

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

TOWN OF HEMPSTEAD

TOWN BOARD MEETING

One Washington Street

Hempstead, New York 11550

JUNE 20, 2023

10:30 A.M.

BEFORE: DONALD X. CLAVIN, JR.

SUPERVISOR



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

A P P E A R A N C E S:

DEPUTY SUPERVISOR GOOSBY

COUNCILMAN CARINI

COUNCILMAN DUNNE

COUNCILWOMAN MILLER (ABSENT)

COUNCILMAN MUSCARELLA

COUNCILWOMAN RYDER

CLERK MURRAY

DEPUTY CLERK POKALSKY

TOWN ATTORNEY MACCARONE

CHIEF OF STAFF LIBERT

COMPTROLLER MASTROMARINO

1 SUPERVISOR CLAVIN: Welcome to the June 20,
2 2023 Meeting of the Hempstead Town Board.

3 Madam Clerk, please, call the roll.

4 DEPUTY CLERK POKALSKY: Supervisor Clavin?

5 SUPERVISOR CLAVIN: I am here.

6 DEPUTY CLERK POKALSKY: Councilman Carini?

7 COUNCILMAN CARINI: Here.

8 DEPUTY CLERK POKALSKY: Councilman Dunne?

9 COUNCILMAN DUNNE: Here.

10 DEPUTY CLERK POKALSKY: Deputy Supervisor
11 Goosby?

12 DEPUTY SUPERVISOR GOOSBY: Here.

13 DEPUTY CLERK POKALSKY: Councilman
14 Muscarella?

15 COUNCILMAN MUSCARELLA: Here.

16 DEPUTY CLERK POKALSKY: Councilwoman Ryder?

17 COUNCILWOMAN RYDER: Here.

18 SUPERVISOR CLAVIN: Councilwoman Ryder,
19 would you please lead us in the Pledge of Allegiance?

20 COUNCILWOMAN RYDER: Please rise. Put your
21 right hand over your heart.

22 (Whereupon, Councilwoman Ryder led the
23 Assembly in the Pledge of Allegiance. After, the following
24 ensued.)

25 SUPERVISOR CLAVIN: All right, Madam Clerk,

1 please call the first Public Hearing.

2 DEPUTY SUPERVISOR POKALSKY: Petition of the
3 Commissioner of Buildings to demolish and remove a two-
4 story wood frame, one-family dwelling with a detached
5 garage and remove all litter and debris from property -
6 East side of East Avenue, 349 feet South of Meyer Avenue,
7 Section 40, Block 3 and Lots 107-108 (aka 37 East Avenue,
8 near Lawrence - Department of Buildings.

9 SUPERVISOR CLAVIN: Okay. Any member, any
10 Board Member have any comments?

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

13 SUPERVISOR CLAVIN: If not Commissioner Leo,
14 want to identify yourself and just give a heads-up on what
15 you're doing?

16 Hold on, hold on. Check his mic. There you
17 go.

18 DEPUTY COMMISSIONER LEO: Morning,
19 supervisor, Members of Board, Daniel Leo, Deputy
20 Commissioner, Building Department.

21 SUPERVISOR CLAVIN: Why don't you just tell
22 us what you're doing?

23 DEPUTY COMMISSIONER LEO: This morning we are
24 talking about 37 East Avenue in Lawrence.

25 We had gone for a demolition on this

1 property.

2 The homeowner, since, has filed an
3 application to remedy the situation.

4 We do have the engineer here this morning
5 who I'd like to have elaborate a little bit further on
6 this.

7 The plans that were submitted, which I also
8 gave everybody on the Board a copy of the photos, the floor
9 plans that were submitted, and the initial survey damage
10 that was on this property.

11 The plans that were submitted do not
12 address the issues that we observed in the field.

13 I like to give the applicant a week or two
14 to correct the plans to reflect the true nature of the
15 repair.

16 If not, I recommend we go through with a
17 demolition.

18 SUPERVISOR CLAVIN: Okay. I have a couple
19 of people asked to speak and hold off.

20 And, of course, when you speak, go to the
21 back podium, that'd be awesome.

22 We'll start with Mrs. Gogle.

23 Right back there, Chris, Chris Carini,
24 wave your hands.

25 Good morning. If you give your name and

1 address for the record. Thank you.

2 LORRAINE GOGLE: Good morning, all.

3 Lorraine Gogle. Seven West Avenue, Lawrence of Meadowmere
4 Park.

5 I am here to say that I believe the house
6 should be demo-ed.

7 I'm in the community 39-plus years, and I
8 have just watched that house deteriorate literally by the
9 minute.

10 It's an unsafe structure.

11 And to fix it up as the new owner wishes, I
12 can't imagine.

13 I just rebuilt my house after Sandy, and
14 fixing my house prior to it was just not an option.

15 It had to be completely rebuilt.

16 So, that is my statement that I believe it
17 should be demoed.

18 I do have a letter that I'd like to submit
19 from the neighbor who lives next door.

20 She had to go to work today.

21 And, who would I give that to?

22 SUPERVISOR CLAVIN: You're going to give
23 that to the Town Clerk, who is going to have somebody go
24 back there and we will make it part of the public record.

25 Could you just identify who the letter is

1 from?

2 LORRAINE GOGEL: Yes, Mrs. Carolyn Benino.
3 She's at - - oh, gosh, I don't know what - - she's right
4 next door. The house directly next door.

5 I don't know what her address is.

6 SUPERVISOR CLAVIN: Okay, we'll make it apart
7 of the record, okay.

8 LORRAINE GOGEL: Okay, thank you so much.

9 SUPERVISOR CLAVIN: No problem. Thank you.

10 Next, I have Ruth Samuelson. There you go,
11 Ruth. Right back there.

12 Good Morning, just give your name and address
13 for the record, thanks.

14 RUTH SAMUELSON: My name is Ruth Samuelson.
15 I live at 37 West Avenue, Lawrence, Meadowmere Park.

16 I have watched this house for over 50 years,
17 slowly deteriorate.

18 Nothing is ever done with it.

19 About forty or fifty years ago, the original
20 owner raised the house and the first floor fell in.

21 And, anything that fell out of that first
22 floor remained under the house, the refrigerator, the
23 stove.

24 The foundation is a mess.

25 The entire house is a mess.

1 I worry about children playing.

2 Children go - - They go anywhere.

3 So, it would be very dangerous for them to be
4 around that house.

5 That house needs to be pulled down for the
6 benefit of everyone in Meadowmere Park.

7 Thank you.

8 SUPERVISOR CLAVIN: Thank you very much.

9 Next, I have Diane Kircher.

10 (Whereupon, "I am not speaking" was heard
11 called out from the audience. After, the following
12 ensued.)

13 Next, I have Loni Locascio. If you would
14 state your name an address for the record. Thank you.

15 My name is Loni Locascio.

16 I live at 2 West Avenue, Meadowmere Park.

17 I've lived in this neighborhood for twenty-
18 one years.

19 And, the house has been abandoned all those
20 twenty-one years.

21 There are animals living in the rafters of the
22 house.

23 And being that there's no bulkhead, every
24 time the tide comes up, the foundation is under saltwater.

25 I mean, it was hit by Hurricane Sandy and

1 nothing has been done.

2 The house needs to be demolished. Thank you.

3 SUPERVISOR CLAVIN: I don't have any other

4 slips.

5 Does anybody who did not sign in wish to be

6 heard on Item number 1?

7 (Whereupon, no comments were heard. After,

8 the following ensued.)

9 Deputy, if you give us what your thoughts are

10 on the proposal.

11 DEPUTY COMMISSIONER LEO: My thoughts on this

12 are, if the bulkhead is not addressed, if he doesn't reach

13 out to Conservation & Waterways and stop the erosion on

14 this property, along with submitting a set of plans showing

15 true remedies to the problems that were presented, I feel

16 we should move forward with the demolition.

17 SUPERVISOR CLAVIN: My question or point,

18 haven't we made motions to accept it and then given an

19 opportunity for them to rectify while still accepting the

20 demolition, is that correct?

21 DEPUTY COMMISSIONER LEO: That is correct.

22 SUPERVISOR CLAVIN: Okay, I think that would

23 be fair enough to be consistent on that.

24 Does anybody else wish to be heard on this?

25 (Whereupon, no comments were heard. After,

1 the following ensued.)

2 SUPERVISOR CLAVIN: Okay, then can I, please,
3 have a Motion on Item number 1.

4 COUNCILWOMAN RYDER: I move that the Public
5 Hearing be closed and the Board adopt the item.

6 DEPUTY CLERK POKALSKY: Supervisor Clavin?

7 SUPERVISOR CLAVIN: Aye.

8 DEPUTY CLERK POKALSKY: Councilman Carini?

9 COUNCILMAN CARINI: Aye.

10 DEPUTY CLERK POKALSKY: Councilman Dunne?

11 COUNCILMAN DUNNE: Aye.

12 DEPUTY CLERK POKALSKY: Deputy Supervisor
13 Goosby?

14 DEPUTY SUPERVISOR GOOSBY: Aye.

15 DEPUTY CLERK POKALSKY: Councilman
16 Muscarella?

17 COUNCILMAN MUSCARELLA: Aye.

18 DEPUTY CLERK POKALSKY: Councilwoman Ryder?

19 COUNCILWOMAN RYDER: Aye.

20 SUPERVISOR CLAVIN: Thank you very much.

21 Thank you for the residents coming down.

22 It was adopted.

23 And of course, I know my group down there
24 knows the Commissioner and Deputy Commissioner very, very
25 well.

1 And don't be shy about calling, because I
2 know you know already.

3 All right, thank you all for coming out.

4 Madam Clerk, please call Item Number 2.

5 DEPUTY CLERK POKALSKY: Petition of the
6 Commissioner of Buildings to demolish and remove a two-
7 story wood frame one family-dwelling with a detached two-
8 car garage and remove all litter and debris from property -
9 East side of Rockville Centre Parkway, 144 feet South of
10 Nassau Parkway (aka 2525 Rockville Centre Parkway) -
11 Oceanside - Department of Buildings.

12 SUPERVISOR CLAVIN: Does any Member of the
13 Board wish to be hard on this?

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

16 SUPERVISOR CLAVIN: Okay, I do have a couple
17 - - I have one slip here.

18 I have Elizabeth .

19 If you just come to the back area and give
20 your name and address for the record.

21 Thank you very much.

22 MARY ELIZABETH MCGLOINE HYNES: My name is
23 Mary Elizabeth McGloine Hynes.

24 I live at 2529 Rockville Center Parkway.

25 The house in question is right next door, 25

1 Rockville Centre Parkway.

2 I lived in Oceanside for the last 38 years.

3 That house has always been there. I don't

4 know when it was built.

5 Mine was built in 1925.

6 We've watched it go through many owners.

7 When we first moved there, it was a rented

8 home.

9 I never knew who the owner was.

10 And then a family bought it. And it's a

11 product of a tragedy of 9/11.

12 That's all I'll say. Very sad.

13 I did enjoy the people who did live there, but

14 then they left the house, abandoned it, squatters moved in.

15 Teenagers break into the property all the time.

16 We're right next door. I've called the police, you know,

17 every time I see anybody on the property, I call the Nassau

18 County Police to try to make a record of it.

19 So, the foundation is cracked.

20 There are animals living in it, a great

21 distraction for my two dogs, let me tell you.

22 It's been torture, especially the squatters that

23 were there.

24 I can't even get that part of my life back.

25 It was so stressful.

1 It needs to be torn down.

2 It's a wonderful, wonderful block.

3 If I had a nickel for every time somebody
4 knocked on my door asking to buy that home, I'm telling
5 you.

6 But for some reason, I don't know the mechanics
7 behind the mortgage or the back taxes or anything, it needs
8 to be taken down, a new home put in.

9 Thank you.

10 SUPERVISOR CLAVIN: Thank you very much.

11 I don't have any other slips on this item.
12 Deputy Commissioner, maybe you enlighten us a little bit on
13 this.

14 DEPUTY COMMISSIONER LEO: I'd like to mention
15 that this house has been abandoned since 2018.

16 We have not had any owners, rep, law firms or
17 bank attorneys step forward to redeem this property.

18 So, it's my recommendation to move forward with
19 the demolition.

20 And it has been boarded up several times due to
21 vandalism and as the woman was saying, squatters and people
22 getting in there.

23 SUPERVISOR CLAVIN: Councilwoman, is there any
24 thing that you would like to add?

25 COUNCILWOMAN RYDER: I have received several

1 complaints from constituents in my District about this
2 house, and I'm going to make a Motion to move that the
3 Public Hearing be closed and the Board adopt the item.

4 COUNCILMAN MUSCARELLA: I second it.

5 DEPUTY CLERK POKALSKY: Supervisor Clavin?

6 SUPERVISOR CLAVIN: Aye.

7 DEPUTY CLERK POKALSKY: Councilman Carini?

8 COUNCILMAN CARINI: Aye.

9 DEPUTY CLERK POKALSKY: Councilman Dunne?

10 COUNCILMAN DUNNE: Aye.

11 DEPUTY CLERK POKALSKY: Deputy Supervisor
12 Goosby?

13 DEPUTY SUPERVISOR GOOSBY: Aye.

14 DEPUTY CLERK POKALSKY: Councilman
15 Muscarella?

16 COUNCILMAN MUSCARELLA: Aye.

17 DEPUTY CLERK POKALSKY: Councilwoman Ryder?

18 COUNCILWOMAN RYDER: Aye.

19 SUPERVISOR CLAVIN: Okay, thank you very
20 much. Thank you.

21 Madam Clerk, please call the next item.

22 SUPERVISOR CLAVIN: Proposed Local Law Re:
23 "Regulations and Restrictions" to limit parking in Elmont
24 and West Hempstead - (To amend Chapter 202 of the Code of
25 the Town of Hempstead.)

1 SUPERVISOR CLAVIN: Any member of the Board
2 wish to be heard?

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

5 SUPERVISOR CLAVIN: I don't have any slips,
6 does anybody who has not signed in who wishes to be heard
7 on Item Number 3?

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

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

12 COUNCILMAN MUSCARELLA: I move the Public
13 Hearing be closed and the Board adopt the item.

14 SUPERVISOR CLAVIN: Can I have a second,
15 please.

16 DEPUTY SUPERVISOR GOOSBY: Second the Motion.

17 DEPUTY CLERK POKALSKY: Supervisor Clavin?

18 SUPERVISOR CLAVIN: Aye.

19 DEPUTY CLERK POKALSKY: Councilman Carini?

20 COUNCILMAN CARINI: Aye.

21 DEPUTY CLERK POKALSKY: Councilman Dunne?

22 COUNCILMAN DUNNE: Aye.

23 DEPUTY CLERK POKALSKY: Deputy Supervisor
24 Goosby?

25 DEPUTY SUPERVISOR GOOSBY: Aye.

1 DEPUTY CLERK POKALSKY: Councilman

2 Muscarella?

3 COUNCILMAN MUSCARELLA: Aye.

4 DEPUTY CLERK POKALSKY: Councilwoman Ryder?

5 COUNCILWOMAN RYDER: Aye.

6 SUPERVISOR CLAVIN: Madam Clerk, please, call
7 the next item.

8 DEPUTY CLERK POKALSKY: Proposed Local Law
9 Re: "Parking or Standing Prohibitions" in Franklin Square,
10 North Bellmore, North Merrick & West Hempstead. (To amend
11 Section 202-1 of the Code of the Town of Hempstead.)

12 SUPERVISOR CLAVIN: Does any Member of the
13 Board wish to be heard?

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

16 SUPERVISOR CLAVIN: I do not have any slips,
17 does anybody wish to be heard on Item Number 4 that did not
18 sign in?

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

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

23 COUNCILMAN MUSCARELLA: I move the Public
24 Hearing be closed and the Board adopt the item.

25 COUNCILMAN DUNNE: Second.

1 DEPUTY CLERK POKALSKY: Supervisor Clavin?
2 SUPERVISOR CLAVIN: Aye.
3 DEPUTY CLERK POKALSKY: Councilman Carini?
4 COUNCILMAN CARINI: Aye.
5 DEPUTY CLERK POKALSKY: Councilman Dunne?
6 COUNCILMAN DUNNE: Aye.
7 DEPUTY CLERK POKALSKY: Deputy Supervisor
8 Goosby?
9 DEPUTY SUPERVISOR GOOSBY: Aye.
10 DEPUTY CLERK POKALSKY: Councilman
11 Muscarella?
12 COUNCILMAN MUSCARELLA: Aye.
13 DEPUTY CLERK POKALSKY: Councilwoman Ryder?
14 COUNCILWOMAN RYDER: Aye.
15 SUPERVISOR CLAVIN: Madam Clerk, please, call
16 the next item.
17 DEPUTY CLERK POKALSKY: Proposed Local Law
18 Re: "Angle Parking" in North Bellmore (To amend Section
19 202-51 of the Code of the Town of Hempstead.)
20 SUPERVISOR CLAVIN: Does any Member of the
21 Board wish to be heard?
22 (Whereupon, no comments were heard. After,
23 the following ensued.)
24 SUPERVISOR CLAVIN: I do not have any slips
25 on Item Number 5.

1 Does anybody who wish to be heard on Item
2 Number 5 that did not sign in?

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

5 SUPERVISOR CLAVIN: May, I, please have a
6 Motion.

7 COUNCILMAN DUNNE: I make a motion we close
8 the Hearing and we adopt the item.

9 COUNCILMAN CARINI: Second.

10 DEPUTY CLERK POKALSKY: Supervisor Clavin?

11 SUPERVISOR CLAVIN: Aye.

12 DEPUTY CLERK POKALSKY: Councilman Carini?

13 COUNCILMAN CARINI: Aye.

14 DEPUTY CLERK POKALSKY: Councilman Dunne?

15 COUNCILMAN DUNNE: Aye.

16 DEPUTY CLERK POKALSKY: Deputy Supervisor
17 Goosby?

18 DEPUTY SUPERVISOR GOOSBY: Aye.

19 DEPUTY CLERK POKALSKY: Councilman
20 Muscarella?

21 COUNCILMAN MUSCARELLA: Aye.

22 DEPUTY CLERK POKALSKY: Councilwoman Ryder?

23 COUNCILWOMAN RYDER: Aye.

24 SUPERVISOR CLAVIN: All right, Madam Clerk,
25 please call the next item.

1 DEPUTY CLERK POKALSKY: Proposed Local Law
2 Re: "HEAD-IN PARKING ONLY," in North Bellmore (To amend
3 Section 202-50 of the Code of the Town of Hempstead.)

4 SUPERVISOR CLAVIN: Does any Member of the
5 Board wish to be heard?

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

8 SUPERVISOR CLAVIN: I do not have any slips
9 in Item Number 6, does anybody wish to be heard that did
10 not sign in?

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

13 If not, may I please have a motion?

14 COUNCILMAN DUNNE: I move that the Public
15 Hearing be closed and the Board adopts the item.

16 DEPUTY SUPERVISOR GOOSBY: Second the
17 Motion.

18 DEPUTY CLERK POKALSKY: Supervisor Clavin?

19 SUPERVISOR CLAVIN: Aye.

20 DEPUTY CLERK POKALSKY: Councilman Carini?

21 COUNCILMAN CARINI: Aye.

22 DEPUTY CLERK POKALSKY: Councilman Dunne?

23 COUNCILMAN DUNNE: Aye.

24 DEPUTY CLERK POKALSKY: Deputy Supervisor
25 Goosby?

1 DEPUTY SUPERVISOR GOOSBY: Aye.

2 DEPUTY CLERK POKALSKY: Councilman

3 Muscarella?

4 COUNCILMAN MUSCARELLA: Aye.

5 DEPUTY CLERK POKALSKY: Councilwoman Ryder?

6 COUNCILWOMAN RYDER: Aye.

7 SUPERVISOR CLAVIN: Madam Clerk, please,
8 call the next item.

9 DEPUTY CLERK POKALSKY: Proposed Revised
10 Public Parking Field Maps in Seaford (Field S-2) "ADOPTING
11 THE TOWN OF HEMPSTEAD PUBLIC PARKING FIELD MAPS SHOWING
12 PARKING REGULATIONS AT CERTAIN PARKING FIELDS" (To amend
13 Section 80-4 of the Code of the Town of Hempstead.)

14 SUPERVISOR CLAVIN: Any Member of the
15 Board wish to be heard?

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

18 SUPERVISOR CLAVIN: I do not have any slips
19 on Item Number 7, does anyone that did not sign in on Item
20 Number 7 wish to be heard?

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

23 SUPERVISOR CLAVIN: If not, may I, please,
24 have a motion.

25 COUNCILMAN CARINI: I be closed and the

1 move the Public Hearing be closed and the Board adopt the
2 item.

3 COUNCILMAN DUNNE: Second.

4 DEPUTY CLERK POKALSKY: Supervisor Clavin?

5 SUPERVISOR CLAVIN: Aye.

6 DEPUTY CLERK POKALSKY: Councilman Carini?

7 COUNCILMAN CARINI: Aye.

8 DEPUTY CLERK POKALSKY: Councilman Dunne?

9 COUNCILMAN DUNNE: Aye.

10 DEPUTY CLERK POKALSKY: Deputy Supervisor
11 Goosby?

12 DEPUTY SUPERVISOR GOOSBY: Aye.

13 DEPUTY CLERK POKALSKY: Councilman
14 Muscarella?

15 COUNCILMAN MUSCARELLA: Aye.

16 DEPUTY CLERK POKALSKY: Councilwoman Ryder?

17 COUNCILWOMAN RYDER: Aye.

18 SUPERVISOR CLAVIN: Madam Clerk, please show
19 the next item.

20 DEPUTY CLERK POKALSKY: Proposed
21 "Handicapped Parking on Public Streets" in Elmont, Inwood,
22 Merrick, Oceanside, Roosevelt & Uniondale (Franklin Street,
23 Emporia Avenue, Estelle Avenue, Oakley Avenue, Sterling
24 Road, Bayview Avenue, Henry Road, Saratoga Street, East
25 Clinton Avenue, East Pennywood Avenue, East Centennial



1 Avenue, Southern Parkway.)

2 SUPERVISOR CLAVIN: Any member of the Board
3 wish to be heard?

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

6 SUPERVISOR CLAVIN: I do not have any slips
7 on Item Number 8, does anybody who has not signed in that
8 wishes to be heard on Item Number 8?

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

11 SUPERVISOR CLAVIN: May I, please, have a
12 motion.

13 COUNCILMAN MUSCARELLA: I move the Public
14 Hearing be closed and the Board adopt the item.

15 DEPUTY SUPERVISOR GOOSBY: Second the Motion.

16 DEPUTY CLERK POKALSKY: Supervisor Clavin?

17 SUPERVISOR CLAVIN: Aye.

18 DEPUTY CLERK POKALSKY: Councilman Carini?

19 COUNCILMAN CARINI: Aye.

20 DEPUTY CLERK POKALSKY: Councilman Dunne?

21 COUNCILMAN DUNNE: Aye.

22 DEPUTY CLERK POKALSKY: Deputy Supervisor
23 Goosby?

24 DEPUTY SUPERVISOR GOOSBY: Aye.

25 DEPUTY CLERK POKALSKY: Councilman

1 Muscarella?

2 COUNCILMAN MUSCARELLA: Aye.

3 DEPUTY CLERK POKALSKY: Councilwoman Ryder?

4 COUNCILWOMAN RYDER: Aye.

5 SUPERVISOR CLAVIN: Madam Clerk, please,
6 call the next item.

7 DEPUTY CLERK POKALSKY: Proposed Local Law
8 Re: "REGISTRATION AND PERMITTING OF PROPERTY" in relation
9 to accessory structures and penalties (To amend Section 99-
10 12 Definitions - Transient Rental Property, Section 99-13
11 Registration and Permitting of Property, Section 2 (D) &
12 Section 99-29, Penalties and Liabilities for Offenses -
13 Section 3 of Chapter 99 of the Code of the Town of
14 Hempstead.

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

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

19 SUPERVISOR CLAVIN: I do not have any slips
20 on Item Number 9, anybody that has not sign in wish to be
21 heard on Item Number 9?

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

24 SUPERVISOR CLAVIN: If not, may I please
25 have a motion.

1 COUNCILMAN CARINI: I move the Public
2 Hearing be closed and the Board adopt the item.

3 DEPUTY SUPERVISOR GOOSBY: Second the
4 Motion.

5 DEPUTY CLERK POKALSKY: Supervisor Clavin?

6 SUPERVISOR CLAVIN: Aye.

7 DEPUTY CLERK POKALSKY: Councilman Carini?

8 COUNCILMAN CARINI: Aye.

9 DEPUTY CLERK POKALSKY: Councilman Dunne?

10 COUNCILMAN DUNNE: Aye.

11 DEPUTY CLERK POKALSKY: Deputy Supervisor
12 Goosby?

13 DEPUTY SUPERVISOR GOOSBY: Aye.

14 DEPUTY CLERK POKALSKY: Councilman
15 Muscarella?

16 COUNCILMAN MUSCARELLA: Aye.

17 DEPUTY CLERK POKALSKY: Councilwoman Ryder?

18 COUNCILWOMAN RYDER: Aye.

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

21 DEPUTY CLERK POKALSKY: We have an
22 application of AB MALVERNE, LLC for a variance from the
23 provisions of the "GSS" Ordinance to operate self-service
24 at an existing service station and operate a convenience
25 store, demolish existing gasoline service station, to

1 construct a one-story 26' x 46' convenience store, install
2 fuel dispensing pumps, construct overhead canopy over three
3 (3) pump islands, other associated site improvements
4 including grading, landscaping, paving, parking, curbing
5 and lighting and to modify and rescind existing restrictive
6 covenants in order to modify a previous approved site plan
7 - near MALVERNE - northwest corner of Hempstead Avenue &
8 Morris Avenue.

9 SUPERVISOR CLAVIN: Counsel, Good Morning,
10 If you would identify yourself for the record.

11 ATTORNEY O'BRIEN: Yes, Good Morning,
12 Supervisor Clavin, Deputy Supervisor Goosby, Honorable
13 Members of the Board.

14 Kevin O'Brien from O'Brien Law, P.C., 462
15 Sagamore Avenue, East Williston, New York, here, this
16 morning in connection with this application on behalf of
17 the applicant.

18 And, I noticed my Architect, Mr. Michael
19 Rubenstein, just arrived and he's joining me with the
20 presentation on this application, if there are any
21 questions of a technical nature.

22 This is an application involving the premises
23 at 471 Hempstead Avenue in Malverne, variances from the
24 provision of the "GSS" zoning ordinance.

25 The property, itself, is located at 471

1 Hempstead Avenue, and it's interesting the way it's
2 situated over there, the way Hempstead Avenue is, it's not
3 exactly on the corner of Atlas.

4 So there's kind of two corners that are kind of
5 close by.

6 One is Morris, one is Atlas, but they're not
7 necessarily really on the corner, itself.

8 And the way the property is situated, you got
9 Hempstead Avenue, and it's one roadway that heads South,
10 but then it splits into two roadways that you've got Ocean
11 and you have Hempstead.

12 We are in close proximity to the Village of
13 Malverne, but we're not actually in the Village.

14 I'm not one hundred percent sure on the
15 overheads, but I was able to grab, if I could just submit
16 at the last minute, one copy of an elevation or drawing to
17 see what the building itself is going to look like.

18 So, if I could just submit that.

19 SUPERVISOR CLAVIN: Grab somebody from the
20 Clerk's office, so he could submit that.

21 ATTORNEY O'BRIEN: Okay, thank you.

22 Historically, it is interesting, on the way
23 driving over here this morning, I just thought I said, Wow,
24 I said, this place has been operating as a gasoline service
25 station since 1927, saying, damn, what the cars must have

1 been like in 1927 compared to what we have today.

2 So, it's been operating almost for 100 years.

3 And, what is it that - - actually, the
4 property is a little over 10,000 square feet.

5 It was built and operated as a two-bay repair-
6 oriented service station, pump islands and underground
7 gasoline storage tanks.

8 And throughout the years, obviously over close
9 to 100 years, there have been various applications and the
10 like that have come - - some have come before this Board in
11 other mostly just replacing the underground gasoline
12 storage tanks.

13 So, we did - - or the applicants or the
14 property owner had come before the Board.

15 The property is actually located in the "GSS"
16 Zoning District, which is the correct zoning district for
17 gasoline service stations within the Town of Hempstead.

18 And it did have its underground gasoline
19 storage tanks replaced.

20 There are two, double-wall fiberglass
21 underground gasoline storage tanks.

22 All permitted, all meeting or exceeding the
23 County, State and Federal regulations.

24 As the Board is probably aware, at this point,
25 that the impetus for that is that there's a requirement by

1 the County that all single wall tanks had to be replaced
2 within a certain period of time and that was done.

3 So what brings us to the Board today is (A) when
4 that was done, the application, as most applications, if
5 they are approved by the Board, are approved, substitute to
6 a specific site plan and specific improvements on that site
7 plan and we're seeking to modify them.

8 And why is that? Sort of twofold, one is the
9 way the cars come in.

10 There are three pump islands and they're sort of
11 catty cornered.

12 The purpose for that is to really kind of get
13 the cars off the roadway and queue on site as opposed to
14 you don't want to have cars queuing on the roadway,
15 particularly on that roadway over there.

16 I mean, while the Nassau County Planning
17 Commission recommended local determination, it is the type
18 of roadway that you want to keep the cars off the roadway.

19 You don't want any sort of queuing onto the
20 roadway.

21 So they configured the pump islands in such a
22 manner so as to be able to do that.

23 In so doing, though, the building is really it
24 makes it very difficult for cars to egress or to make a
25 fueling vehicle be able to get in and out of there in that

1 way.

2 So the nature of the application today is to
3 modify the previously approved site plant, completely
4 demolish the building that was there using the identical
5 size building, which is basically just shy of twelve
6 hundred square feet, push that back about between ten and
7 fifteen feet, same size, but this way it would enable for
8 much better on site circulation, you know, for both
9 vehicles and for any deliveries that are proposed for the
10 location.

11 The building that currently exists - - and
12 construction, quite frankly, has stopped.

13 All the work that was done was done pursuant to
14 permits, but when they came to this problem, they had to
15 apply for new permits.

16 So all construction is basically stopped at
17 this location, hasn't been operating but they're looking to
18 push the building back, as noted, operate it as a
19 convenience store.

20 We're mindful of the fact that the way the area
21 is, it's principally, at least this section, residentially-
22 oriented neighborhood.

23 So the style of the building we're trying to
24 keep residentially oriented.

25 It would not be a 24-hour operation.

1 I don't think that would work at this
2 particular location.

3 Your Commercial area is really a little bit
4 further down towards Malverne.

5 So we're trying to be mindful of that, design
6 it in such a manner, like I said, I was able to kind of
7 grab at the last minute an elevational drawing, which would
8 show that,

9 I'm sorry, I don't have a colored copy of that.

10 And then, obviously, all the other improvements
11 that would go along with the service station.

12 Right, now, it's unpaved because the tanks were
13 dug up.

14 So, of course, you'd be paving that.

15 There'd be landscaping throughout the site.

16 There's old fencing at the location, so all the
17 old fencing would be removed and replaced.

18 And that is really the nature of the proposed - -
19 and the pump islands they have, there would be a canopy
20 that would be over those pump islands.

21 The lighting would have to be designed in such a
22 manner that it just stays underneath the canopy.

23 The canopy fascia, other than maybe some signage,
24 would not have any lighting on the canopy fascia, itself.

25 So that's the nature of the types of improvements

1 that are being proposed.

2 And like I said, the nature of the relief is
3 because of the fact that the previously approved site plan,
4 I think believe, pursuant to maybe the "GSS," application,
5 where there were certain covenants and restrictions
6 associated with that application, would have to be modified
7 with, I'm certain, a new set of restrictive covenants
8 applicable to the Site Plan which is being presented to the
9 Board.

10 So, if there are any questions whether it be of
11 an operational nature, I can handle that.

12 Of a technical nature, I do have Michael
13 Rubenstein here with me today, and I'd be happy to answer
14 any questions that the Board might have or any interested
15 observers.

16 SUPERVISOR CLAVIN: Okay. I know we got a
17 couple of questions myself.

18 So, I'm just trying to put it all together.

19 ATTORNEY O'BRIEN: Absolutely.

20 So, this is on Hempstead Avenue.

21 If I'm going South, it's on my right hand side.

22 ATTORNEY O'BRIEN: Right hand side.

23 SUPERVISOR CLAVIN: And it's right after the
24 parkway, right?

25 ATTORNEY O'BRIEN: Yes, that's correct.

1 SUPERVISOR CLAVIN: It is the one with the tacky
2 looking bad fence on it, right? No, no, right?

3 ATTORNEY O'BRIEN: Say it again.

4 SUPERVISOR CLAVIN: It's got a bad-looking fence
5 surrounding the property, right?

6 ATTORNEY O'BRIEN: Yes.

7 SUPERVISOR CLAVIN: And somebody was parking
8 equipment on it until recently, am I right about that?

9 ATTORNEY O'BRIEN: I was there recently.
10 There was a backhoe on the site, I think.

11 SUPERVISOR CLAVIN: Were they allowed to have
12 the backhoe on the site?

13 ATTORNEY O'BRIEN: Well, while they were doing
14 construction - -

15 SUPERVISOR CLAVIN: Listen, I just asked a
16 question.

17 Were they allowed to have the backhoe on the
18 site, yes or no?

19 ATTORNEY O'BRIEN: Uh - -

20 SUPERVISOR CLAVIN: Probably not. Okay. Anyway,
21 you also had some other debris on the property, am I right
22 about that?

23 ATTORNEY O'BRIEN: That is correct.

24 SUPERVISOR CLAVIN: And you abut some
25 residential properties, am I right about that?

1 ATTORNEY O'BRIEN: Right.

2 SUPERVISOR CLAVIN: Okay. So I see a couple of
3 bad things because I know this property all too well.

4 I grew up in Valley Stream, so I know this
5 place.

6 I drive by it all the time.

7 I cringe when I drive by because they cringe it
8 too, because I know the residents are here.

9 So, right off the bat, I say to myself, you
10 haven't maintained it really that well to get people pumped
11 up about it, right?

12 ATTORNEY O'BRIEN: Right.

13 SUPERVISOR CLAVIN: Okay, at least, we have
14 the admission.

15 So, now, you want to put a gas station there.

16 Okay, it's not going to be 24 hours, am I correct
17 about that?

18 ATTORNEY O'BRIEN: Correct.

19 SUPERVISOR CLAVIN: I don't have and you correct
20 me if I'm wrong, I do not have, with the exception of the
21 nice color photos I have, that you are not going to like, I
22 don't have any sort of, like, color visual that's showing
23 me any sort of green, any sort of layout.

24 I got a lot of black and white.

25 Do you have anything that's going to give me a

1 better sense that I could say to people, like, this is what
2 it's going to look like?

3 ATTORNEY O'BRIEN: Mr. Rubenstein, do you have a
4 colored site plan to reflect the landscaping?

5 Apparently, I don't.

6 I certainly - -

7 SUPERVISOR CLAVIN: Okay, so that's not going to
8 help me, because I'm going to tell you right now, all I can
9 do is picture in my mind driving and seeing this bad
10 looking chain link fence.

11 I can't get past it on my mind.

12 And, I know these residents are thinking the same
13 thing.

14 And, like a color kind of something I could show
15 the residents would help in the process of getting people
16 on board.

17 Now, you say you don't want it 24 hours a day,
18 right?

19 ATTORNEY O'BRIEN: Correct.

20 SUPERVISOR CLAVIN: Okay.

21 Have you talked to all the neighbors in the area?

22 Because I think that if I'm correct again, it
23 abuts, like, one or two residential properties, am I right?

24 ATTORNEY O'BRIEN: That's correct.

25 SUPERVISOR CLAVIN: It does, Okay.

1 So have we talked to them?

2 Were they energetic about this?

3 Were they all pumped up about this or did they
4 have some reservations?

5 ATTORNEY O'BRIEN: They had some reservations.

6 I was there last week.

7 I did speak to one of the contiguous property
8 owners and he was concerned about the fencing, the buffer
9 landscaping that would be included over there.

10 And I indicated that, yes, we'd be putting brand
11 new fencing, buffer landscaping.

12 If they'd like to choose some of the fencing or
13 the type of landscaping, because there are a couple of
14 different varieties.

15 Some grow quicker than others, some like that,
16 some don't like that.

17 SUPERVISOR CLAVIN: Again, like I said, I just
18 know the property pretty well driving by there, it's just
19 tough without a real visual to take a look at this, knowing
20 what's there to make the leap.

21 How many pumps used to be there before they took
22 them out? Two?

23 ATTORNEY O'BRIEN: I think there were two large
24 pump islands.

25 SUPERVISOR CLAVIN: And how many are you going to

1 put there now?

2 ATTORNEY O'BRIEN: I think they're two larger.

3 There may have been two per island, so it might
4 have been a total of four. So they're going to be three.

5 SUPERVISOR CLAVIN: And it's going to be a
6 convenience store.

7 So you're getting rid of the bays
8 and doing all the construction, which everyone always is
9 excited about that.

10 But it's not going to be 24 hours a day.

11 How many hours is it going to be?

12 ATTORNEY O'BRIEN: 5:00 o'clock in the morning
13 to maybe about 11:00 o'clock or midnight.

14 SUPERVISOR CLAVIN: Okay, and, then what are we
15 going to sell in our convenience store?

16 ATTORNEY O'BRIEN: Usual prepackaged goods.

17 It's comparatively small, a twelve hundred
18 square foot convenience store.

19 So convenience stores of that size and nature
20 generally sell prepackaged goods, as well as, coffee and
21 the like.

22 SUPERVISOR CLAVIN: Okay, I got the elevation
23 with the mini-mart, I appreciate that.

24 Now, Mr. O'Brien, you're no stranger to the Town
25 of Hempstead.

1 You've done numerous presentations in front of
2 the Town of Hempstead.

3 I can tell you with all certainty he's going to
4 ask about things like the American flag, all right.

5 And, then I can tell you with all certainty she's
6 going to say, what about shrubs and greenery?

7 It's making it a little difficult without these
8 sort of visual aids to get people in a comfort zone with
9 this.

10 Because like I said, I know what it looks like,
11 now.

12 I got a presentation of a black and white,
13 you know, front elevation, which shows me nothing else of
14 how this property is going to look.

15 And like I said, I have listened to residents
16 when I go around and trust me when I say to you, this one,
17 I know I got the complaints about the machinery being on
18 there.

19 I know it's gone.

20 That's really nice.

21 I know I've gotten the complaints about the
22 fact that it hasn't been maintained and it's an eyesore
23 going into or driving through the community I get that.

24 I'm saying it's making it a little tough to
25 get a good visual of this, of how it's going to look like

1 with this drawing that you submitted.

2 That one's not going to get me where I need
3 to be.

4 ATTORNEY O'BRIEN: Supervisor, I perfectly
5 agree. Understood. I'm a little surprised myself.

6 I thought because I've actually got two
7 architects on the job, I thought I had colored elevations
8 and the like.

9 I know there is a landscape plan.

10 It's not colored.

11 I know there is a flagpole on the South side
12 of the site. It doesn't really jump out.

13 I'd like, at least, the opportunity to
14 submit to the Board some colored site plans which would
15 more clearly depict where the landscaping is.

16 SUPERVISOR CLAVIN: And I appreciate that
17 because like I said, and the residents too, listen, they
18 have to get a visualization of what is really going to be
19 transformed, if it's going to be and they deserve it.

20 Like I said, they've dealt with the
21 property, they've dealt with what the condition has been
22 in.

23 They've dealt with the fact that,
24 unfortunately, some stuff was parked that it shouldn't have
25 been parked and it's not there anymore.

1 But I think they deserve a really good
2 analysis of what it could be transformed into to really
3 form an opinion. As do it. As do it.

4 ATTORNEY O'BRIEN: I agree, and I think
5 just with respect to defense, though, I think because it
6 was a construction site, I think we're required by Town Law
7 to have - - but I agree with everything Mr. Supervisor, I
8 agree with everything you said.

9 SUPERVISOR CLAVIN: Like I said, I get the
10 property.

11 If you want to bring up another expert and
12 then we'll go through some questions with the residents.

13 Did you want to bring up anybody else?

14 ATTORNEY O'BRIEN: No. Unless there are
15 any particular questions, I think we're fine.

16 I'd be happy to respond to the residents or
17 anyone else.

18 SUPERVISOR CLAVIN: All right. I know there
19 might be one or two questions we have going on from I know
20 Councilwoman Ryder's got something.

21 COUNCILWOMAN RYDER: Hi, good morning.

22 ATTORNEY O'BRIEN: Good Morning.

23 COUNCILWOMAN RYDER: So, I live about a mile
24 from - - I live in Lynbrook, however, I live on the
25 Malverne border, so, I am very familiar with this proposed

1 site.

2 I, also, have several family members that
3 live
4 in Malverne, who are extremely concerned about the
5 aesthetics of the project.

6 I am fully aware that it abuts several
7 residential properties.

8 And what we don't see, which is very
9 disappointing, is a clear color visual of what the
10 constructed building is going to look like, as well as,
11 color renderings of any type of landscaping, screening and
12 barriers to the residential properties.

13 That's a concern that I have and it's tough
14 for me to vote on this without seeing that and to
15 adequately represent my constituents in the area right now.

16 ATTORNEY O'BRIEN: Councilwoman, I don't
17 disagree with you.

18 The plans do reflect some of this, but
19 doesn't jump out at you.

20 And I would just request the opportunity to
21 be able to provide to the residents and to yourself and the
22 other Members of the Board, while I believe a lot of the
23 information is on the plans, like I said, it doesn't jump
24 out.

25 When you have the color depiction, you'll be

1 able to see where all the landscaping is, the type, the
2 nature, what the building would look better.

3 So I agree with what you're saying and I would
4 just request that opportunity to be able to provide that.

5 COUNCILWOMAN RYDER: To the layman's eyes, not
6 to an Engineer, it's very difficult.

7 ATTORNEY O'BRIEN: And you couldn't be more
8 correct.

9 COUNCILWOMAN RYDER: Thank you.

10 SUPERVISOR CLAVIN: Deputy Supervisor, did you
11 have something to say.

12 DEPUTY SUPERVISOR GOOSBY: I really think that
13 you should take everything back and bring it the way you
14 know it should be given, you know, we have something to
15 look at, and the residents would have something that they
16 can look at and approve, give some approval.

17 Because as it is now, I don't approve any of
18 it.

19 ATTORNEY O'BRIEN: Understood, Deputy
20 Supervisor.

21 SUPERVISOR CLAVIN: Mr. O'Brien, like I
22 said, it's your decision.

23 There are obviously a number of residents
24 that have come down.

25 ATTORNEY O'BRIEN: And, I certainly think

1 they'd want the opportunity to be heard.

2 SUPERVISOR CLAVIN: Yeah, absolutely.

3 They're here now, so why don't we - -

4 ATTORNEY O'BRIEN: Perhaps, if we could come
5 back at another time, that'd be great or however the Board
6 feels comfortable.

7 SUPERVISOR CLAVIN: Okay. So I'm going to go
8 through - - I got a number here that when residents come
9 in, just go to the back podium and speak in.

10 I apologize if I mull your name. Christopher
11 Cirami. Okay, it wasn't Carini.

12 So we were happy enough that we get enough
13 Carini up here. So this works out well.

14 CHRISTOPHER CIRAMI: My name is Chris
15 Cirami. I'm at 10 Atlas Avenue.

16 My property abuts directly to the gas
17 station.

18 I am Section 201, I think on the map.

19 SUPERVISOR CLAVIN: Got you.

20 CHRISTOPHER CIRAMI: I think like 70% of my
21 backyard is in the gas station.

22 First thing is hours of operation,
23 obviously I have two small kids, you know, 11:00 12:00
24 o'clock at night, if they're planning on selling beer,
25 which I don't think they answered that or any kind of

1 alcoholic beverages doesn't need to be open at that point.

2 I think 9:00 o'clock is more than
3 sufficient.

4 Traffic almost dies down.

5 Anybody going at that point is going on to
6 the Parkway.

7 People really aren't going out and getting
8 gas.

9 And I wanted to see where my property is,
10 how tall the fence is going to be.

11 If there's going to be a guardrail, God
12 forbid something happened.

13 As it is, my house has been hit - - Not
14 my house, my property has been hit six times, drunk drivers
15 coming off the Southern State Parkway.

16 One of them actually went through my fence,
17 through the existing gas station when it was there and
18 knocked the handles off the pumps.

19 Thank God he didn't hit the pump.

20 But I think traffic wise, too, how were they
21 planning on keeping cars from pulling out and trying to
22 head back towards the Southern State Parkway?

23 Is there any kind of barrier that can be put
24 down?

25 That intersection is a mess.

1 There are accidents all the time.

2 Cops are there all the time.

3 What else was I thinking? That's all I got.

4 I know my neighbors have a lot more in depth questions.

5 Thank you.

6 SUPERVISOR CLAVIN: Thank you for coming
7 down.

8 COUNCILWOMAN RYDER: It is a very tricky
9 intersection.

10 SUPERVISOR CLAVIN: Howard Frauenberger.
11 Morning. Your name and address for the record again.

12 HOWARD FRAUDENBERGER: Morning. My name is
13 Howard Frauenberger. I live at One Atlas Avenue, which is
14 directly across Atlas Avenue from Chris. His property
15 adjoins this.

16 I actually look towards the proposed gas
17 station.

18 I've had the distinction of living in
19 Malverne for 61 years and I've lived in three different
20 locations.

21 This particular location for the past 19, I
22 guess it is,

23 SUPERVISOR CLAVIN: Just a quick reference
24 point for me, so are you actually in the Incorporated
25 Village portion of it?

1 HOWARD FRAUENBERGER: I'm in the
2 unincorporated area,

3 SUPERVISOR CLAVIN: Okay.

4 HOWARD FRAUENBERGER: Which is a wonderful
5 thing because I don't pay Village tax. Saves me a lot of
6 money.

7 SUPERVISOR CLAVIN: Oh, boy.

8 HOWARD FRAUENBERGER: Let me start out by
9 thanking the Board for their concern about the proposed
10 property changes.

11 I just learned about this when I stopped on
12 my bike and read the Notice that had gone up on the fence.

13 We have not been contacted by the proposed
14 new owners or new operators.

15 And so we're totally oblivious to what the
16 plan was until we just saw it on the screen, which I think,
17 you know, is something that should be corrected.

18 This is pretty much a unique location.

19 As you pointed out, it's on a split,
20 essentially, between Ocean Avenue and Hempstead Avenue.

21 And there's a right turn arrow right at that
22 light at that split, and people coming South travel at a
23 pretty good speed unless it's rush hour and the light is
24 red.

25 And, so anybody trying to get out of that gas

1 station and head to the right or even head across to go to
2 the left is going to have a real problem, especially in
3 rush hour.

4 When the railroad gates are down on Ocean
5 Avenue, we often have gridlock, and it's jammed up all the
6 way back almost to the parkway with cars.

7 So you know the area, you know the traffic
8 problems.

9 As a minimum, I think that the community needs
10 to be involved in, as you pointed out, in seeing what the
11 plan really is.

12 But I really think the Town of - - the Nassau
13 County Traffic Bureau really needs to take a good hard look
14 at the traffic situation here because it is very dangerous.

15 People heading North towards the parkway when
16 they come out of the Village of Malverne, which is
17 notorious for its speeding tickets, usually if the light is
18 green and they're heading towards the parkway, they floor
19 it.

20 And often they're going 50, 60 miles an hour
21 heading North towards the parkway, un-ticketed by Nassau
22 County Police, because I haven't seen a Nassau cop give a
23 ticket there in 19 years.

24 But the point is, it's a real dangerous
25 situation for people.

1 If they want to go into the station and they're
2 heading North, they got to cross over southbound, two lanes
3 of southbound traffic, which presents its own problem.

4 So as a minimum, I think the blind curve
5 presents a really unique situation.

6 I'm glad you're aware of that basic area
7 because it is kind of unique.

8 And when it was an operating gas station, there
9 was a proposal to redo it and there were several
10 restrictive covenants that this Board chose to apply, if
11 you will, to do the situation.

12 SUPERVISOR CLAVIN: I appreciate it. I'm going
13 to ask you to stick around after because obviously we do
14 have some concerns.

15 You can see that.

16 And I think we've expressed to the attorneys
17 that maybe some of the residents don't feel like they've
18 been included.

19 So of course, we're going to ask counselor to
20 get your name and address to do a follow-up with you.

21 Mr. O'Brien is very, very good about that.

22 But like I said, we're still here right now,
23 so we're going to go through a number of other residents.

24 Rosalie Mastrarrigo, you don't want to go?
25 Okay. Did I do okay with the name?

1 ROSALIE MASTRARRIGO: Yes.

2 SUPERVISOR CLAVIN: Thanks. I appreciate it.
3 Okay, good. All right. I like that.

4 Joseph, did you want to go?

5 JOSEPH MASTRARRIGO: I wrote a speech.

6 SUPERVISOR CLAVIN: If you'd like to submit
7 it, we will take any submission and the Clerk's office will
8 make it part of the record.

9 JOSEPH MASTRARRIGO: It basically shows the
10 history.

11 SUPERVISOR CLAVIN: We will be delighted to
12 make that part of the record. Thank you very much.

13 How are you doing? If you just give me name
14 and address of the record.

15 JOSEPH MASTRARRIGO: Morning, Joseph
16 Mastrarrigo, directly across the street.

17 I've lived there for over 21 years.

18 And when you say that it's not a 24 hours
19 deal, 5:00 in the morning till 11:00 at night is 18 hours,
20 but to me that's 24.

21 I don't know if they're serving beer,
22 alcohol.

23 You have to understand something, I've lived
24 there. I had to put a cone in my driveway because the cars
25 that come out turn in my driveway and then they go back to

1 the parkways.

2 So they've ruined the driveway, so I put a
3 cone there.

4 I've been threatened when people come into
5 the driveway, if I'm putting the garbage out, making that
6 turn, I don't want to be threatened.

7 I lived there a long time, paying a lot of
8 taxes, not only that, fighting.

9 And then when they go to this station I'm
10 across the street, you could see they park their cars in
11 the front of my house.

12 They talk, they yell, they scream, they drink,
13 they fight.

14 I call the police a lot of times.

15 I don't want to do that.

16 I'm fearful of my property and my life.

17 When you're fearful of your life and
18 property, that's a big problem.

19 Tear it down.

20 Put a Youth Hall there to something for our
21 youth. Do something right for the Town.

22 Also, if, God forbid, the kids are on the
23 street, they fly up that block.

24 I'm always yelling at people, "slow down" and
25 they stop the car, "I'll put you in a hospital."

1 Okay, I don't argue.

2 But next thing is they don't care.

3 They drink.

4 They throw stuff on my property. Beer cans,
5 stuff from the place.

6 I don't like it.

7 What else?

8 Something important, how close is that to the
9 Southern State going West and East.

10 God forbid that place is held up. God forbid.
11 The police aren't going to get there in time.

12 They're going to hurt somebody, kill somebody,
13 and they hit right on the parkway.

14 You're going to find them?

15 You are not going to find these people.

16 That's scary.

17 Safety. What else? My bedroom is facing it,
18 it faces it.

19 If they put bright lights up, it's bad enough
20 I can't sleep, pull the shades down, room darkening shades.

21 It's annoying.

22 I can't keep my windows open in the summertime
23 if it's cool out because there's talking, yelling,
24 screaming, come on, come on. This isn't for our Town.

25 I am sorry. I appreciate what the attorney is

1 saying, but he doesn't live there and he doesn't have
2 children there.

3 We live there.

4 Okay, what else? That's really about it, but
5 I think I've said enough to get the point across that I
6 don't want it there.

7 I don't think anybody wants it there.

8 They've driven through, like, when they can
9 make that turn to go down Hempstead Avenue.

10 (Whereupon, the three-minute bell rang.

11 After, the following ensued.)

12 SUPERVISOR CLAVIN: Well, we appreciate you
13 coming, and we appreciate your comments, as always.

14 I got a couple of more I want to go through
15 here.

16 Rosie, didn't. Kevin, we've heard from.

17 Is Michael Rubenstein with you?

18 ATTORNEY O'BRIEN: Yes.

19 SUPERVISOR CLAVIN: Okay. I don't have any
20 other slips from any other residents that wish to be heard
21 that signed in.

22 Would you like to be heard, sir? Sure. If
23 you can go to the back and give your name and address for
24 the record. Thank you.

25 FELIX PROCACCI: Felix Procacci, Franklin

1 square.

2 I think that it would be beneficial to the
3 residents that before he comes in for the next application
4 Hearing, that the Town lets them put their materials up on
5 the website so the residents can view exactly what the
6 applicant is proposing, so they don't have to come in and
7 then be surprised that there's a black and white drawing,
8 and not a color.

9 And I think it should be good, should be done
10 for all applicants in the future. Thank you.

11 SUPERVISOR CLAVIN: Okay. I don't have any
12 other slips from any other residents.

13 Mr. O'Brien, I do have a couple of concerns
14 and questions.

15 And, I think rightfully so, the residents
16 have pointed out.

17 Just kind of going through it, one thing that
18 I see from your site plan, I can see it on this map, okay,
19 but I don't see it on the site plan, when you're going down
20 Hempstead Avenue, before you go to the Malverne Speed trap,
21 there's a fork right there in the road.

22 ATTORNEY O'BRIEN: Correct.

23 SUPERVISOR CLAVIN: Okay. So if I'm on
24 Morris Avenue, you know, when I come out of your store,
25 you're going to tell people to go left and right, and if

1 you have them go left, you're going to turn them right into
2 an island.

3 ATTORNEY O'BRIEN: Mr. Supervisor, if I can
4 perhaps I've got the radius map here.

5 SUPERVISOR CLAVIN: Okay.

6 ATTORNEY O'BRIEN: I'm just looking at the
7 site map, and I'm looking at my eyes, and like I said, I
8 kind of know the area.

9 ATTORNEY O'BRIEN: Okay.

10 SUPERVISOR CLAVIN: So zoom back in there,
11 whoever had that. That was nice. I like that.

12 Okay, let's go to that site map.

13 Zooming in there, see down in Morris Avenue?

14 ATTORNEY O'BRIEN: Yes.

15 SUPERVISOR CLAVIN: Okay. Are you going to
16 have egress coming in from that roadway?

17 ATTORNEY O'BRIEN: What's interesting, it's
18 an interesting - - and, I met with that property owner
19 right next door.

20 I'm trying to remember the gentleman's name.

21 And if you look at the property, it's
22 interesting, we're not technically contiguous to Morris.

23 So, you see this little triangular piece of
24 property over there, which is basically lawn.

25 So there's no egress.

1 SUPERVISOR CLAVIN: What are you going to
2 have, like, a fence and greenery there?

3 ATTORNEY O'BRIEN: Yeah. So there's greenery
4 over there, and there's a fence indicated that we're going
5 to replace that fence.

6 SUPERVISOR CLAVIN: You see where it says
7 "112" on your picture up there?

8 ATTORNEY O'BRIEN: Yes.

9 SUPERVISOR CLAVIN: Okay, again, so hard.
10 How many entrances, exits are you going to
11 have along the Hempstead Avenue, right, there?

12 How many?

13 ATTORNEY O'BRIEN: So there will be two.
14 There'll be one at the North side of the site, one towards
15 the South side of the site.

16 And, the way the roadway naturally is and the
17 way the site is designed, it's really meant to be a right
18 hand in and right hand out type of location.

19 SUPERVISOR CLAVIN: Is that what you're
20 limiting?

21 Are you proposing you're only going to do
22 right hand in and right hand out?

23 ATTORNEY O'BRIEN: We could certainly do
24 that, yes.

25 SUPERVISOR CLAVIN: Well, because I tell you

1 right now, somebody's really accurate, when they said you
2 try and make a left hand turn, you're literally going to be
3 crossing like, six lanes of traffic to try and get a left
4 hand turn.

5 That would be like, not good.

6 ATTORNEY O'BRIEN: And you're right.

7 You're absolutely correct. So it is designed
8 in that manner, but we could certainly specify.

9 SUPERVISOR CLAVIN: Okay, now, I also got - -
10 I'm looking at the subject property and I see you have like
11 the dumpster in the back up against the Rugo's fence.

12 ATTORNEY O'BRIEN: Right.

13 SUPERVISOR CLAVIN: Okay. Well, let me ask
14 you, when would that garbage be picked up?

15 Are you going to say to these people, it's
16 only been picked up between 7:00 A.M. and 5:00 P.M. or
17 something like that?

18 ATTORNEY O'BRIEN: Yeah, typically it's a
19 private carter.

20 And, quite frankly, it's interesting, these
21 locations do have dumpsters, but they don't generate the
22 kind of trash that the former repair-oriented service
23 stations.

24 SUPERVISOR CLAVIN: I'm not saying it
25 wouldn't, but I'm just saying that if I'm going to get

1 visited by a garbage truck, what time are you thinking
2 that's going to come in?

3 Just Residents like to come in and say, "I
4 live next to a gas station. What time are you delivering
5 gas?"

6 Let's be realistic about it.

7 ATTORNEY O'BRIEN: Yeah, so, we could design
8 that in such a manner that it wouldn't be in the late
9 evening hours or earlier than whenever the Town picks up
10 garbage.

11 We could certainly - -

12 SUPERVISOR CLAVIN: Because then it says back
13 there, "grass area," right.

14 Your plan says, "grass area," right there.

15 And then I see the boundary. So it's like, are
16 we going to put up a fence with greenery to make a buffer
17 to alleviate that noise?

18 I just see grass there.

19 What do you think?

20 ATTORNEY O'BRIEN: No, we'd certainly - -
21 personally, I prefer a Leyland Cypress.

22 I think it's a hearty disease resistant type.

23 A lot of people use Arborvitaes.

24 I like to actually mix them with other
25 varieties of trees, such as, like Western Red Cedars that

1 fill in.

2 Some people like White Pines because they'll
3 grow to 20, 30ft, though I've had other people complain
4 that they're too high and then you have needles.

5 So we'd certainly be willing to even work with,
6 you know, residents if there's a particular variety that
7 they would like.

8 I'm all for that, but absolutely you need an
9 Evergreen, and I believe there are proposed Evergreens over
10 there.

11 But certainly the way - - we need something to
12 be colored, show the variety of the landscaping, the color
13 of the landscaping and the like.

14 SUPERVISOR CLAVIN: I got you.

15 And then your other expert that's here today,
16 what did he check into?

17 ATTORNEY O'BRIEN: I don't think he's an
18 expert.

19 SUPERVISOR CLAVIN: Did you have any sort of
20 traffic study done to tell us what you found there?

21 ATTORNEY O'BRIEN: I think we've been in
22 communication with Nassau County and the like.

23 And, I think that once again, that concept is
24 the right hand turn in, the right hand turn out.

25 And that I think is the design that even the

1 County has been looking for.

2 SUPERVISOR CLAVIN: Okay, like I said, because I
3 have some concerns and I think rightfully so, someone
4 brought up also the backup, when the train comes through,
5 it backs up.

6 ATTORNEY O'BRIEN: Understood. And there are
7 certainly things, quite frankly, that we can do and there
8 are certain things that we can't do.

9 I mean correctly, So, you do have maybe the train
10 backing up.

11 So we can guide things.

12 We can limit things.

13 We can restrict things, but we certainly can't
14 eliminate a grade cross.

15 ATTORNEY O'BRIEN: No, no, no, I get you, but I'm
16 saying I just want to know if you're kind of taking into
17 account you're putting a gas station in with cars are going
18 to pump over that.

19 The cars are coming off the Southern State
20 going South and all of sudden I'm sitting on the train
21 tracks.

22 And as a practical matter, if something is
23 blocked then just people being what they are.

24 It's got to be easy and simple.

25 If it's difficult or if it's blocked because of

1 people queuing, they're not going to go.

2 SUPERVISOR CLAVIN: Obviously, you heard from a
3 couple of the residents that they didn't think they were
4 really informed on it.

5 A couple of - - the nice gentlemen who said it
6 was like jogging by ride his bike.

7 ATTORNEY O'BRIEN: Yeah, I like to, if the
8 gentleman sticks around, I'd certainly like to meet with
9 him because we had radius maps and everything prepared and
10 everything sent in accordance with all our regulations.

11 So, I'd like to get his name and address after
12 the Meeting.

13 SUPERVISOR CLAVIN: Yeah, I would think that
14 would be a good idea to talk.

15 ATTORNEY O'BRIEN: Yup.

16 SUPERVISOR CLAVIN: I know he just kind of came
17 in.

18 I think he just put in a slip.

19 If you could just stick around here.

20 ATTORNEY O'BRIEN: Sure.

21 SUPERVISOR CLAVIN: I saw the Mayor of Malverne.
22 You just came in there.

23 Mayor, did you want to speak regarding this
24 project or if you go to the back, give you name and address
25 of the record, that'd be awesome.

1 Now come this way if you could in front.

2 Mayor, if just give your you name and address for
3 the record, that'd be great.

4 MALVERNE MAYOR SULLIVAN: Good Morning,
5 Supervisor.

6 Tim Sullivan, 119 Malverne Avenue, Malverne, New
7 York.

8 As you said, I'm the Mayor of Malverne.

9 And, I appreciate you having me here today.
10 Sorry, I was held up at another Meeting.

11 I had announced this Hearing at our Village Board
12 Meeting recently.

13 We're well aware that this property is located in
14 the Town of Hempstead, not within the Incorporated Village.

15 But we've had many residents express over the
16 years concern and really negative feelings towards the
17 condition of this property and how it's been maintained
18 over certainly over the last four years that I've been in
19 office and more recently as Mayor.

20 Trucks being stored there, garbage being
21 stored there.

22 I know I spoke with former Town Councilman
23 Bruce Blakeman when he was here, and the Town took some
24 action to maybe condemn the property.

25 I don't know what the action was, but

1 certainly had graffiti painted over.

2 They had fencing, site safety fencing put
3 around the property.

4 So the Town Board has been helpful to us as a
5 Village and the residents, and for that we're appreciative.

6 But the condition of this property is just
7 awful.

8 As you know, we have a quaint small Village
9 that has a nice appearance, and the entrance to our Village
10 is this really rundown, broken windows, trash strewn
11 everywhere.

12 Even if the intent of the landowner was to
13 redevelop this parcel, they should be doing it in a
14 tasteful manner where you have site fencing that maybe, you
15 know, masks what's being done behind, and that's not what
16 they're doing here.

17 I didn't have a chance to review the amended
18 site plan.

19 I did see the Public Notice where there are
20 three gas or bays being installed, which I will note are
21 already in the ground.

22 So I'm not sure how that applies to this
23 application at this point.

24 I don't know if that's an amendment or an
25 add-on where there are two in the past.

1 So, I imagine that they want to increase
2 capacity.

3 I also don't really know how the traffic
4 patterns are going to work.

5 But I would express on behalf of the
6 residents of Malverne Park and in the Town of Hempstead
7 concern if there was any traffic being redirected onto
8 Morris Avenue.

9 That's something that we would not want.

10 We wouldn't want cars exiting off onto
11 Morris and then through the Village.

12 We'd also - - and the Councilwoman Ryder had
13 told me that there were being hours proposed for the
14 convenience store.

15 We would advocate that they not be 24 hours,
16 that the hours be limited and that any site plan considered
17 here today would take those into consideration.

18 And, of course, I've noticed that the
19 board has been advocating for tasteful landscaping.

20 That's something that we would certainly
21 ask for your consideration as well.

22 Thank you for having me.

23 SUPERVISOR CLAVIN: Thank you, Mayor.

24 I know you've been in communication with
25 us, and I appreciate you bringing up the facts. Be some

1 nice things to say about the village, too, just so you
2 know.

3 Any other residents who did not sign in or
4 wish to be heard?

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

7 SUPERVISOR CLAVIN: Mr. O'Brien, I'm just
8 going to be very forthcoming on this one with you.

9 I think you've heard from not only
10 neighboring officials, you've heard from my colleagues on
11 the Town Board as well as the residents.

12 There's a real concern about this and the
13 visual and in addition, I do have concerns about the
14 traffic flow.

15 Even if you're pushing a right hand turn,
16 then you're flowing the traffic directly into the Village
17 of Malverne.

18 I think there are a lot of key elements that
19 need to be worked on, coordinating.

20 Like I said, the Mayor is like two hundred
21 feet from the area and he might love the traffic flow down
22 there, he might not like the traffic flow.

23 But we all try and work together.

24 In addition, I think the residents, as well
25 as, myself and I don't want to speak for my Town Board, but

1 it's tough to really get a visual on this one.

2 It's tough to, you know, see exactly what
3 you're doing here and clearly not in black and white.

4 With that, is there anything you wanted to
5 add?

6 ATTORNEY O'BRIEN: Certainly, just one comment
7 I do want to make is that, generally, a location such as
8 this is usually a local gas station.

9 So it's usually the local residents that are
10 going to be coming to something like this.

11 But I have and understand what the Mayor said.

12 I understand what the Deputy Supervisor, what
13 yourself and the other board members have said and what the
14 community have said.

15 And, you know, I'd like to be able to address
16 those concerns in a concise, cohesive fashion and, you
17 know, send that back to the board, because I think at the
18 end of the day that this would be a great improvement to
19 that particular site and the area.

20 But you're right, the picture wasn't really
21 set forth in a manner that can be clearly understood.

22 So, I'd like the opportunity to be able to
23 take into account all the different comments that have been
24 made from everyone and be able to address those and
25 resubmit some of that sort of information, and hopefully

1 that will work to everyone's benefit.

2 SUPERVISOR CLAVIN: And I appreciate that.
3 I do.

4 I do not want you to go into the premise
5 ever that the only people are going to shop at the gas
6 station are local.

7 I live within a drive of a gas station and I
8 don't go to the gas station, not because I don't like them,
9 it's because they charge about \$0.40 more a gallon.

10 Listen, I'm a frugal guy. That's the way it
11 is.

12 I actually drive to a neighboring community
13 because it's a lot cheaper.

14 So if the price is right, that's where the
15 resident is going to go.

16 And maybe this gas station will have the
17 cheapest price on Long Island.

18 But if that's the case, then they're going
19 to get a lot of traffic.

20 And you have to be realistic with this one.

21 And like I said, this one's a little tough
22 to kind of get the visual around.

23 ATTORNEY O'BRIEN: Understood

24 SUPERVISOR CLAVIN: All right.

25 ATTORNEY O'BRIEN: We'll try to get that

1 visual.

2 SUPERVISOR CLAVIN: If I had a motion on
3 that.

4 COUNCILWOMAN RYDER: Mr. Supervisor, in
5 light of all the comments and concerns that have been made
6 for the lack of color renderings and an adequate traffic
7 study, which might I add, would be good to include,
8 perhaps, a no turn on Morris Avenue sign.

9 I suggest or make a motion that we adjourn
10 the application.

11 SUPERVISOR CLAVIN: Can I get a second on
12 the adjourn?

13 DEPUTY SUPERVISOR GOOSBY: Second.

14 CLERK MURRAY: Supervisor Clavin?

15 SUPERVISOR CLAVIN: Aye.

16 CLERK MURRAY: Councilman Carini?

17 COUNCILMAN CARINI: Aye.

18 CLERK MURRAY: Councilman Dunne?

19 COUNCILMAN DUNNE: Aye.

20 CLERK MURRAY: Deputy Supervisor Goosby?

21 DEPUTY SUPERVISOR GOOSBY: Aye, but I'd like
22 to add something, I've listened, and one of the things
23 that you did not do is send out cards to the residents that
24 are being affected by this, so they would have something to
25 read or you have a meeting with them before you come back.

1 ATTORNEY O'BRIEN: Certainly, I could
2 resend. And anybody who's still here, I'm certainly
3 willing to meet with anybody in the back.

4 DEPUTY SUPERVISOR GOOSBY: Okay, thank you.
5 I vote Aye.

6 CLERK MURRAY: Councilman Muscarella?

7 COUNCILMAN MUSCARELLA: Aye.

8 CLERK MURRAY: Councilwoman Ryder?

9 COUNCILWOMAN RYDER: Aye.

10 SUPERVISOR CLAVIN: Mr. O'Brien, listen, we
11 appreciate this.

12 Obviously, look, you've got a lot of
13 concerns, and like I said, even from the Mayor next door.

14 I would ask any of the residents that came
15 here today to please give your name and number to Mr.
16 O'Brien.

17 There's been no decision here.

18 We've adjourned the hearing based on the
19 concerns of residents.

20 But you know what, like I said, we appreciate
21 it, but we're not where we need to be to kind of make a
22 decision on this one. All right.

23 ATTORNEY O'BRIEN: Understood.

24 And I feel also, while I don't live next door
25 to it, I live here, too, and I want to have something to be

1 proud of and meet those concerns.

2 SUPERVISOR CLAVIN: Absolutely and thank you.

3 And I thank all the residents for coming out
4 and talking.

5 And I do recommend, especially the gentleman
6 who said he didn't even know about the notice, riding by on
7 his bike, please give the information, and if and when this
8 hearing ever comes up again, we will keep the residents
9 informed.

10 And thank you, Mayor, for taking the time to
11 come out here today.

12 Madam Clerk, please go to the next item.

13 CLERK MURRAY: Yes, we have a combination of
14 companion Decisions.

15 Number 11 is the Application of BOLLA EM
16 REALTY, LLC. for a variance from provisions of the "GSS"
17 Ordinance to repeal and replace Restrictive Covenants, site
18 plan approval and install storage tanks - WANTAGH -
19 southwest corner of Wantagh Avenue and North Jerusalem
20 Road.

21 Accepting a Declaration of Restrictive
22 Covenants incidental to and in connection with granting the
23 petition of BOLLA EM REALTY, LLC for a variance from
24 provisions of the "GSS" Ordinance to repeal and replace
25 Restrictive Covenants, site plan approval and install

1 storage tanks - WANTAGH.

2 SUPERVISOR CLAVIN: All right. May I please have
3 a motion on Decisions 11 and 12, simultaneously?

4 Madam Clerk, is that correct?

5 CLERK MURRAY: Yes.

6 COUNCILMAN DUNNE: I move that the Board adopt
7 the items.

8 COUNCILMAN CARINI: Second.

9 CLERK MURRAY: Supervisor Clavin?

10 SUPERVISOR CLAVIN: Aye.

11 CLERK MURRAY: Councilman Carini?

12 COUNCILMAN CARINI: Aye.

13 CLERK MURRAY: Councilman Dunne?

14 COUNCILMAN DUNNE: Aye.

15 CLERK MURRAY: Deputy Supervisor Goosby?

16 DEPUTY SUPERVISOR GOOSBY: Aye.

17 CLERK MURRAY: Councilman Muscarella?

18 COUNCILMAN MUSCARELLA: Aye.

19 CLERK MURRAY: Councilwoman Ryder?

20 COUNCILWOMAN RYDER: Aye.

21 CLERK MURRAY: Both Decisions have passed.

22 SUPERVISOR CLAVIN: Thank you, Madam Clerk.

23 Madam Clerk, please call the Administrative
24 Calendar.

25 CLERK MURRAY: On the Administrative

1 Calendar, we have Items 13 through 47.

2 SUPERVISOR CLAVIN: Okay.

3 Any Member of the Board wish to speak on
4 the Administrative Calendar?

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

7 SUPERVISOR CLAVIN: Okay, I have a couple
8 of people who want to speak.

9 I'll start with Felix Procacci.

10 Good Morning. If you would state your name
11 and address for the record, thanks.

12 FELIX PROCACCI: Felix Procacci, Franklin
13 Square.

14 On Number 39, what experience does John
15 Conroy have in working, operating and managing a water
16 system, Water department?

17 Mr. Procacci, it is an appointment from the
18 Town Board to the Water Authority.

19 It is very clear, you know Mr. Conroy's
20 extensive history as the Commissioner of probably one, if
21 not the largest Department of the Town of Hempstead.

22 We're dealing with sanitation pickup of
23 residents and that's a combination of sanitary,
24 environmental concerns, recycling concerns, also emergency
25 concerns.

1 He was here during one of the largest storms
2 in the history of Long Island, did a masterful job.

3 I think he has a resume that brings nothing
4 but expertise in management, overview and did a tremendous
5 job as the Commissioner of Sanitation during his tenure
6 here.

7 And, I think that speaks volumes.

8 And, that's why we think he's a proper fit.

9 FELIX PROCACCI: So, he doesn't have any
10 experience?

11 SUPERVISOR CLAVIN: No, I didn't say that at
12 all, Mr. Procacci. Don't put words in people's mouths.

13 I gave you exactly his - -

14 FELIX PROCACCI: You didn't mention water. I
15 just want to clarify what you said.

16 SUPERVISOR CLAVIN: No, no, no, I don't need
17 you to clarify anything. Mr. Procacci, please, in all due
18 respect, I don't need you to clarify any words that I say.

19 FELIX PROCACCI: Okay. Am I correct in saying
20 that you did not mention he has any experience in water?

21 SUPERVISOR CLAVIN: Mr. Procacci, I answered
22 the question.

23 FELIX PROCACCI: Okay. Yeah. Thank you.

24 There's a lot of issues. I don't live in that
25 area, as you know, but people are concerned about this, the

1 water rates going up.

2 What I'm always for is I think that you need a
3 board member that will bring transparency to it so people
4 can understand the system.

5 Why are the rates going up?

6 What are the current costs?

7 We need board members who call for meetings, if
8 meetings aren't being held, should reach out to the public
9 and say, why isn't this board, meeting?

10 There needs to be communication.

11 You emphasized that in the previous application
12 and I agree with you on that.

13 See, we agree on something, Don and see, it
14 could happen.

15 SUPERVISOR CLAVIN: Biggie hug coming soon?

16 FELIX PROCACCI: Yeah, it could happen.

17 But the thing is there has got to be
18 communication between the people and the Board, just like
19 there's communication here sometimes.

20 So, I just think that these Board Members should
21 encourage that if the Board doesn't meet on a regular
22 basis, he should reach out to community and tell and have
23 them come down here and complain and have those Board
24 Members removed if they don't want to meet.

25 But you need an active Board Member. I don't

1 know the money. I did try to look into this. I couldn't
2 find anything about the finances.

3 So I'm not going to render opinion whether it's
4 viable to take over or not, like anything like that.

5 But the communication has to be there. And I've
6 heard from all the residents who speak on this, it's
7 not.

8 And I can't find anything on the Town's website
9 either.

10 Thank you very much,

11 SUPERVISOR CLAVIN: Mr. Procacci, so, you know,
12 after this appointment, it is my understanding they will be
13 calling for a Meeting.

14 But, in all seriousness, John Conroy has done - -
15 He really did a tremendous job, a great Administrator in
16 Sanitation.

17 Like I said, it is a yeoman's job that not only
18 deals with simply picking up your garbage, it also deals
19 with recycling.

20 Tremendous amount of environmental concerns that
21 he had to deal with, with the State DEC and the Federal
22 government.

23 He also, as I said, helped administer during
24 any storm we've ever had here, Superstorm Sandy, through
25 any of the snowstorms, he's done a tremendous job.

1 And, frankly, during the time period I've been
2 here, he's probably - - not criticizing anybody else here,
3 he's a guy who generally gets nice compliments from people
4 all around because he does a solid job.

5 And, I have a lot of faith that he's going to
6 go on this and do a tremendous job.

7 No, I appreciate it. And if you'd like, after,
8 I'll give you a big hug because I enjoyed that moment.

9 Next, I'm going to call up Claudia Borecky.

10 Good morning. If you give your name and address
11 for the record.

12 CLAUDIA BORECKY: Claudia Borecky. 28 Washington
13 Drive, Co-Director of Allied Clean Air, Water and Soil.

14 The South Nassau Water Authority was fully
15 established with your three appointments and the two County
16 appointments in February of last year.

17 In Liberty's sales agreement with American Water,
18 L.I. Clean Air, Water and Soil made sure that the South
19 Nassau Water Authority was specifically named as a
20 municipality interested in acquiring Hempstead's portion of
21 American water.

22 Liberty agreed to a schedule for public
23 acquisition which, "shall" not, "may," shall commence
24 immediately upon the establishment of the Water Authority.

25 It provided six steps, beginning with giving the

1 Water Authorities 90 days after its formation to submit
2 document request.

3 Step 6 was to be taken place within 375 days and
4 provided that if and when the parties reach agreement for
5 acquisition by the Water Authority, the parties shall
6 draft, negotiate and execute a purchase agreement.

7 It is now over 450 days since the Water Authority
8 was fully established.

9 Dave Denenberg and I fought hard to set a
10 reasonable timetable for the public acquisition of Liberty.

11 Yet the South Nassau Water Authority, established
12 over a year ago, has not held one single Public Meeting.

13 The public takeover should have happened months
14 ago as prescribed in Liberty's sales agreement with
15 American Water.

16 Your Appointees have been derelict in their
17 duties.

18 It is egregious that you express outrage that
19 Liberty is raising our rates by 42% when it's your fault.

20 Blaming North and South Shore State Funding
21 Inequities as the reason not to meet is without merit.

22 Because the North Shore Water Authority has been
23 holding meetings without receiving a dime from the State
24 for over a century.

25 The Town and County have had no problem

1 collecting more than \$15 million per year in taxes that are
2 paid by Liberty's Hempstead customers, which no other
3 ratepayer on Long Island pays.

4 The true inequity is the Town and County taxing
5 private rate - - water ratepayers, while providing tax
6 free municipal water to over 80% of its residents.

7 Since those taxes are only paid by Liberty's
8 customers, some of that money should be set aside for the
9 Authority's operations.

10 Your Appointees must do their jobs.

11 The public needs to hear the status of its
12 negotiations with Liberty. It needs to Meet now.

13 I just like to say that as far as the actual
14 Commissioners go and a way of contacting you, there is
15 nothing on the website that gives us a way to contact the
16 Water Authority or the Commissioners.

17 And some of the emails I had were wrong.

18 (Whereupon, the three-minute bell rang. After,
19 the following ensued.)

20 CLAUDIA BORECKY: So I appreciate your correct -

21 -

22 SUPERVISOR CLAVIN: I appreciate and as I said,
23 it's my understanding that after the appointment's done,
24 they'll be calling for a Meeting.

25 And, thank you, again for raising the concern

1 that the Governor felt fit to give the North Shore Water
2 Authority, with substantially less customers, a million
3 dollars, while not giving to the South Shore customers any
4 money whatsoever.

5 It's unfortunate.

6 And lastly, Ms. Borecky, thank you so much. You
7 had your chance.

8 The last thing I do want to point out and I do
9 appreciate it, was my understanding that there were some
10 recommendations that David Denenberg be appointed to the
11 Water Authority but I think at the last Meeting, Councilman
12 Carini pointed out that it would have been illegal to us to
13 appoint him.

14 What was the reason why?

15 CLAUDIA BORECKY: Can I - -

16 SUPERVISOR CLAVIN: No, Ms. Borecky, Ms.
17 Borecky, you've had your chance.

18 Thank you, Ms. Borecky. Mrs. Borecky, Mrs.
19 Borecky, you had your three minutes.

20 Thank you so much. Councilman Carini - - No,
21 that's okay, you can yell all you want, Mrs. Borecky.
22 Councilman Carini, Councilman Carini, Councilman Carini
23 is going to - - gentlemen, if you turn off if Mrs. Borecky
24 likes to scream.

25 Anyway, Councilman Carini, could you explain to

1 Mrs. Borecky why it would have been illegal?

2 Why Mrs. Borecky, you can stand in the back.

3 Public Safety is going to ask you to - - please, Ms.

4 Borecky, you're making me nervous.

5 You're making me very nervous. You're making me
6 very uncomfortable.

7 Mrs. Borecky, Mrs. Borecky, please. Thank you so
8 much.

9 (Whereupon, yelling from the audience by Mrs.
10 Borecky continues. After, the following ensued.)

11 COUNCILMAN CARINI: Can I speak?

12 SUPERVISOR CLAVIN: Councilman Carini, if you can
13 explain to - -

14 (Whereupon, Mrs. Borecky walking around and
15 yelling. After, the following ensued.)

16 SUPERVISOR CLAVIN: That's very nice.

17 I'm very uncomfortable. Thank you.

18 COUNCILMAN CARINI: So the issue I have with Cause
19 is their Code Director.

20 They were circling a petition to put an eight-time
21 convicted Felon who pled guilty for eight felonies for
22 milking, as per Newsday, \$2.3 million from his clients.

23 Now, when I hear Cause and their, "their
24 statistics," their Co-Director, by the way, who you were,
25 his Legislative Aide, basically, I have a problem with

1 their integrity, their numbers, because he was pled guilty
2 and served a 90-day sentence for 2.3 million for taking
3 that from a client.

4 So, I am really sorry if I do not trust his
5 numbers.

6 I don't trust his integrity.

7 And no, I will not take anything. Have a good
8 day, Ms. Borecky.

9 SUPERVISOR CLAVIN: Ms. Borecky, Ms. Borecky,
10 thank you.

11 Rich Moskowitz is next. Rich Moskowitz, here's
12 your opportunity to be heard.

13 Ms. Borecky, please. Public Safety, I'm feeling
14 very uncomfortable with Ms. Borecky approaching us and
15 screaming in this fashion.

16 Commissioner, if need be, please.

17 I'm feeling very uncomfortable again.

18 COUNCILMAN CARINI: Have a good day, Ms. Borecky.

19 SUPERVISOR CLAVIN: It is a very uncomfortable,
20 hostile situation being created by Ms. Borecky. I'm sorry,
21 I am very sensitive.

22 Mr. Moskowitz, this is your opportunity instead
23 of Ms. Borecky screaming.

24 Sir, thank you so much.

25 RICH MOSKOWITZ: My name is Rich Moskowitz.

1 I live at 3083 Whaleneck Drive, Merrick, New
2 York.

3 The reason why I'm here is that I'm just a
4 homeowner in Merrick since 1974.

5 And I went through about four or five different
6 Water Companies already.

7 And through the time, I understand Mr.
8 Denenberg you know, was locked up once, whatever.

9 I was in law enforcement, whatever, that some
10 people can be reformed.

11 So, I could understand integrity and that
12 matter of fact, what was done between Borecky, Denenberg.

13 But I'm not concerned about that.

14 What I'm concerned about is that when you read
15 some of the statistics how we pay nine hundred dollars to
16 have a hydrant where other public water places only pay
17 seventy dollars, it's all reflected and it involves an
18 awful lot of homeowners.

19 And, when I speak to my neighbors, whatever,
20 some that are politically, astute they say, "how come
21 nothing is ever being done about it?"

22 And, naturally you just throw up your hands.

23 But Denenberg and Borecky are the only ones,
24 no matter what their background is, that have done
25 anything.

1 And one thing - -

2 COUNCILMAN CARINI: Well, their background
3 does matter, sir, because I was in law enforcement too.

4 And if you're aware, Mr. Denenberg also pled
5 guilty to a misdemeanor years prior for signatures.

6 So, this is not the first time he's pled
7 guilty.

8 So, as a former law enforcement officer, I am
9 sorry, his integrity matters to this Board.

10 And Mr. Town Attorney will explain the process
11 of how this New York Water Authority Board will operate.

12 Now, the problem I have is they provided no
13 funding.

14 No funding like North Shore. None.

15 I also pay American Water.

16 I pay triple the amount of money. It's a
17 crime.

18 But the bottom line is the State broke it.

19 They didn't want to fix it and they threw it
20 out to the ocean.

21 And I'm sorry if I don't - - I may speak, Ms.
22 Borecky, you spoke.

23 So, this Long Island Cause is, basically, a
24 former Legislator and his Aide to resurrect a dead
25 political career for her former boss who has, again, pled

1 guilty.

2 Didn't fight the charge.

3 He went "guilty," "guilty," "guilty" for eight
4 felonies counts, that's as per Newsday. This is not me.

5 This is as per Newsday.

6 He then served a 90-day sentence at a Federal
7 jail, again, as per Newsday.

8 So yes, I do have a problem with this
9 organization's integrity.

10 The two people that run it have a very
11 checkered past.

12 And, I'm not going to listen to a former
13 Legislative Aide of a convicted felon try to resurrect a
14 political career here at the Town of Hempstead.

15 The Town Attorney will explain how the Water
16 Authorities can go forward, what we're required to do.

17 We can do that, Mr. Town Attorney, and that's
18 what he is going to say.

19 So, I'm sorry, I do not take any credit to what
20 Ms. Borecky and Ms. Denenberg said. Period.

21 Have a good day. Thank you.

22 SUPERVISOR CLAVIN: We're going to go through
23 the sign-ins just like Ms. Borecky had a chance to yell,
24 Mr. Moskowitz.

25 I'm going to go through a couple others.

1 No, no, ma'am, have a seat.

2 Patricia Hyland. Oh, it's Ms. Hyland's turn,
3 Ma'am, Ms. Hyland's turn.

4 No, we go through the sign-in sheet and then I
5 give you opportunity to speak, ma'am.

6 Ms. Hyland, if you give your name and address
7 for the record. Thank you.

8 PATRICIA HYLAND: My name is Patricia Hyland.
9 I live at 2309 Howe Street in Merrick. I have
10 been living there for 20 years.

11 And, 22 years before that, I lived in Baldwin.

12 So, it has been Town of Hempstead all the way.

13 And, it has always troubled me that our cost of
14 water is so much greater than Freeport, for example, and
15 other communities.

16 My understanding recently is that Liberty
17 Utilities is requesting an outrageous, like, 42% increase
18 in the cost of water.

19 I understand that there was a Bill passed to
20 set up the South Nassau Water Authority and that no Public
21 Meetings have taken place.

22 I also understand that North Shore and
23 Massapequa have also been invited to set up public water
24 utility of water.

25 And, though money was, um, put - - offered by

1 the State, that money was never delivered to them.

2 So it did not impede them from having meetings
3 and making progress toward starting the public control of
4 water in our area.

5 So, I'm not finding the fact that the money is
6 not present a good excuse for there not being Public
7 Hearings.

8 So, I am requesting that Public Hearings begin
9 immediately since the last person to the Board is being
10 appointed.

11 That's what this meeting is about.

12 I have no idea of - - I'm not familiar with
13 that person, but I'm delighted that the last person has
14 been assigned.

15 And I want people on the Board here and in the
16 audience to understand that delay on having Public Hearings
17 cost the taxpayers money.

18 I made a nice little poster because sometimes a
19 visual is helpful.

20 The fact that this is delayed is costing us
21 taxpayers money and I expect better service than that.

22 So, I'm hoping that this will move forward
23 very quickly. Thank you.

24 SUPERVISOR CLAVIN: Thank you, Ms. Hyland. We
25 appreciate your nice comments.

1 (Whereupon, applause from the audience was heard.
2 After, the following ensued.)

3 SUPERVISOR CLAVIN: Next, I have John Hyland.

4 (Whereupon, "When will I be able to speak," was called
5 out from the audience. After the following ensued.)

6 SUPERVISOR CLAVIN: When did I call your name,
7 ma'am.

8 Ma'am, when I call your name.

9 There was a sign-in.

10 Did you sign-in in the beginning of the
11 meeting?

12 Okay, if you go to the back there, they'll
13 take your name and sign you in there. Dominic,
14 can you wave? Can you help her sign in? Thanks.
15 Mr. Hyland, if you give your name and address for
16 the record, that'd be great.

17 JOHN HYLAND: I'm John Highland, I live at 2309
18 Hause Street, Merrick.

19 And, I'm glad that the person has finally
20 been appointed so you have a full Board.

21 I would hope that a timetable would be
22 forthcoming.

23 My wife already said most of what I wanted
24 to say and I'm just reinforcing it.

25 However, I would add that we have public

1 schools.

2 We have public libraries.

3 We have public sanitation.

4 We have public roads, many public
5 institutions that make our living conditions
6 worthwhile.

7 I would recommend to the Board that it is
8 time for public water.

9 Other places have done it.

10 It's possible, and I would hope that we would
11 hear some progress report in some way soon.

12 I was disappointed, really, in the
13 discussion earlier.

14 It sounded like sort of a character
15 assassination.

16 It's one thing to remind people about what's
17 going on with the person's background, but I
18 thought somewhat beyond the beyond.

19 And the last thing I would say is that I
20 hope Mr. Conroy is good for this job.

21 I'm glad he was competent in his previous
22 jobs.

23 I'm not sure that a person who's a good
24 manager in one field necessarily is a good
25 manager in another field, especially when I would

1 think water management is a quite specific and
2 technical field.

3 So, thank you for the Meeting and I hope
4 these remarks are taken into consideration.

5 SUPERVISOR CLAVIN: Thank you. Mr.
6 Hyland. Mr. Hyland, I just want to let you know
7 I don't think it's a matter of anybody doing a
8 character assassination.

9 There were some people pushing for an
10 appointment of an individual that it's illegal
11 for us to appoint them because he's a criminal.

12 And people make their own decisions and
13 take pleas and make decisions in life, and
14 they're held accountable.

15 I think Councilman Carini was just
16 pointing out that you've had people promoting
17 somebody and the reality is it's illegal for even
18 to appoint them and it isn't character
19 assassination when he points out that he took a
20 plea in Federal Court, a plea that I've listened.

21 I'm an Attorney as well.

22 The Judge asked specific questions and he
23 knew the exact plea.

24 And I don't think it was inappropriate for
25 the Councilman to point out that it involved

1 millions of dollars. It was his decision.

2 He took the plea.

3 But most importantly, the fact that and
4 the Town Attorney will correct me if I am wrong,
5 it would be illegal for him to be appointed to
6 that entity, am I correct?

7 TOWN ATTORNEY MACCARONE: Our Code forbids
8 us from appointing him.

9 SUPERVISOR CLAVIN: Yeah. And that's it.
10 So I think we're trying to let people know that
11 you've had some people promoting people and they
12 find they think the best thing is to stand up and
13 scream at Meetings when he's just trying to say
14 it would be an inappropriate.

15 And again, some people just can't help
16 themselves, apparently, they think that the
17 louder they scream, they think we'll pay
18 attention, but it would be illegal for us to do
19 the appointments.

20 I don't think that it was a character
21 assassination.

22 I think it was just - -

23 (Whereupon, Mrs. Borecky yelling out from the
24 audience. After, the following ensued.)

25 SUPERVISOR CLAVIN: Mrs. Borecky, please

1 stop. Mrs. Borecky, I got a great idea, what
2 we'll do is we'll print up the Minutes from
3 Federal Court and you can go home and read that
4 plea all by yourself.

5 Leonard Susman, you're next. Leonard Susman?
6 Yeah. He's coming over. He's coming over.

7 Good morning, Mr. Susman.

8 If you give your name and address for the
9 record. Thank you.

10 LEONARD SUSMAN: Good morning. Leonard
11 Susman.

12 I live at 1767 Park Avenue in Merrick, North
13 Merrick.

14 I've been a resident since 1969.

15 And, I believe the Town needs to expedite the
16 move toward public water.

17 It seems somewhat unconscionable that the
18 citizens who are within the Liberty Service Area
19 are paying the rates they are paying and that
20 while the Public Service Commission and the rules
21 may allow the level of increase that is sought,
22 it is a burden on the residents, which I would
23 hope the Town, in its wisdom and its desire to
24 serve its constituents, would make a more
25 determined effort to correct the inequity of the

1 citizens having to pay the rates that they are
2 currently paying and are projected to pay in the
3 reasonably near future, should the rates be
4 formally approved.

5 I'm not sure if they have been as yet, but
6 it does seem like it is more than a reasonable
7 amount of increase, given inflation.

8 As to the question of the individuals that
9 have been mentioned today as possible for
10 consideration for appointment, in all fairness to
11 Mr. Denenberg and to the Councilman, our society
12 does allow for people to, over the course of
13 time, shall we say, compensate for misdeeds that
14 they may have done.

15 As I recall, the situation with Mr.
16 Denenberg, it admittedly was wrong.

17 And I believe he has come to grips with that
18 over time.

19 I think some of the other good deeds that he
20 has done with regard to the environment, with
21 regard to the beach, shore cleaning and other
22 services through the Kiwanis America-wanis, in
23 terms of being responsible for food drives and I
24 don't know what other deeds he has done within
25 the Kiwanis environment.

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

3 SUPERVISOR CLAVIN: Mr. Susman, we appreciate
4 your very thoughtful remarks.

5 LEONARD SUSMAN: Pardon?

6 SUPERVISOR CLAVIN: We appreciate your very
7 thoughtful remarks on both the water and the
8 individual.

9 As I said, I believe that after today's
10 appointment is done, the Water Authority will be
11 doing a Hearing.

12 And when they do, we'll put it on the
13 Town's website.

14 If you'd like to give your name and number
15 to one of the Aides, here, today, I'll be happy
16 to make sure they send an email out to you to let
17 you know when.

18 But we appreciate your very thoughtful
19 comments here today.

20 Next, I have Francine McDaniel? Francine
21 McDaniel? No?

22 Okay, I have Barbara Hafner.

23 How are you doing?

24 Good morning. Can I have your name and
25 address for the record?

1 BARBARA HAFNER: Yeah Hi. Barbara Hafner.
2 202 Walker Place, West Hempstead, New York.

3 I, too, am a Liberty Water customer
4 unfortunately.

5 On my block, we live in the house that my
6 husband's parents built in 1950.

7 Just like the previous gentleman, I've had
8 several private companies take my money.

9 And on my block, you have three houses that
10 have West Hempstead Water.

11 My house and everyone on my side has Liberty
12 Water.

13 I've been a Union Leader.

14 I was the President of my Union for 19 years.

15 I served on the Long Island Federation of
16 Labor Board for ten years, and I've served on the
17 Nicer Board of Directors for 14 years.

18 I know what union leadership, and in
19 particular, I know what your leadership is all
20 about.

21 And leadership is representing their members.

22 And I see you as elected officials, as your
23 responsibility is to represent your members.

24 And we are your members, the people who live
25 in the Town of Hempstead.

1 I don't know why this has taken so long.

2 I have no problem reaching out to the State
3 government officials that I have elected to
4 represent me to find out if you need this money
5 immediately, let's get it done, because this is
6 taking much too long.

7 My bill I got yesterday was \$175 for one
8 month.

9 My neighbor across the street three month
10 bill was \$60.

11 You tell me what's wrong with that picture.

12 And today in Newsday, Liberty Water is now
13 suing Lawrence because they're not paying their
14 water bill for their fire hydrants.

15 God forbid there is a fire and there's a problem
16 with their water. Come on.

17 This is an election year. I will be sure to
18 make sure that every person that's going to
19 represent me is on top of this.

20 And I expect you, Mr. Muscarella, you are
21 my representative, you all got letters from me
22 asking what's happening.

23 I even volunteered to sit on the Commission
24 because we need to get moving here.

25 No more dragging feet, no more excuses.

1 This is not about any organization. This is
2 about the people that you represent.

3 And it's time to truly represent us and
4 care about the money that I am spending for water
5 that should be public. Thank you.

6 SUPERVISOR CLAVIN: Thank you. Ms.
7 Hafner. Dorothy Kozel. Good afternoon, Ms.
8 Kozel.

9 If you give your name and address of the record.

10 DOROTHY KOZEL: Dorothy Kozel. 221 Walker
11 Place, West Hempstead.

12 I just have one question and actually an
13 observation.

14 We spent a half hour talking about a
15 garage, and everybody on the Board seemed very
16 concerned.

17 We're spending, now, ten, fifteen minutes
18 on this water issue that involves thousands of
19 people, and none of you look like you have the
20 same concern over this water issue as you have
21 about a garage.

22 My question to you is, why is it that it's
23 taken our South Nassau Board to be formed one
24 year, and yet the North Nassau and the Massapequa
25 Boards are more than halfway on their way to

1 getting their water public.

2 SUPERVISOR CLAVIN: Well, like I said,
3 we're doing the appointment today.

4 DOROTHY KOZEL: Why did it take a year for
5 us?

6 SUPERVISOR CLAVIN: And we had a couple of
7 members that, you know what, they ended up having
8 to resign from the Board.

9 One of them was blessed to be as a Town
10 Board Member.

11 Like I said, it's the appointment.

12 They'll be doing their meetings.

13 And as of for the other jurisdictions, I'm
14 not too sure what they're going to do.

15 Maybe you have insight that I've heard
16 numerous things about.

17 I'm just saying you've made a
18 representation but I'm saying I've heard numerous
19 things that those entities may or may not be,
20 now, making the recommendation.

21 I think it's something we all need to
22 monitor.

23 Hey, listen, everyone said LIPA was going
24 to be the greatest thing in the world.

25 You know what, it didn't quite work out as

1 well as some people thought.

2 So I said, well - -

3 DOROTHY KOZEL: It is not our concern.

4 SUPERVISOR CLAVIN: Actually, it is our
5 concern, because you just said if the other
6 entities find out that it's actually going to
7 cost communities more for it, this is a good
8 process.

9 That's why you just can't say it's going to
10 be done.

11 The Board will meet, we'll course, let the
12 residents know by putting it on the Town's
13 website when they're going to go meet, and you
14 can go down, you express it to them.

15 And, like I said, John Conroy is going to be
16 a great asset to this Board.

17 He's done a tremendous job, and they'll do
18 their due diligence.

19 They'll do it in an open and transparent
20 manner, and they'll do a great job.

21 DOROTHY KOZEL: When will they have their
22 first Meeting?

23 SUPERVISOR CLAVIN: Again, I said earlier,
24 when we find out when they're going to have their
25 first Meeting after the appointment, because they

1 couldn't do the - - again, they can't do the
2 appointment until - - they can't schedule the
3 Meeting until after the appointment.

4 We'll be happy to let you know.

5 DOROTHY KOZEL: Thank you.

6 SUPERVISOR CLAVIN: Okay. Thank you.

7 Eleanor Wexler?

8 Good Afternoon. If you give your name
9 and address for the record.

10 ELEANOR WEXLER: My name is Eleanor
11 Wexler. I live at 2707 Lincoln Boulevard in
12 Merrick, for over 48 years,

13 I've seen other water companies, Brooklyn
14 Water, American Water, now, we have Liberty
15 Water.

16 Neighboring districts have public water.

17 Why do we have a Canadian company, Liberty
18 Water, representing us?

19 Why don't we have public water, too?

20 We're looking at a 42% increase in our
21 bills in the future.

22 Mr. Clavin, please support us.

23 We need your help in getting public water
24 like our neighbors.

25 Thank you.

1 SUPERVISOR CLAVIN: Thank you, Ms. Wexler.
2 Thank you very much. We appreciate you coming today.
3 I have James Jacobs. Did you want to speak on this as
4 well, Mr. Jacobs?

5 JAMES JACOBS: No, on the Administrative
6 Calendar.

7 SUSPERVISOR CLAVIN: On the Administrative
8 Calendar?

9 JAMES JACOBS: Yes.

10 SUPERVISOR CLAVIN: Good Afternoon. Give
11 your name and address for the record? That'd be
12 great.

13 Item number, what, on the Administrative
14 Calendar?

15 JAMES JACOBS: Number - - Item 20, about
16 the taxation.

17 SUPERVISOR CLAVIN: Which one?

18 JAMES JACOBS: Okay. The first number in
19 front of it - - forgive me.

20 SUPERVISOR CLAVIN: No worries.

21 JAMES JACOBS: No, I want to do it
22 correctly.

23 Good morning or Good afternoon,
24 Supervisor, Deputy Supervisor Goosby and Council
25 people.

1 The first number is 2964, Item is 23.

2 And basically I want to have a clarification
3 of taxation programming from Harris governing about
4 what's the new tax function for collection of
5 financial management information, point of
6 clarification.

7 SUPERVISOR CLAVIN: So you're asking about
8 Number 23 for the Harris Govern for the computer?

9 JAMES JACOBS: Yeah, because it's going to
10 be some kind of change being made and being - -

11 SUPERVISOR CLAVIN: If I'm not mistaken and
12 you correct me if I am wrong, it's a system update
13 they're doing for the tax system.

14 They use that system and every periodically
15 they do upgrades in the system and you got to buy into
16 the upgrade, that's how they kind of lock you in.

17 JAMES JACOBS: I understand it that
18 Supervisor, but my question for clarification that
19 when you do upgrade, it's pertaining for new tax roles
20 for the property, corporate, whatever.

21 When you do upgrades it uses the function
22 of another program pertaining to the function in a
23 computer for tax purposes.

24 SUPERVISOR CLAVIN: You have the existing
25 software and then they do periodic updates.

1 You know, of course, as you're well aware,
2 the tax office doesn't do any determinations on
3 assessments or anything like that, that's done by the
4 County.

5 In addition, the software upgrade could be
6 the fact that when the County updates their system,
7 the municipalities also have to update their system so
8 they can all communicate because the county transfers
9 the data down to the different jurisdictions like the
10 Towns and the Cities.

11 So, this is just merely an IT-related
12 update on the software.

13 JAMES JACOBS: Okay, I understand that.
14 That's why when I make my check out to the Town's Tax
15 Receiver that's pertained to the new information from
16 this computer system being installed in it.

17 SUPERVISOR CLAVIN: You've lost me.

18 JAMES JACOBS: Well, that's what I'm trying
19 to understand what you're saying because when I make
20 my check out - -

21 SUPERVISOR CLAVIN: The County values your
22 property.

23 The County then sets your assessment.

24 The County then gets the numbers from the
25 School Districts will say and calculate based on, you

1 know, the different classes what everyone has to pay
2 in property taxes.

3 This update software is just merely so they
4 can get the information, print out the bills, mail it
5 to you, you can send it to Ms. Driscoll and then
6 she'll forward them to the School Districts of the
7 County, whatever entity is getting the money. \

8 JAMES JACOBS: Okay, since you explained it
9 that way, it's a better understanding.

10 Okay, I just want to make sure we're on the
11 same page when I come to the Town and pay my taxes.

12 I'm going to make sure it goes to the right
13 people for the right rate and thank you for that.

14 SUPERVISOR CLAVIN: That's it?

15 JAMES JACOBS: Yeah, that's it.

16 SUPERVISOR CLAVIN: All right. I don't
17 have any of the slips on the Administrative Calendar.

18 If you'd like to be heard, if you go to the
19 back there and give your name and address, that'd be
20 great.

21 Good Afternoon.

22 PEARL JACOBS: Good afternoon. Pearl
23 Jacobs, Uniondale.

24 Our precious commodity of water are so - -
25 Item Number 39, our precious commodity of water, our

1 sole source Aquifer when will an updated report be
2 available concerning the quality and remaining water
3 usage?

4 SUPERVISOR CLAVIN: Commissioner Reinhardt,
5 are you here? Can you after the meeting, Mr.
6 Reinhardt, of course, meet Ms. Jacobs and find out
7 what relevant information should be. Good. Great.
8 Okay.

9 PEARL JACOBS: This is a crucial issue that
10 must be addressed and especially relating to the
11 proposed casino project at the Nassau Hub.

12 I hope that the Environmental Impact Study
13 will be done in a transparent, factual, and unbiased
14 manner.

15 And let's say, "no" to the casino.

16 Item numbers 19, 20 and 21, action needs to be
17 taken regarding the reckless use of fireworks in
18 residential neighborhoods.

19 Our Nassau County Police Department does an
20 excellent job of attempting to mitigate this quality
21 of life issue.

22 Government needs to take a stronger stance and
23 the laws, even though you have a law on the books, but
24 laws without teeth are absolutely useless regarding
25 this.

1 I'm going to speak to Councilman Dunne.

2 I know you are a Veteran and thank you for
3 your service, sir.

4 We have Veterans that live in our communities
5 that they have PTSD.

6 I know a few of them that have PTSD.

7 This takes a toll on their mental health. So
8 much so that one of our Veterans, elderly man who
9 served in one of our previous wars, he cannot stay in
10 his home during the Summer.

11 I'll wait till you stop speaking, Mr.
12 Supervisor.

13 SUPERVISOR CLAVIN: No, Ms. Jacobs, it's your
14 time.

15 One thing I know about the Councilman, he's
16 listening to you.

17 And I said to him, everyone can hear you.

18 PEARL JACOBS: Councilman Dunne, I'm imploring
19 to you to help the Veterans who suffer from this PTSD,
20 who have to - - this gentleman has to leave his home
21 from April to September because he cannot deal with
22 the barrage of fireworks that occurs in his
23 neighborhoods.

24 Now, these people fought for our Country, died
25 for our Country and they can't come and they can't

1 enjoy their neighborhoods.

2 And with the taxes that they pay here, whether
3 they pay no taxes at all, you should be able to have a
4 good quality of life.

5 They've had enough explosives and detrimental
6 effects to their mental health. They don't need any
7 further. I would ask our Veteran - -

8 SUPERVISOR CLAVIN: It doesn't work that way.

9 PEARL JACOBS: Can you stop talking over me?
10 I'm talking to Councilman Dunne.

11 Councilman Dunne, I would hope that you help
12 us with this. Thank you so much.

13 SUPERVISOR CLAVIN: Ms. Jacobs, perhaps you
14 can actually give the name and address of the Veteran,
15 but also remember that the County Police Department,
16 which do a tremendous job, would be in respect to the
17 enforcement.

18 And I know that they work very, very closely
19 with a lot of organizations, a lot of civic groups in
20 Uniondale.

21 And if there are constantly fireworks going
22 on in this guy's house from April to June, of course -
23 -

24 PEARL JACOBS: Well, not in his house all
25 over the community, all over the community, okay.

1 And, laws without teeth are useless.

2 Why don't you send mailers?

3 Ms. Goosby said about mailers going out.

4 Send mailers about the fireworks.

5 Educate the people.

6 SUPERVISOR CLAVIN: Once again, Ms. Jacobs, I
7 know you're well aware that the County Police are for
8 the enforcement of that, and I'm sure you're in
9 contact.

10 PEARL JACOBS: Do your jobs.

11 SUPERVISOR CLAVIN: Okay, Ms. Jacobs, thank
12 you. Always a pleasure.

13 I don't have any other slips. Does anybody
14 else wish to be heard in the Administrative Calendar?

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

17 SUPERVISOR CLAVIN: If not, may I have a Motion
18 on the Administrative Calendar?

19 DEPUTY SUPERVISOR GOOSBY: I make a Motion that
20 we move the Administrative Calendar in its entirety.

21 COUNCILMAN DUNNE: So moved.

22 CLERK MURRAY: Supervisor Clavin?

23 SUPERVISOR CLAVIN: Aye.

24 CLERK MURRAY: Councilman Carini?

25 COUNCILMAN CARINI: Aye.

1 CLERK MURRAY: Councilman Dunne?
2 COUNCILMAN DUNNE: Aye.
3 CLERK MURRAY: Deputy Supervisor Goosby?
4 DEPUTY SUPERVISOR GOOSBY: Aye.
5 CLERK MURRAY: Councilman Muscarella?
6 COUNCILMAN MUSCARELLA: Aye.
7 CLERK MURRAY: Councilwoman Ryder?
8 COUNCILWOMAN RYDER: Aye.
9 SUPERVISOR CLAVIN: Okay, may I have a
10 Motion to adjourn.
11 DEPUTY SUPERVISOR GOOSBY: I move we
12 adjourn.
13 COUNCILMAN DUNNE: Second.
14 CLERK MURRAY: Supervisor Clavin?
15 SUPERVISOR CLAVIN: Aye.
16 CLERK MURRAY: Councilman Carini?
17 COUNCILMAN CARINI: Aye.
18 CLERK MURRAY: Councilman Dunne?
19 COUNCILMAN DUNNE: Aye.
20 CLERK MURRAY: Deputy Supervisor Goosby?
21 DEPUTY SUPERVISOR GOOSBY: Aye.
22 CLERK MURRAY: Councilman Muscarella?
23 COUNCILMAN MUSCARELLA: Aye.
24 CLERK MURRAY: Councilwoman Ryder?
25 COUNCILWOMAN RYDER: Aye.



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

CERTIFICATE BY COURT REPORTER

I do hereby certify that the foregoing Verbatim
Transcript of the Town of Hempstead Town Board held on
June 20, 2023 consisting of pages 1 through 107 is an
accurate
transcription of my cryptic notes.

IN WITNESS WHEREOF, I SET MY HAND THIS DAY.

MELANIE WOHL

CERTIFIED COURT REPORTER
NORTH SHORE COURT REPORTERS
NOTARY PUBLIC - STATE OF NEW YORK

