  
16            the following ensued.)

17            SUPERVISOR CLAVIN:    If not, may I, please,  
18            have a Motion.

19            COUNCILWOMAN RYDER:    I move the Public  
20            Hearing be closed and the Board adopt the item.

21            COUNCILWOMAN MILLER:    Second the Motion.

22            CLERK MURRAY:    Supervisor Clavin?

23            SUPERVISOR CLAVIN:    Aye.

24            CLERK MURRAY:    Councilman Carini?

25            COUNCILMAN CARINI:    Aye.

**HEMPSTEAD TOWN BOARD**    **MARCH 28, 2023**

1            CLERK MURRAY:    Councilman Dunne?

2            COUNCILMAN DUNNE:    Aye.

3            CLERK MURRAY:    Deputy Supervisor Goosby?

4            DEPUTY SUPERVISOR GOOSBY:    Aye.

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5            CLERK MURRAY:    Councilwoman Miller?

6            COUNCILWOMAN MILLER:    Aye.

7            CLERK MURRAY:    Councilman Muscarella?

8            COUNCILMAN MUSCARELLA:    Aye.

9            CLERK MURRAY:    Councilwoman Ryder?

10           COUNCILWOMAN RYDER:    Aye.

11           SUPERVISOR CLAVIN:    Madam Clerk, please,  
12           call the next item.

13           CLERK MURRAY:    Proposed Local Law Re:  
14           "Arterial Stops" in Levittown, North Bellmore,  
15           Wantagh (To amend Section 197-5 of the Code of the  
16           Town of Hempstead.)

17           SUPERVISOR CLAVIN:    Any Member of the Board  
18           wish to be heard on this?

19           (Whereupon, no comments were heard. After,  
20           the following ensued.)

21           SUPERVISOR CLAVIN:    I do not have any slips  
22           on Item Number 3, is there anybody that did not  
23           sign in that wishes to be heard on Item Number 3?

24           (Whereupon, no comments were heard. After,  
25           the following ensued.)

**HEMPSTEAD TOWN BOARD**    **MARCH 28, 2023**

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

3            COUNCILMAN DUNNE:  I move the Public  
4            Hearing be closed and the Board adopt the item.    Page | 8

5            COUNCILMAN CARINI:  Second.

6            CLERK MURRAY:  Supervisor Clavin?

7            SUPERVISOR CLAVIN:  Aye.

8            CLERK MURRAY:  Councilman Carini?

9            COUNCILMAN CARINI:  Aye.

10           CLERK MURRAY:  Councilman Dunne?

11           COUNCILMAN DUNNE:  Aye.

12           CLERK MURRAY:  Deputy Supervisor Goosby?

13           DEPUTY SUPERVISOR GOOSBY:  Aye.

14           CLERK MURRAY:  Councilwoman Miller?

15           COUNCILWOMAN MILLER:  Aye.

16           CLERK MURRAY:  Councilman Muscarella?

17           COUNCILMAN MUSCARELLA:  Aye.

18           CLERK MURRAY:  Councilwoman Ryder?

19           COUNCILWOMAN RYDER:  Aye.

20           SUPERVISOR CLAVIN:  Proposed Local Law Re:

21           "Taxation:  Partial Exemption For Members of  
22           Volunteer Fire Departments And Voluntary  
23           Ambulance Services" in relation to a partial tax  
24           exemption for volunteer firefighters and volunteer  
25           ambulance workers (To amend Chapter 10A of the



1        Code of the Town of Hempstead.)

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

4                (Whereupon, no comments were heard. After, <sup>Page | 9</sup>  
5        the following ensued.)

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

10               (Whereupon, no comments were heard. After,  
11        the following ensued.)

12               SUPERVISOR CLAVIN: If not, may I, please,  
13        have a Motion.

14               COUNCILMAN DUNNE: I make a Motion that we  
15        move this Item.

16               DEPUTY SUPERVISOR GOOSBY: Second the  
17        Motion and I have to say the members are making  
18        sure this happens.

19               CLERK MURRAY: Supervisor Clavin?

20               SUPERVISOR CLAVIN: Proudly, aye.

21               CLERK MURRAY: Councilman Carini?

22               COUNCILMAN CARINI: Aye.

23               CLERK MURRAY: Councilman Dunne?

24               COUNCILMAN DUNNE: Aye.

25               CLERK MURRAY: Deputy Supervisor Goosby?

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DEPUTY SUPERVISOR GOOSBY:    Aye.

CLERK MURRAY:    Councilwoman Miller?

COUNCILWOMAN MILLER:    Aye.

CLERK MURRAY:    Councilman Muscarella?

COUNCILMAN MUSCARELLA:    Aye.

CLERK MURRAY:    Councilwoman Ryder?

COUNCILWOMAN RYDER:    Aye.

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

CLERK MURRAY:    On the Administrative  
Calendar, we have Items 5 through 44.

I also have one Item which is of an  
emergency or urgent nature entitled "A Resolution  
amending Town Board Resolution Number 59-2021, the  
award of a bid for New York State Governor's  
Office of Storm Recovery Funded Projects.

It is stormwater damage improvements and  
Oceanside pipes in Oceanside, New York.

So, that will be Item Number 45 on the  
Calendar.

SUPERVISOR CLAVIN:    Thank you, Madam Clerk.

Does any Member of the Board wish to be  
heard on the Administrative Calendar?

(Whereupon, no comments were heard. After,  
the following ensued.)

1            SUPERVISOR CLAVIN: I have a couple of  
2            slips in here that have signed in.

3            First, we will start off with Max Wether  
4            who wishes to speak.

5            I just want to make sure, okay, next, I  
6            have Felix Procacci.

7            Good Evening, Mr. Procacci.

8            Give your name and address for the record,  
9            thank you.

10            FELIX PROCACCI: Felix Procacci, Franklin  
11            Square.

12            On Number 15, any specific improvement  
13            projects been decided?

14            SUPERVISOR CLAVIN: Commissioner of Parks  
15            and John Mastromarino is here, as well.

16            COMMISSIONER ZANGLER: Good Evening,  
17            Supervisor, Members of the Board, Frank Zangler,  
18            Parks and Recreation.

19            Mr. Procacci, could you repeat the  
20            question?

21            FELIX PROCACCI: Have there been any  
22            specific improvement for the Park?

23            This is saying, "transferring money," have  
24            you decided a swing set, a pool, whatever?

25            COMMISSIONER ZANGLER: Yes, projects

1 are up and coming.

2 One is a gazebo, um, playground and swings  
3 in Garden City South, some improvements on the  
4 pool deck around Raff Park, stuff like that.

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5 FELIX PROCACCI: In the future, that really  
6 should be part of the Resolution, just  
7 completeness, so, people know.

8 SUPERVISOR CLAVIN: Okay, I agree with you  
9 on that, no problem.

10 FELIX PROCACCI: It is the law, but anyway.

11 SUPERVISOR CLAVIN: What law degree did you  
12 get?

13 FELIX PROCACCI: What? Um, you don't need  
14 a law degree to read the law.

15 SUPERVISOR CLAVIN: You actually do.

16 FELIX PROCACCI: I stop at redlights, too  
17 and I don't know the law.

18 Number 43, the extension of the moratorium,  
19 I oppose Number 43 for extending the temporary  
20 moratorium for the following reasons, first, I  
21 believe this Resolution has an error.

22 Chapters 101 and 101A only speak to the TOD  
23 and TR Districts, the moratorium resolution on  
24 September 20<sup>th</sup> did not mention the URD-C District.

1            In addition, the Town Attorney, at the last  
2 Meeting, um, modified the moratorium resolution to  
3 include URD-C District, I believe that is an error  
4 because you have to put it in the calling. Page | 13

5            You can't just modify the Public Hearing  
6 without calling, first.

7            Um, it was not mentioned and if I am wrong,  
8 can anyone tell me when this Board enacted the  
9 moratorium on the URD-C District?

10           I checked all the records, I don't see  
11 where that happened.

12           It didn't happen on September 20<sup>th</sup>, that is  
13 for sure.

14           TOWN ATTORNEY MACCARONE: It happened on  
15 September 20<sup>th</sup> at our last Meeting, there was a  
16 prior calling and we enacted the moratorium.

17           However, this is just a procedural issue  
18 because we are required to send the County Notice  
19 of the moratorium which we did.

20           However, the County in a follow-up with  
21 them, when we followed up with them said they  
22 would require additional Notice.

23           So, we decided in abundance of caution to  
24 send them the Notice and have this calling Hearing  
25 but as far as the Town is concerned,

1 the moratorium is in existence.

2 FELIX PROCACCI: Because I printed it out,  
3 I usually look at the website for November - -  
4 September 20<sup>th</sup> and I don't see it at all.

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5 Maybe you can send me where, you know, the  
6 place where it is.

7 I looked all over.

8 TOWN ATTORNEY MACCARONE: We will send you  
9 - -

10 FELIX PROCACCI: Where it was done because  
11 I don't see where it was done on September 20<sup>th</sup>.

12 SUPERVISOR CLAVIN: Sure.

13 FELIX PROCACCI: Um, I also do oppose this  
14 because the moratorium doesn't have a specific  
15 purpose, you don't know when it is going to be,  
16 you will achieve your goal.

17 Um, on January 3, 2019, Court papers,  
18 Supreme Court Leonard Steinman wrote in his  
19 Decision for Summary Judgment against the Town,  
20 Town Case Number 606719201A, "In part the  
21 Defendants have failed to set forth the proper  
22 basis for extension of moratorium and not  
23 explained why it has to be extended."

24 Um, so, you know, the Town Attorney at the  
25 last Meeting explained that the Town

1     Supervisor and the Town Board does not want high  
2     density, that is fine, just change the law.

3             The moratorium cannot go on indefinitely.

4             We have Court case precedent that it is     **Page | 15**  
5     illegal.

6             Thank you.

7             SUPERVISOR CLAVIN:    Thank you, Mr.  
8     Procacci.    It is always nice to see you.

9             Next I have Shawn Zay. (As heard.)

10            Okay, next, I have Christine Lisalvi  
11     (Phonetic spelling.)

12            I don't have any other slips on the  
13     Administrative Calendar.

14            Is There anybody else that did not sign in  
15     that wishes to be heard?

16            If you go to the back and give your name  
17     and address, that would be awesome.

18            PEARL JACOBS:    Pearl Jacobs, Uniondale.

19            Item 39, um, can you elaborate, provide  
20     certifications regarding Uniondale?

21            SUPERVISOR CLAVIN:    Parking and Standing  
22     prohibitions.

23            Identify yourself.

24            TRAFFIC CONTROL REED:    Good Evening, Town  
25     Board, Supervisor, Tom Reed, representing

1 the Traffic Control Division.

2 Um, these are items that are going to be  
3 presented for adoption at the next Town Board  
4 Meeting.

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5 And, I can give you the information where  
6 you want it for - - per Uniondale.

7 PEARL JACOBS: Can you provide that to me,  
8 now?

9 SUPERVISOR CLAVIN: Do you have it on hand  
10 or can you provide it after?

11 TRAFFIC CONTROL REED: Yeah, after.

12 SUPERVISOR CLAVIN: It is going to be a  
13 Hearing.

14 PEARL JACOBS: I just need the locations.

15 SUPERVISOR CLAVIN: All right.

16 TRAFFIC CONTROL REED: I apologize.

17 SUPERVISOR CLAVIN: Take your time, no  
18 problem.

19 TRAFFIC CONTROL REED: Uniondale, it is  
20 Arion Avenue, "No Stopping anytime."

21 PEARL JACOBS: Pertaining to what?

22 SUPERVISOR CLAVIN: "No Stopping anytime."

23 PEARL JACOBS: "No Stopping anytime," the  
24 whole street?

25 TRAFFIC CONTROL REED: That is for a



1        Resident that we did a survey for.

2                We are giving them a "No Stopping anytime,"  
3        within their property lines.

4                PEARL JACOBS:    Okay, thank you.

5                SUPERVISOR CLAVIN:    Thank you.

6                TRAFFIC CONTROL REED:    I apologize for the  
7        delay.

8                SUPERVISOR CLAVIN:    Good work, no problem.

9                I don't have any slips on the  
10        Administrative Calendar.

11                Is there anybody else that wishes to be  
12        heard that did not sign in?

13                (Whereupon, no comments were heard.    After,  
14        the following ensued.)

15                SUPERVISOR CLAVIN:    May I, please, have a  
16        Motion on the Administrative Calendar.

17                COUNCILMAN MUSCARELLA:    I move the  
18        Administrative Calendar be adopted.

19                DEPUTY SUPERVISOR GOOSBY:    Second the  
20        Motion.

21                CLERK MURRAY:    Supervisor Clavin?

22                SUPERVISOR CLAVIN:    Aye.

23                CLERK MURRAY:    Councilman Carini?

24                COUNCILMAN CARINI:    Aye.

25                CLERK MURRAY:    Councilman Dunne?

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COUNCILMAN DUNNE:    Aye.

CLERK MURRAY:    Deputy Supervisor Goosby?

DEPUTY SUPERVISOR GOOSBY:    Aye.

CLERK MURRAY:    Councilwoman Miller?

COUNCILWOMAN MILLER:    Aye.

CLERK MURRAY:    Councilman Muscarella?

COUNCILMAN MUSCARELLA:    Aye.

CLERK MURRAY:    Councilwoman Ryder?

COUNCILWOMAN RYDER:    Aye.

SUPERVISOR CLAVIN:    May I, please, have a  
Motion to adjourn.

DEPUTY SUPERVISOR GOOSBY:    I move we  
adjourn.

COUNCILMAN DUNNE:    Second the Motion.

CLERK MURRAY:    Supervisor Clavin?

SUPERVISOR CLAVIN:    Aye.

CLERK MURRAY:    Councilman Carini?

COUNCILMAN CARINI:    Aye.

CLERK MURRAY:    Councilman Dunne?

COUNCILMAN DUNNE:    Aye.

CLERK MURRAY:    Deputy Supervisor Goosby?

DEPUTY SUPERVISOR GOOSBY:    Aye.

CLERK MURRAY:    Councilwoman Miller?

COUNCILWOMAN MILLER:    Aye.

CLERK MURRAY:    Councilman Muscarella?

**HEMPSTEAD TOWN BOARD**    MARCH 28, 2023

COUNCILMAN MUSCARELLA:    Aye.

(Whereupon, the official Meeting of the  
Hempstead Town Board was concluded.)

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CERTIFICATE BY COURT REPORTER

Whereupon, I hereby certify that the foregoing testimony in the matter of the Hempstead Town Board Meeting held on March 28, 2023, consisting of pages 1 through 20 inclusive is an accurate transcription of my cryptic notes.

IN WITNESS WHEREOF, I SET MY HAND THIS DAY.



CERTIFIED COURT REPORTER

NORTH SHORE COURT REPORTERS

NOTARY PUBLIC - STATE OF NEW YORK