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TOWN OF HEMPSTEAD

ONE WASHINGTON STREET

HEMPSTEAD, NEW YORK 11550

TOWN HALL PAVILION

10:30 A.M.

APRIL 12, 2016

BEFORE: SUPERVISOR ANTHONY SANTINO

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APPEARANCES :

- SENIOR COUNCILWOMAN GOOSBY
- COUNCILMAN BLAKEMAN
- COUNCILMAN AMBROSINO
- COUNCILMAN HUDES
- COUNCILMAN D'ESPOSITO
- COUNCILWOMAN KING-SWEENEY
- RECEIVER OF TAXES CLAVIN
- CLERK AHMAD
- TOWN ATTORNEY RA
- DEPUTY TOWN CLERK MULLER

1 (Whereupon, Councilman Hudes led the
2 Assembly in the Pledge of Allegiance. After
3 the following ensued.)

4 SUPERVISOR SANTINO: Call the first
5 item on the Public Hearing Calendar.

6 CLERK AHMAD: Proposed Local Law Re:
7 "Regulations & Restrictions" to limit parking
8 in Baldwin, Bellmore, Bellerose Terrace,
9 Merrick, Oceanside & Wantagh (To amend
10 Chapter 202 of the Code of the Town of
11 Hempstead)

12 SUPERVISOR SANTINO: Okay, is there
13 anyone who would like to be heard on this
14 item on the Public Hearing Calendar?

15 (NO RESPONSE)

16 SUPERVISOR SANTINO: There being none,
17 I will accept a motion.

18 COUNCILMAN D'ESPOSITO: Supervisor, I
19 move the hearing be closed and the proposed
20 local law be adopted.

21 SENIOR COUNCILWOMAN GOOSBY: Second
22 the motion.

23 CLERK AHMAD: Supervisor Santino?

24 SUPERVISOR SANTINO: Aye.

25 CLERK AHMAD: Councilman Ambrosino?

1 COUNCILMAN AMBROSINO: Aye.

2 CLERK AHMAD: Councilman Blakeman?

3 COUNCILMAN BLAKEMAN: Aye.

4 CLERK AHMAD: Councilman D'Esposito?

5 COUNCILMAN D'ESPOSITO: Aye.

6 CLERK AHMAD: Senior Councilwoman

7 Goosby?

8 SENIOR COUNCILWOMAN GOOSBY: Aye.

9 CLERK AHMAD: Councilman Hudes?

10 COUNCILMAN HUDES: Aye.

11 CLERK AHMAD: Councilwoman King-

12 Sweeney?

13 COUNCILWOMAN KING-SWEENEY: Aye.

14 SUPERVISOR SANTINO: Next item,

15 please.

16 CLERK AHMAD: Proposed Local Law Re:

17 "Parking or standing prohibitions" in

18 Baldwin, Bellmore, East Meadow, Franklin

19 Square, Merrick, Oceanside, Roosevelt,

20 Seaford, near Valley Stream, near Westbury,

21 West Hempstead & Woodmere (To amend Section

22 202-1 of the Code of the Town of Hempstead

23 SUPERVISOR SANTINO: Is there anyone

24 that would like to be heard on this item?

25 (NO RESPONSE)

1 SUPERVISOR SANTINO: There being none,
2 I will accept a motion.

3 COUNCILMAN BLAKEMAN: Supervisor, I
4 move the Public Hearing be closed and the
5 Local Law be adopted.

6 COUNCILWOMAN KING-SWEENEY: Second.

7 CLERK AHMAD: Supervisor Santino?

8 SUPERVISOR SANTINO: Aye.

9 CLERK AHMAD: Councilman Ambrosino?

10 COUNCILMAN AMBROSINO: Aye.

11 CLERK AHMAD: Councilman Blakeman?

12 COUNCILMAN BLAKEMAN: Aye.

13 CLERK AHMAD: Councilman D'Esposito?

14 COUNCILMAN D'ESPOSITO: Aye.

15 CLERK AHMAD: Senior Councilwoman

16 Goosby?

17 SENIOR COUNCILWOMAN GOOSBY: Aye.

18 CLERK AHMAD: Councilman Hudes?

19 COUNCILMAN HUDES: Aye.

20 CLERK AHMAD: Councilwoman King-

21 Sweeney?

22 COUNCILWOMAN KING-SWEENEY: Aye.

23 SUPERVISOR SANTINO: Next item,

24 please.

1 CLERK AHMAD: Proposed Local Law Re:
2 "Arterial Stops" in Elmont, North Valley
3 Stream, Wantagh (To amend Section 197-5 of
4 the Code of the Town of Hempstead)

5 SUPERVISOR SANTINO: Is there anyone
6 that would like to be heard on this time on
7 the Public Hearing Calendar?

8 (NO RESPONSE)

9 SUPERVISOR SANTINO: There being none,
10 I will accept a motion.

11 COUNCILWOMAN KING-SWEENEY:
12 Supervisor, I move that the Hearing be closed
13 and the item be adopted.

14 COUNCILMAN BLAKEMAN: Second.

15 CLERK AHMAD: Supervisor Santino?

16 SUPERVISOR SANTINO: Aye.

17 CLERK AHMAD: Councilman Ambrosino?

18 COUNCILMAN AMBROSINO: Aye.

19 CLERK AHMAD: Councilman Blakeman?

20 COUNCILMAN BLAKEMAN: Aye.

21 CLERK AHMAD: Councilman D'Esposito?

22 COUNCILMAN D'ESPOSITO: Aye.

23 CLERK AHMAD: Senior Councilwoman
24 Goosby?

25 SENIOR COUNCILWOMAN GOOSBY: Aye.

1 CLERK AHMAD: Councilman Hudes?

2 COUNCILMAN HUDES: Aye.

3 CLERK AHMAD: Councilwoman King-
4 Sweeney?

5 COUNCILWOMAN KING-SWEENEY: Aye.

6 SUPERVISOR SANTINO: Next item,
7 please.

8 CLERK AHMAD: Proposed Local Law Re:
9 "U-Turns Prohibited" in West Hempstead, (To
10 amend Section 197-2 of the Code of the Town
11 of Hempstead.

12 SUPERVISOR SANTINO: Is there anyone
13 that would like to be heard on this item on
14 the Public Hearing Calendar?

15 (NO RESPONSE)

16 SUPERVISOR SANTINO: There being none,
17 I accept a motion, please.

18 COUNCILMAN D'ESPOSITO: Supervisor, I
19 move the Public Hearing be closed and the
20 proposed Local Law be adopted.

21 COUNCILMAN BLAKEMAN: Second.

22 CLERK AHMAD: Supervisor Santino?

23 SUPERVISOR SANTINO: Aye.

24 CLERK AHMAD: Councilman Ambrosino?

25 COUNCILMAN AMBROSINO: Aye.

1 CLERK AHMAD: Councilman Blakeman?

2 COUNCILMAN BLAKEMAN: Aye.

3 CLERK AHMAD: Councilman D'Esposito?

4 COUNCILMAN D'ESPOSITO: Aye.

5 CLERK AHMAD: Senior Councilwoman

6 Goosby?

7 SENIOR COUNCILWOMAN GOOSBY: Aye.

8 CLERK AHMAD: Councilman Hudes?

9 COUNCILMAN HUDES: Aye.

10 CLERK AHMAD: Councilwoman King-

11 Sweeney?

12 COUNCILWOMAN KING-SWEENEY: Aye.

13 SUPERVISOR SANTINO: Next item,

14 please.

15 CLERK AHMAD: Proposed Local Law Re:

16 "Fees payable for certain excavations of

17 street within the Town of Hempstead" (To

18 amend Subsection 175-4 A of Chapter 175 of the

19 Code of the Town of Hempstead.)

20 SUPERVISOR SANTINO: Is there anyone

21 that would like to be heard on this matter on

22 the Public Hearing Calendar?

23 (NO RESPONSE)

24 SUPERVISOR SANTINO: There being none,

25 I will accept a motion.

1 COUNCILMAN AMBROSINO: Mr. Supervisor,
2 I move the Public Hearing be closed and the
3 proposed Local Law adopted.

4 SENIOR COUNCILWOMAN GOOSBY: Second.

5 CLERK AHMAD: Supervisor Santino?

6 SUPERVISOR SANTINO: Aye.

7 CLERK AHMAD: Councilman Ambrosino?

8 COUNCILMAN AMBROSINO: Aye.

9 CLERK AHMAD: Councilman Blakeman?

10 COUNCILMAN BLAKEMAN: Aye.

11 CLERK AHMAD: Councilman D'Esposito?

12 COUNCILMAN D'ESPOSITO: Aye.

13 CLERK AHMAD: Senior Councilwoman
14 Goosby?

15 SENIOR COUNCILWOMAN GOOSBY: Aye.

16 CLERK AHMAD: Councilman Hudes?

17 COUNCILMAN HUDES: Aye.

18 CLERK AHMAD: Councilwoman King-
19 Sweeney?

20 COUNCILWOMAN KING-SWEENEY: Aye.

21 SUPERVISOR SANTINO: Call the next
22 item, please.

23 CLERK AHMAD: Proposed Local Law Re:
24 "Administration and regulation of the
25 procedures of the Town of Hempstead animal

1 shelter and control division (To amend
2 Chapter 152 of the Code of the Town of
3 Hempstead)

4 SUPERVISOR SANTINO: There are a
5 few folks that want to be heard on this item.

6 Diane Madden?

7 DIANE MADDEN: Good Morning, Diane
8 Madden 243 Cherry Place, East Meadow.

9 I wholeheartedly support this Law, um,
10 currently and as long as animals don't - -
11 particularly have been left on tow truck
12 chains, very heavy chains, it is long overdue
13 and coming out of the gate, Supervisor, you
14 have done good things for animals.

15 I hope this passes. I encourage
16 everyone to get behind this Bill.

17 It is a good thing, even the weather
18 portion of it, again, even during Superstorm
19 Sandy animals were left outside.

20 It is a great thing and I would like
21 to thank William Ruthers (as heard), as well,
22 for working on this and working through
23 weekends, as a matter of fact.

24 Thank you and please, do pass this on
25 behalf of animals.

1 SUPERVISOR SANTINO: Thank you, madam.
2 Thank you very much.

3 Elizabeth Stein? Good Morning. Name
4 and address for the record?

5 ELIZABETH STEIN: Elizabeth Stein. 5
6 Dunhill Road, New Hyde Park.

7 And, I would like to agree with
8 Diane's comments, I strongly support the
9 passage of this Bill.

10 It is wonderful that Hempstead is
11 taking the initiative to do something that
12 unfortunately is not the law in the State of
13 New York, meaning, that dogs can be tethered
14 outside, the size of the chains, the nature
15 of the chains, the nature to which they are
16 attached to things is totally unregulated and
17 the fact that these animals will, now, be
18 protected in the Town of Hempstead is a
19 wonderful thing and I do applaud you for
20 that.

21 My only question is and, um, Bill and
22 I spoke about this, I don't know is the fee
23 schedule part of this Bill, as well?

24 SUPERVISOR SANTINO: Counselor Muller?

25 WILLIAM MULLER: It is.

1 SUPERVISOR SANTINO: Approach the
2 microphone. Come to the microphone.

3 WILLIAM MULLER: William Muller. It
4 is - - what the resolution will allow is
5 allow the fee schedule to be able to be
6 changed by resolution, not by Public Hearing,
7 through a Local Law.

8 The issue that I believe Ms. Stein
9 spoke about is the Town does not allow, as
10 policy, animals to be adopted or reclaimed
11 that have not been spade or neutered which
12 had actually kept the fee for reclamation of
13 non-neutered animals just to protect the
14 Town.

15 For example, let's say the Town, for
16 example, um, let's say, the Town had a Court
17 Order or anything else or any other reason,
18 basically, which will still be protected with
19 the reclamation fee.

20 ELIZABETH STEIN: How about the pit
21 bull, the issue about the pit bull?

22 WILLIAM MULLER: There is - - there
23 was a discussion as to the fact that,
24 unfortunately and I think you and I had
25 discussed this numerous times, pit bull in a,

1 um, I refer to your expertise on this, pit
2 bull is a mixed breed of something that we
3 view as a pit bull, the fee for that dog is
4 twenty-five dollars.

5 The fee for every other dog is
6 seventy-five dollars.

7 Why is it lower for a pit bull? There
8 is an inordinate amount of pit bulls in the
9 Shelter and the idea if we can centralize
10 these dogs which you love and I love, the
11 Town Board loves of getting to a home, that
12 is secure, would be greater.

13 We don't have a Shelter of pit bulls.

14 ELIZABETH STEIN: And, if I can
15 comment on that, when I did see, initially my
16 feeling was that it was insensitive to get
17 those dogs adopted, my concern is that, yes,
18 there needs to be an incentive.

19 There is an inordinate number of what
20 are called pit bulls, are actually mixes.

21 There are very few true pit bulls.

22 And, they need to get adopted. It is
23 a systemic problem throughout the country.

1 But to me, I am always very wary of
2 lowering the cost of something. It is almost
3 like putting something on sale.

4 And, I think what needs to be done is
5 we need to look at why, you know, because
6 Hempstead is a microcosm of what is going on.

7 Why is it that the Shelter is over-run
8 by this particular type of dog that is how we
9 secure the problem, not by necessarily
10 lowering the price for some animals.

11 SUPERVISOR SANTINO: Let's see if this
12 works, but, obviously, there is multi-
13 traction - -

14 ELIZABETH STEIN: There are
15 definitely, Supervisors, absolutely, multi-
16 traction, that is what I am hoping for, that
17 something is not simply - -

18 SUPERVISOR SANTINO: Nothing is a
19 panacea.

20 ELIZABETH STEIN: Absolutely, that we
21 take a look to see what is going on, how we
22 can get these animals adopted.

23 SUPERVISOR SANTINO: Whatever thoughts
24 you have on that, share with - -

1 ELIZABETH STEIN: Exactly, I have been
2 sharing with Bill and it has been a wonderful
3 relationship.

4 If I could just add one other thing,
5 in terms of enforcement of the law, I do hope
6 and it is wonderful to have a law on the
7 books but it needs to be enforced.

8 And, I am hoping that everybody will
9 make sure that the SPCA, Nassau County SPCA
10 is aware of the law, that the animal control
11 operators are aware of the law, so, this way
12 when they are out on patrol, if they notice
13 something, they will understand they need to
14 report back.

15 So, in fact, these animals are truly
16 protected not just on paper but - -

17 SUPERVISOR SANTINO: Certainly, we
18 will do that.

19 Let me suggest, whatever entity you
20 believe needs to be alerted to this, just let
21 Mr. Muller know and we will take care of it.

22 WILLIAM MULLER: Supervisor, I just
23 want to make sure in the process, the Deputy
24 Town Attorney that helped me draft this, also
25 worked weekends, we did meet with the SPCA,

1 they did love the language that you and Ms.
2 Madden and I have worked with.

3 They did incorporate some of the
4 changes.

5 They are aware that we are passing
6 this, but I will make sure that they actually
7 get a certified copy of this to them.

8 ELIZABETH STEIN: And, to your Animal
9 Control Officers.

10 WILLIAM MULLER: Right.

11 ELIZABETH STEIN: Because we need all
12 eyes and ears out there.

13 Thank you very much.

14 SUPERVISOR SANTINO: Thank you.

15 Is there anyone else on this item on
16 the calendar?

17 (NO RESPONSE)

18 SUPERVISOR SANTINO: There being none,
19 I will accept a motion.

20 COUNCILMAN D'ESPOSITO: Supervisor, I
21 am happy to move that the Hearing be closed
22 and the Local Law be adopted.

23 SENIOR COUNCILWOMAN GOOSBY: Second
24 the motion.

25 CLERK AHMAD: Supervisor Santino?

1 SUPERVISOR SANTINO: Aye.

2 CLERK AHMAD: Councilman Ambrosino?

3 COUNCILMAN AMBROSINO: Aye.

4 CLERK AHMAD: Councilman Blakeman?

5 COUNCILMAN BLAKEMAN: Aye.

6 CLERK AHMAD: Councilman D'Esposito?

7 COUNCILMAN D'ESPOSITO: Aye.

8 CLERK AHMAD: Senior Councilwoman

9 Goosby?

10 SENIOR COUNCILWOMAN GOOSBY: Aye.

11 CLERK AHMAD: Councilman Hudes?

12 COUNCILMAN HUDES: Aye.

13 CLERK AHMAD: Councilwoman King-

14 Sweeney?

15 COUNCILWOMAN KING-SWEENEY: Aye.

16 SUPERVISOR SANTINO: Next item,

17 please.

18 CLERK AHMAD: Proposed contract to
19 furnish fire protection services in the North

20 Lynbrook Fire Protection District

21 (Incorporated Village of Malverne)

22 SUPERVISOR SANTINO: Is there anyone
23 that would like to be heard on this item?

24 (NO RESPONSE)

1 SUPERVISOR SANTINO: There being none,
2 I accept a motion.

3 COUNCILMAN BLAKEMAN: I move that the
4 Public Hearing be closed and the item
5 adopted.

6 SENIOR COUNCILWMAN GOOSBY: Second.

7 CLERK AHMAD: Supervisor Santino?

8 SUPERVISOR SANTINO: Aye.

9 CLERK AHMAD: Councilman Ambrosino?

10 COUNCILMAN AMBROSINO: Aye.

11 CLERK AHMAD: Councilman Blakeman?

12 COUNCILMAN BLAKEMAN: Aye.

13 CLERK AHMAD: Councilman D'Esposito?

14 COUNCILMAN D'ESPOSITO: Aye.

15 CLERK AHMAD: Senior Councilwoman

16 Goosby?

17 SENIOR COUNCILWOMAN GOOSBY: Aye.

18 CLERK AHMAD: Councilman Hudes?

19 COUNCILMAN HUDES: Aye.

20 CLERK AHMAD: Councilwoman King-

21 Sweeney?

22 COUNCILWOMAN KING-SWEENEY: Aye.

23 SUPERVISOR SANTINO: Next item,

24 please.

1 CLERK AHMAD: Application of Friends
2 Realty, LLC. For permit to include existing
3 gasoline service station within "GSS"
4 District, install (2) additional storage
5 tanks, each with the capacity of 10,000
6 gallons - Elmont - south side of Linden
7 Boulevard, 450.488 west of Finns Street.

8 JOHN FARRELL: Good Morning, Mr.
9 Supervisor, Members of the Board:

10 For the Applicant, Friends Realty,
11 John Farrell of the firm Sahn, Ward &
12 Coschignano.

13 I am here, today, covering for Tom
14 Kevitt, who is called away for other
15 responsibilities in Albany.

16 I believe Tom has met with several
17 Members of the Board and discussed the
18 application, so, I am just going to go over
19 it real quick.

20 This application is to incorporate the
21 premises 245 Linden Boulevard in Elmont into
22 the gasoline service station in the overlay
23 district in the Town of Hempstead.

24 The subject property is seventeen
25 thousand one hundred and twenty-five square

1 feet, um, and it is located on the South side
2 of Linden Boulevard.

3 To the immediate West is a Sunoco
4 service station which includes a huge car lot
5 and car wash.

6 To the immediate East is a building
7 operated by the Elmont Fire Department.

8 To the immediate North, directly
9 across Linden Boulevard is a self storage
10 facility that is presently under
11 construction, um, and should be opened soon,
12 as well as, an office building, um, directly
13 behind the property to the South of Southern
14 State Parkway.

15 This property doesn't abut any
16 residential properties.

17 According to the Department of
18 Assessment of Nassau County, this property
19 has been operating as a gas station since, at
20 least, 1915.

21 Um, at that time, it also had
22 residential apartments and auto repair use.

23 Eventually, the apartments were
24 converted into a single-family dwelling, um,
25 in approximately 1961, um, and additional

1 two-bay garage was added which is still
2 operating today.

3 We currently have a non-conforming use
4 permit from the Department of Buildings for
5 the dwelling and auto sales on the site.

6 The Board can see up, right, now, is
7 Exhibit 1, which is the proposed site plan.

8 The subject property includes, as I
9 previously mentioned, a dwelling and auto
10 repair shop, auto body shop and a convenience
11 store.

12 There was, for a period of time, a used
13 car lot operating on the west side of the
14 premises, um, but that use has been shut down
15 at the present time, although, we like the
16 ability to reopen that use at some point in
17 the future.

18 Um, if we did, the use would be limited
19 to the hours of 9:00 a.m. to 6:00 p.m.

20 Um, there are currently three
21 underground storage tanks on the site.

22 We are going to remove the three tanks
23 and replace them with two, ten thousand
24 gallon tanks.

1 One of the ten gallon tanks will be
2 separated in three compartments, three
3 thousand gallons of gas for kerosene, three
4 thousand would be premium - - I am sorry,
5 four thousand gallons would be premium
6 gasoline, three thousand gallons would be
7 diesel.

8 We have a permit from the Nassau County
9 Fire Marshal for the installation. We also
10 plan on installing the canopy on the gas
11 station pumps that would allow us to provide
12 some fire protection service in case of a
13 fire.

14 It also provides cover to people pumping
15 gas, keeps rain off them or snow or whatever
16 the weather maybe.

17 Um, we are also, at the present time,
18 making an application to expand existing
19 convenience store, um, by two hundred and
20 eighty-seven square feet.

21 Um, the convenience store at the
22 completion and construction will be about
23 eight hundred and thirty-eight square feet.

24 Um, the convenience store will not
25 include any deli counter.

1 There will be no preparation of any kind
2 of good. Everything will be prepackaged.

3 Um, the convenience store has been
4 operating for a number of years and will
5 continue to do that if this application were
6 approved.

7 There is currently one employee - -

8 SUPERVISOR SANTINO: What would be the
9 Status of the sale of alcoholic beverages?

10 JOHN FARRELL: We do not currently sell
11 alcoholic beverages. If we were to serve
12 alcoholic beverages in the future, we want to
13 preserve that right, obviously, but we would
14 restrict between the hours of midnight and
15 6:00 a.m.

16 SUPERVISOR SANTINO: Thank you.

17 JOHN FARRELL: No problem.

18 So, we also plan on making some minor
19 additions to the dwelling.

20 We are going to add a little bit of
21 space to it and square off the auto body
22 shop.

23 The auto body shop would operate seven
24 days a week, 7:00 a.m. to 7:00 p.m.

1 There will be two employees for the
2 auto body shop and the auto repair shop for a
3 total of four.

4 We are also going to square out on the
5 second floor of the building, an office.

6 We will square that off a little bit.
7 The office is going to be used for the gas
8 station operation, exclusively. It is not
9 going to be rented out privately.

10 There will be three pump dispensers on
11 the island, obviously, there is going to be
12 regular gas, midgrade and premium but we will
13 also have a pump that just has diesel.

14 And, there will be self-service pumps,
15 obviously, if a disabled person or elderly
16 person need assistance, we can provide that
17 assistance.

18 If the Clerk could put up the second
19 Exhibit, that is a rendering of what the
20 building is going to look like when we
21 complete it.

22 I believe there is an Exhibit after
23 that, that shows the building.

1 This is a color rendering of what the
2 building looked like upon completion of
3 construction.

4 Um, we also, you know, the building,
5 right, now is a little rundown.

6 Again, it is one hundred years old. It
7 is added to multiple times.

8 This is going to be a nice improvement
9 to Linden Boulevard.

10 We are also going to be installing an
11 electrical switch to allow the site to have
12 an emergency generator in case the need
13 arises.

14 On April 5, 2016, we got a letter from
15 Code Enforcement that noted some violations,
16 most of those violations, actually, 90
17 percent of those violations will be resolved
18 as part of this application.

19 The aboveground tank is going to be
20 removed as part of this application that
21 currently holds kerosene, that is going to be
22 underground, that is part of the ten thousand
23 gallon storage tank.

24 COUNCILMAN D'ESPOSITO: Supervisor, may
25 I?

1 SUPERVISOR SANTINO: Yes, go ahead.

2 COUNCILMAN D'ESPOSITO: Counsel, I am
3 going through the pictures, here. I am
4 wondering, I am looking at also the
5 violations that you just referenced, why have
6 we allowed this building and this property to
7 get to where it is, now?

8 SUPERVISOR SANTINO: Let me add to that
9 too, in the 24 years I have been sitting up,
10 here, I mean, this is one of the most
11 dilapidated, disgusting looking piece of
12 Property I have ever seen.

13 I mean, there is garbage strewn all
14 over the place. I mean it is - - to call it
15 dilapidated is insulting to something that is
16 dilapidated.

17 It is horrible. I am trying to figure
18 out how any business model your client would
19 allow this property to look like this.

20 I mean, I can't imagine any other place
21 in the Town of Hempstead that looks like
22 this.

23 It is absolutely disgusting, basically,
24 is the word for it.

1 I think I need to get a general sense
2 of why, you know, why we should - - that is
3 a really nice rendering. It looks really
4 nice.

5 What kind of guarantee would we have
6 with respect that it is actually going to
7 look like this?

8 I mean I wish you could hold these
9 pictures up so the audience can see it.

10 It is beyond horrible.

11 JOHN FARRELL: I understand, you know,
12 this is a very old station. It has been in
13 existence and operating for - -

14 SUPERVISOR SANTINO: Old, old is not an
15 excuse for garbage strewn all over, I mean
16 old in a sense, it may look a little doggy
17 and it needs a coat of paint, okay, that is
18 old but the fact that no one has gone through
19 here in years and picked up anything, it is
20 horrible.

21 COUNCILMAN D'ESPOSITO: Old, doesn't
22 allow for no signage and writing the number
23 of the, um, gas station in spray paint on the
24 garage door, either.

1 COUNCILMAN HUDES: Also, might I bring
2 up the fact I was looking through your
3 application, um, and, obviously, landscaping
4 along with everything, the Supervisor and the
5 Councilman mentioned has been lacking, there
6 is no landscaping.

7 SUPERVISOR SANTINO: No landscaping, it
8 is weeds.

9 COUNCILMAN HUDES: Right, where is
10 your landscaping plan, that is desperately
11 needed along with a complete overall from top
12 to bottom?

13 JOHN FARRELL: Well, again, the site
14 the way it was built out, again, it was built
15 out in 1915, there is a very old station, um,
16 it didn't leave any room for - - for
17 landscaping.

18 We would add landscaping along the rear.
19 We have buffered by Southern State Parkway
20 and the other side buffered by the Elmont
21 Fire Department, I mean along the other gas
22 station, we have a three foot wide strip.

23 We could put landscaping there.

24 COUNCILMAN HUDES: It is residential and
25 it is business and you are in here asking

1 for, um, to expand this, which I assume is
2 going to be more residential apartments and
3 so forth.

4 JOHN FARRELL: Nope, absolutely not, it
5 is remaining a single family.

6 It is going to be remaining a single
7 family unit.

8 COUNCILMAN HUDES: Why are you building
9 - - it says you are looking to add extensions
10 to this?

11 JOHN FARRELL: Because right, now, the
12 existing space is only seven hundred or so
13 square feet.

14 COUNCILMAN HUDES: Right.

15 JOHN FARRELL: We are looking to make
16 it a little bigger to make it a little
17 attractive space.

18 We have the room on the site, um, we do
19 have - - we do have parking, um, you know and
20 parking as it is, now, probably it was built
21 pre 1915.

22 COUNCILMAN BLAKEMAN: Why are you going
23 to two stories?

24 COUNCILMAN HUDES: Across the back of
25 the property, it appears - -

1 COUNCILMAN BLAKEMAN: What is going to
2 be on the second floor?

3 JOHN FARRELL: Well, I can bring the
4 architect up.

5 COUNCILMAN HUDES: You have the proposed
6 two-story extension on the back of the
7 residence.

8 You have the proposed two-story
9 extension on the back of the convenience
10 store with two, two-story extensions on the
11 back of the convenience store and a proposed
12 one-story extension to the side of the
13 convenience store. Your customers are not
14 going upstairs?

15 JOHN FARRELL: No, the upstairs would
16 be the office space for the operation of the
17 gas station.

18 COUNCILMAN HUDES: What about the back,
19 the residential area?

20 JOHN FARRELL: It is a very small
21 residential - - it is a two-story
22 residential, one residence.

23 It is a very small two story
24 residential they are going to build. It is a
25 reasonable size.

1 COUNCILMAN HUDES: How many square feet
2 are existing in the residential, now?

3 JOHN FARRELL: Just give me a second.

4 SUPERVISOR SANTINO: Is that area
5 currently occupied by someone that resides
6 there?

7 JOHN FARRELL: Yes, it is.

8 SENIOR COUNCILWOMAN GOOSBY: Is it
9 rented out to someone else?

10 JOHN FARRELL: Yes, it is, all the uses
11 on the site are all legal under non-
12 conforming use permits.

13 This is not an illegal situation
14 that we are trying to rectify.

15 The reason we are here is because it
16 wasn't included in the GSS District.

17 We are trying to expand and improve the
18 building and as part of that, we have to
19 include it within the GSS District.

20 The current existing square footage on
21 the two-story dwelling is seven hundred and
22 seventy-two square feet, so, over two
23 storie3s, that is only three hundred and, um,
24 um, I am bad in math, three hundred and

1 eighty-five square feet per floor, um that is
2 really tight for living space.

3 SENIOR COUNCILWOMAN GOOSBY: I want to
4 ask you one thing, you knew that you were
5 coming here, today, right?

6 JOHN FARRELL: Yes.

7 SENIOR COUNCILWOMAN GOOSBY: Number 14
8 which is a list of all the different
9 violations and so forth that our Building
10 Department found before coming, why didn't
11 you clean some of it?

12 Usually, if someone is coming to your
13 home, you try to get rid of some of that
14 stuff.

15 You didn't do any of that.

16 It is terrible. You have a fence
17 without a permit, maintain gas station
18 dwelling and garage with conditions, no
19 restoration, extension and repair shop
20 without permit, aboveground tank without
21 permit and storage of unregistered vehicles,
22 freestanding and attached signs without
23 permit, walls are in disrepair, poor stains,
24 electrical wires, you shouldn't be operating
25 under these circumstances and you come here

1 today, well - - but I certainly would not - -
2 I don't understand this, all the waivers that
3 you are asking for, do you see all these
4 waivers that you are asking for?

5 COUNCILMAN HUDES: And, you are asking
6 for used cars down the road.

7 SENIOR COUNCILWOMAN GOOSBY: And, the
8 side of the building is not even your
9 building, I don't see this.

10 JOHN FARRELL: Well, we got this memo
11 on April 5th, to be very honest with you, um,
12 most of these items are going to be addressed
13 by - -

14 COUNCILMAN D'ESPOSITO: Counsel, with
15 all due respect, I don't mean to interrupt
16 you but even though you got the notification
17 on April 5th, you said, we are looking through
18 these pictures.

19 This didn't happen in a short amount of
20 time.

21 This is something that has been going
22 on for a very long time and you just recently
23 were notified.

24 Can you explain the reason?

25 JOHN FARRELL: Sure.

1 We started this process about, I want
2 to say, five years ago, at least, um, part of
3 the difficulty we had with the plans was that
4 the East and West side of the property, um -
5 - the West side of the property, um, where we
6 have the proposed used car storage, that was
7 - - we started on that process, um, probably
8 about five years ago to abandon that street.

9 It took us the better part of three and
10 a half, four years, um, to get through the
11 road abandonment process to approve that as
12 part of our application.

13 COUNCILMAN HUDES: Elizabeth Street?

14 JOHN FARRELL: Yes, so, it took us
15 quite some time to get the Town Attorney's
16 Office and this Board to sign off on the road
17 abandonment.

18 And, then, we had a lot of difficulty
19 with the Nassau County Clerk's Office, um, I
20 am sure the Board is aware, um, many people
21 retired in the Nassau County Clerk's Office
22 and they don't know how to do a lot of these
23 things.

24 COUNCILMAN BLAKEMAN: Counsel, Counsel,
25 you have heard from my colleagues.

1 This happens to be in the District that
2 I represent.

3 JOHN FARRELL: Yes.

4 COUNCILMAN BLAKEMAN: You heard from
5 almost all of my colleagues here on the Town
6 Board about concerns they have had about the
7 way this property has been managed in the
8 past and what is a very aggressive plan for
9 the future.

10 So, I am as concerned as they are and I
11 have the same issues they have, however, I do
12 want to see your client improve this
13 property.

14 And, I want to see it succeed and I
15 want to see it transform into a property that
16 is more productive and better for the
17 community, but, I think you got some more
18 work to do.

19 First of all, I would have somebody out
20 there tomorrow cleaning up the property ASAP
21 and, then, I am going to ask you to meet with
22 our Building Planners and Designers and talk
23 about the plan and how we can make it a
24 better plan and make it work for both the

1 residents of Elmont and for your client but
2 there is work to be done, here.

3 And, there is a lot of consternation
4 about the way the property has been managed
5 in the past, that is a business concern for
6 the Board.

7 So, Mr. Supervisor, I am going to move
8 at this time that we adjourn the Hearing - -

9 SUPERVISOR SANTINO: I want to make
10 sure just one second, Councilman, if there is
11 no members of the public who may have taken
12 the time to be here that is interested in
13 speaking?

14 (NO RESPONSE)

15 SUPERVISOR SANTINO: If not, go ahead.

16 COUNCILMAN BLAKEMAN: I move that we
17 adjourn the Hearing with a date to be
18 determined to review this application.

19 In the meantime, to give you an
20 opportunity to clean the property and to go
21 with members of the Building Department to
22 talk about ways in which we can improve this
23 application.

24 SUPERVISOR SANTINO: Is there a second
25 on that motion?

1 SENIOR COUNCILWOMAN GOOSBY: Second.

2 CLERK AHMAD: Supervisor Santino?

3 SUPERVISOR SANTINO: Aye.

4 CLERK AHMAD: Councilman Ambrosino?

5 COUNCILMAN AMBROSINO: Aye.

6 CLERK AHMAD: Councilman Blakeman?

7 COUNCILMAN BLAKEMAN: Aye.

8 CLERK AHMAD: Councilman D'Esposito?

9 COUNCILMAN D'ESPOSITO: Aye.

10 CLERK AHMAD: Senior Councilwoman
11 Goosby?

12 SENIOR COUNCILWOMAN GOOSBY: Aye.

13 CLERK AHMAD: Councilman Hudes?

14 COUNCILMAN HUDES: Aye.

15 CLERK AHMAD: Councilwoman King-
16 Sweeney?

17 COUNCILWOMAN KING-SWEENEY: Aye.

18 SUPERVISOR SANTINO: On the
19 Administrative Calendar, please, call the
20 calendar.

21 CLERK AHMAD: On the Administrative
22 Calendar, we have items 1 through 45.

23 SUPERVISOR SANTINO: Okay, can I have
24 a motion on the Administrative Calendar.

1 SENIOR COUNCILWOMAN GOOSBY:

2 Supervisor, I move the Administrative
3 Calendar in its entirety.

4 COUNCILMAN BLAKEMAN: Second.

5 SUPERVISOR SANTINO: On the
6 Administrative Calendar, I have Felix
7 Procacci who have signed in.

8 FELIX PROCACCI: Felix Procacci,
9 Franklin Square, New York.

10 SUPERVISOR SANTINO: Go ahead.

11 FELIX PROCACCI: First, um, Item
12 Number 6, membership dues for the building
13 inspectors association, is this required by
14 New York State that they belong to this
15 association?

16 TOWN ATTORNEY RA: No, it is not a
17 requirement.

18 FELIX PROCACCI: Okay, um, I didn't
19 get time to research this organization, do
20 they teach ethics to building inspectors what
21 they should and should not do ethically?

22 SUPERVISOR SANTINO: Town Attorney?

23 TOWN ATTORNEY RA: Bianco is an
24 organization for code enforcement officers.

1 They have numerous programs and
2 informational directions for the code
3 enforcement officers and I can't specifically
4 tell you but I am concern that over the
5 course of, um, the program that they offer,
6 they do touch on that.

7 FELIX PROCACCI: Okay, Item Number 22
8 that has to do with the LED lighting, I
9 guess, email regarding the savings and all 43
10 million dollars over 23 years and you are
11 going to be doing interior lighting, can I
12 FOIL the documents that, you know, provide
13 these estimated - - these projections, would
14 that be public information that I could FOIL
15 so I can see, so the residents can see how it
16 came about this projection?

17 TOWN ATTORNEY RA: Yes, you may FOIL
18 it.

19 FELIX PROCACCI: Items Numbered 28, 29
20 and 30, I read those resolutions transfer of
21 land, the price, I believe wasn't given in
22 any of the resolutions, is this going to be
23 put out for sale?

24 TOWN ATTORNEY RA: These three items
25 are settlements of litigation.

1 They are paper streets the Town of
2 Hempstead has no right, title or interest to.

3 FELIX PROCACCI: Okay, where is this
4 property going to, now?

5 TOWN ATTORNEY RA: It is going to the
6 adjacent owners and that is a function OF
7 State Law.

8 They are paper streets. They can
9 never dedicate it to the Town of Hempstead.

10 The Town of Hempstead has no ownership
11 rights.

12 FELIX PROCACCI: I didn't understand
13 your term, "paper streets" that is all.

14 Item Number 34, again, I checked the
15 WEB site, we said we were going to look into
16 whether you are going to put on the WEB site
17 where they can see if they turn in an
18 application for non-tested positions.

19 SUPERVISOR SANTINO: It is there.

20 FELIX PROCACCI: It is there on the
21 front page.

22 (Whereupon, "It is there on the front
23 page, on the home page," was heard.)

24 FELIX PROCACCI: Okay, I must have
25 missed it, okay, that's it.

1 SUPERVISOR SANTINO: Please call the
2 roll - - anyone else that wants to speak on
3 the Administrative Calendar that didn't sign
4 in?

5 (NO RESPONSE)

6 SUPERVISOR SANTINO: Please call the
7 roll.

8 CLERK AHMAD: Supervisor Santino?

9 SUPERVISOR SANTINO: Aye.

10 CLERK AHMAD: Councilman Ambrosino?

11 COUNCILMAN AMBROSINO: Aye.

12 CLERK AHMAD: Councilman Blakeman?

13 COUNCILMAN BLAKEMAN: Aye.

14 CLERK AHMAD: Councilman D'Esposito?

15 COUNCILMAN D'ESPOSITO: Aye.

16 CLERK AHMAD: Senior Councilwoman
17 Goosby?

18 SENIOR COUNCILWOMAN GOOSBY: Aye.

19 CLERK AHMAD: Councilman Hudes?

20 COUNCILMAN HUDES: Aye.

21 CLERK AHMAD: Councilwoman King-
22 Sweeney?

23 COUNCILWOMAN KING-SWEENEY: Aye.

24 SUPERVISOR SANTINO: Do we have a
25 motion to close the Meeting?

1 SENIOR COUNCILWOMAN GOOSBY: I move
2 that the Hearing be closed.

3 COUNCILMAN HUDES: Second.

4 CLERK AHMAD: Supervisor Santino?

5 SUPERVISOR SANTINO: Aye.

6 CLERK AHMAD: Councilman Ambrosino?

7 COUNCILMAN AMBROSINO: Aye.

8 CLERK AHMAD: Councilman Blakeman?

9 COUNCILMAN BLAKEMAN: Aye.

10 CLERK AHMAD: Councilman D'Esposito?

11 COUNCILMAN D'ESPOSITO: Aye.

12 CLERK AHMAD: Senior Councilwoman
13 Goosby?

14 SENIOR COUNCILWOMAN GOOSBY: Aye.

15 CLERK AHMAD: Councilman Hudes?

16 COUNCILMAN HUDES: Aye.

17 CLERK AHMAD: Councilwoman King-
18 Sweeney?

19 COUNCILWOMAN KING-SWEENEY: Aye.

20 (Whereupon, the meeting was
21 adjourned.)

22 CERTIFICATE BY COURT REPORTER

23 I, do hereby certify that the foregoing
24 testimony taken in the matter of the
25 Hempstead Town Board held on April 12, 2016,

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consisting of pages 1 through 42 inclusive 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